ALL-PARTY PARLIAMENTARY GROUP FOR ANIMAL WELFARE

APGAW

Tackling livestock worrying and encouraging responsible dog ownership

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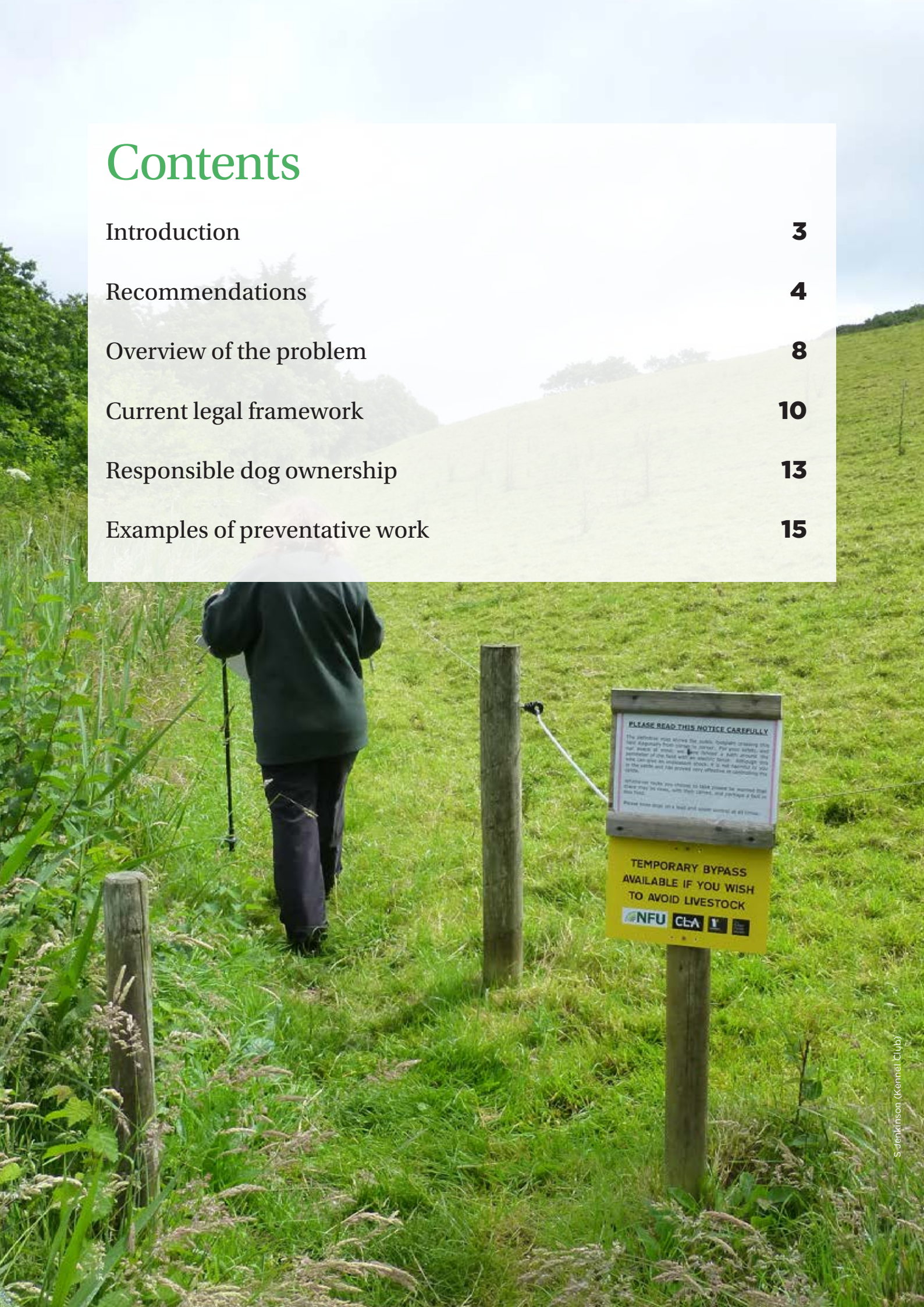

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Introduction

This inquiry and report was instigated by concerns raised with the political Officers of the All-Party Parliamentary Group for Animal Welfare (APGAW) about the apparent increase in incidences of livestock worrying by dogs. The Officers set up a small sub-group to look into this issue and identify the following:

- what evidence there is of the problem,
- the current legal framework,
- responsible dog ownership, and
- whether there is any good practice that could be identified and shared more widely as part of any recommendations.

Organisations who participated in meetings and discussions included SheepWatch UK, the National Sheep Association, Farmers Guardian, the Country Land and Business Association, the Dogs Trust, the National Animal Welfare Trust, the Animal Behaviour and Training Council, the Ramblers Association, Devon and Cornwall police, Hertfordshire constabulary, North Wales police, North Yorkshire police, and Sussex police.

This report aims to set out the findings of this short inquiry.

The small sub-group consisted of the following people:

Political membership	Advisors
Angela Smith MP (Chair) Lord Trees The Lord De Mauley Rt Hon David Hanson MP The Baroness Masham of Ilton DL Neil Parish MP Rebecca Pow MP Liz Saville-Roberts MP Additional MPs attended meetings and gave input	Marisa Heath (APGAW facilitator & report writer) Professor Tim Morris (Animal Health and Welfare Board for England) Claire Horton (Battersea Dogs & Cats Home) Stephen Jenkinson (Kennel Club) Gudrun Ravetz (BVA) Charles Sercombe/Catherine Mclaughlin (National Farmers Union) Hazel Wright (Farmers Union Wales) Claire McParland (RSPCA)

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Recommendations

Dogs worrying and attacking livestock is an important issue and can have a major financial and emotional impact on all concerned. It is also a very complex problem to solve and not one for which a single solution can be provided, indeed there will be circumstances where it may partly require a more developed regional approach to resolve specific issues.

Overall, the report finds that ensuring responsible dog ownership through management of dogs and reducing high-risk behaviour around livestock should be the primary focus in ending dog worrying and attacking of livestock. Specifically, it recommends that:

- dog owners can mitigate risk through adequate soclialisation and training behaviours to ensure dog and animal safety
- farmers and local authorities can take measures to help prevent worrying and attacks
- farmers should report all attacks and worrying to to the police
- the police should improve the consistency of their response as well as recording and publishing numbers of incidents
- Defra should support specific updates to relevant legislation where this is found to be required such as a better definition of 'livestock'
- DEFRA should regulate the industry of animal behaviour and training to ensure that pet owners can find reputable professionals to help them. This could be considered as a future part of the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 currently being developed or during a review of the Veterinary Surgeons Act 1966
- Dog organisations should produce consistent information for dog owners which can be disseminated through veterinary practices and pet shops
- Landowner and farmer organisations could provide members with advice for low cost civil litigation to ensure that if worrying or attacks occur then they have a mechanism for pursuing irresponsible dog owners to bear the costs
- Local authorities should carefully consider alternative locations for dog owners and walkers to take their dogs when looking at issuing PSPOs and other measures such as introducing car parking charges and conservation grazing which could result in dog owners walking their dogs around livestock
- The Home Office should recognize that livestock worrying is a national social and economic issue which requires accurate statistics to be collected and guidance to be provided to police and should look to make livestock worrying a recordable crime to ensure more accurate records
- The Ministry of Justice should review the sentencing under the Dogs (Prevention of Livestock) Act 1953
- The Sentencing Council should review the guidelines under the Dogs (Prevention of Livestock) Act 1953
- All organisations and institutions should look at commissioning research on the root causes of poor dog behaviour.

What can dog owners do?

As many incidents of worrying and attacks occur when owners are not present, all dog owners need to accept that their dog should never be unaccompanied outside of their home. Owners should also understand their responsibility to ensure that wherever dogs are kept, including their houses and gardens, they are secure so that their dogs cannot escape and cause problems.

What can dog walkers do?

It is believed that dog owners do not generally intend for their dogs to chase livestock but there is a critical need for owners to understand that many dogs will show an interest in, or chase, livestock which places farm animals at potential risk and that means they need to manage that behaviour. This includes watching and reacting to signs where animals are grazing, keeping their dogs on leads in enclosures containing livestock, and considering using alternative routes away from livestock where available. Note: walkers are advised to release their dogs if threatened by cattle so they can get to safety separately.

Dog walkers can also mitigate the risk should their dog be in the presence of livestock with adequate and appropriate socialisation of puppies and training of behaviours which ensure dog and animal safety through reliable recalls. APGAW acknowledges that in some cases even a very reliable recall is not fail safe and there is a significant proportion of dog owners/walkers who will never attend training classes with their dogs or consult a behaviour specialist. Efforts should therefore be focused in changing the attitude and behaviour of these owners such that the way in which they manage and control their dog does not pose a risk to livestock. Along with this, clearer definitions around terms such as 'under close control' would help as currently it allows people to interpret what they believe to 'be under control' when in reality their dog could be fifty feet away from them with no real likelihood of being able to bring the animal under control quickly. Likewise, the messaging around definitions, advice and information to all dog owners need to be clear and consistent from Government, welfare organisations and farmers/landowners.

What can dog welfare organisations do, including charities, vets, pet shops, pet industry, pet insurance?

There are a number of organisations who provide resources and information about dog welfare and responsible dog ownership. While this information is helpful, it is unclear how widely it reaches, how consistent it is in terms of advice and whether more could be done by other organisations and local and central government to ensure it has a wider reach, in particular to the target audiences. The messaging around responsible dog ownership should be agreed by the welfare organisations and supported by government to ensure authority as well as assistance with dissemination. A good example of this is the work done by a number of the major charities on raising awareness about the risks of dogs being left in cars on warm days. Similar collaborative work on livestock worrying would be welcome.

The welfare organisations should also continue to educate dog owners about choosing the right type of dog for their lifestyle to avoid very active dogs being left at home alone for long periods and often escaping out of boredom or frustration. Clear guidance of this is already in the Government's Code of Practice for the Welfare of Dogs.

APGAW would support the sector group for dogs, the Canine and Feline Sector Group (CFSG), to request the inclusion of text on safe dog walking and risks to other animals in the revised Code of Practice for the Welfare of Dogs for England that they have submitted to Defra. At present the only text refers to *"If your dog is fearful of, or aggressive towards, other dogs and people avoid the situations that lead to this behaviour and seek advice from a vet or suitable qualified dog behaviour expert care specialist."* APGAW would suggest the inclusion of a line such as *"You should ensure you prevent your dog from chasing or attacking any other animals, including livestock and horses through use of the lead or avoidance of such situations."*

What can farmers/livestock owners do?

There is a role for farmers and livestock owners to help dog owners/walkers know when, and how, to keep their pets under control. APGAW believes that farmers and livestock owners can assist dog owners/walkers by making better use of existing good practice by ensuring

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there are clear notices advising them of livestock in any fields, if livestock are likely to be moved to a field soon and ensure notices are up to date and removed if not required. Farming organisations and local police should work together to provide guidance on this. It is suggested that a contact number for reporting any incidences or injured animals should be included on any signage.

There is a need to ensure accurate data is collected on this issue so that decision makers and enforcement bodies can fully understand this issue and prioritise resources. With clear evidence of significant underreporting, APGAW believes that farmers and livestock owners must report all incidents of livestock worrying, no matter how minor, to their local police so that effective data can be collated. Farming organisations should promote this reporting. A useful leaflet[1] setting out how to do this has been produced by the police and farming organisations. It is vital to record why and how incidents happened, (e.g. Was it an accompanied or straying dog? Was credible signage in place?) to identify the best interventions to reduce problems.

What can farming and landowner organisations do?

There is a need to ensure their members have useful information that addresses what is a complex problem with solutions that should be tailored to local needs. These organisations could also help by providing members with advice for low cost civil litigation to ensure that if worrying or attacks occur then they have a mechanism for pursuing irresponsible dog owners to bear the costs.

The information around the need to report, how to utilize preventative tools and how to set out clear messaging needs to be delivered consistently to farmers and given authority by farming and landowner organisations.

More should be done to emphasize the fact that walking through fields can cause a public health risk too owing to problems caused to cattle and sheep from parasites in dog faeces and there needs to be consideration as to whether signage should include a warning on this.

1 http://www.sheepwatch.co.uk/uploads/2/5/5/9/25596304/livestock_worrying_leaflet_v3.pdf (accessed 23.08.17)

What can local authorities do?

When reviewing Public Spaces Protection Orders (PSPOs), local authorities should be careful to consider the availability of open space for use by dogs off lead. To restrict such areas or remove them via a PSPO may increase the risk to livestock in the countryside as more owners and walkers find that location as the only alternative. APGAW believes that local authorities should carefully consider alternative locations for dog owners and walkers to take their dogs when looking at issuing PSPOs and other measures such as introducing car parking charges and conservation grazing.

Attention should also be given to providing the right facilities for dog walkers to encourage the use of safe areas including bags and bins for dog waste disposal and lighting.

Given that there is a dog in around a quarter of all homes[2], as normal good practice, local authorities should seek to ensure adequate provision of green space for dog walkers during planning applications for new developments to avoid adjacent farmland becoming in effect local public amenity areas. Good practice already exists in the provision of such green space when planning to minimize any impacts on sensitive wildlife areas adjacent to new homes arising from dog walking.[3]

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What can the police do?

The police and how they respond to complaints as well as collecting accurate data about what has happened and why play a key role in tackling this problem. APGAW welcomes the National Police Chief Council's (NPCC) initial work in this area and believes that each police force should respond consistently to complaints about livestock worrying and ensure officers are trained so that accurate data and all incidents, crimes and outcomes are recorded and shared nationally. This will enable shared intelligence and means that the issue can be evaluated more effectively.

2 https://www.pfma.org.uk/pet-population-2016

3 Planning for dog ownership in new developments was jointly published in 2013 by Hampshire County Council, East Hampshire District Council and the Kennel Club and can be accessed at www.hants.gov.uk/dogs

More effective use of all the current legislative tools by the police is needed as is sharing of intelligence and closer working through enforcers' networks. Potentially preventative tools within the Antisocial Behaviour, Crime and Policing Act 2014 could help to identify and tackle potential problem dogs (and their owners) at an early stage.

To obtain a clear overview of the issue there needs to be an easier way of reporting attacks, even if they are minor and do not involve a police visit, and consideration should be undertaken as to whether a self-reporting publicly accessible mechanism hosted by a reliable third party but accessible through local police websites could provide a solution.

The Home Office should recognise that livestock worrying is a national social and economic issue which requires accurate statistics to be collected and guidance to be provided to police.

What can Parliament do?

Although there are a number of pieces of law relevant to this issue they all appear to have limitations in their usability resulting from developments in farming practice and recent enforcement experience. APGAW believes the following measures should be taken:

- There is a strong need to look at updating the definition of livestock to reflect the species kept today including camelids and also a need to consider attacks on equines. APGAW believes Government should look to see how best to achieve this whether by amending the original Act or using a statutory instrument.

- The current maximum penalty for an offence under the Dogs (Protection of Livestock) Act 1953 is set at level 3 (£1000) which does not allow flexibility for persistent or repeat offenders. Sentencing needs to be more of a deterrent so APGAW requests a review by the Ministry of Justice of the sentencing under the Act.

- APGAW also believes that it would be beneficial for the Sentencing Council to review the sentencing guidelines issued on this area of law to ensure all the mitigating and aggravating factors of such offences are adequately considered.

- Livestock worrying should become a recordable crime to ensure more accurate records.

- APGAW believes that there is a need for greater clarity and consistency around the existing legislation, its scope and whether better use of tools between different pieces of legislation could help to tackle this issue.

- APGAW believes that the Government should regulate the animal behaviour and training industry to ensure that pet owners can find reputable professionals to help them. This could be considered as part of the Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018 currently being developed. There is also the option of inclusion of this area through a review of the Veterinary Surgeons Act 1966.

What can be done collectively?

Throughout this short inquiry, many different organisations have cited examples of work and initiatives as good practice to prevent livestock worrying and attacks. APGAW has collated some examples in this report however we would point out there appears to be little evaluation of these. They should be evaluated more effectively and, where appropriate, should be shared more widely with relevant organisations, government and other bodies to encourage a more preventative approach.

Consideration has been given to the CLA's proposal of temporary diversion of footpaths and APGAW believes that any such consideration around public rights of way should take place with Local Access Forums.

APGAW welcomes, and supports, initiatives by a range of organisations, including the Kennel Club and the National Animal Welfare Trust, to consider work, including academic collaborations, to understand the root causes of irresponsible dog ownership and how behaviour change can be effected.

Next steps

APGAW will continue to support and review the work of organisations in delivering responsible dog ownership, will work with parliamentary colleagues and the Government to progress the legislative updates identified by the police and others, and looks forward to full reporting by farmers and the final NPCC report and the delivery of a consistent police response when worrying and attacks occur.

Overview of problem and available data

The impact of urban sprawl and people moving out of cities into more rural areas has meant a change in the use of the countryside and an increase in footfall. Areas of countryside usually not touched by the public are now used regularly and indeed new developments of housing have increased the nearby population. This has meant more dogs in rural areas and may explain the apparent fact that a large percentage of livestock worrying cases that have been reported have been caused by stray dogs who have escaped nearby housing. This has made the issue more complex and certainly not focused solely on the dog walker.

Nonetheless it is worth noting that Natural England data[4] indicates that 1.5 billion visits to the natural environment involve walking with a dog (England only) which equates to 4 million walks with dogs per day. Other data suggests that over 8 million dogs are walked every day (UK wide)[5] although this is not necessarily all in the countryside. Data from the Kennel Club and several local authority funded research projects shows that off-lead exercise is the single most valued amenity for 85% of dog walkers.[6]

Dog walking remains a popular activity and one which should be encouraged owing to the benefits to human health and well-being. Problems have arisen with increasing restrictions with some areas seeing local authorities restricting dog access to public open space through the use of Public Spaces Protection Orders meaning owners of dogs have had to find alternative places to walk their pets which can be in more remote countryside and around farmland. Use of other areas of previously dog-friendly public open space, such as heathlands, have also been reduced through the introduction of conservation grazing with little consideration of where off-lead dogs will be walked instead.

This means more people using the countryside who need to be aware of how to protect it and how to avoid harm through increased use, for example by making better choices about where, how and when to exercise dogs-off lead. Access to the countryside is valuable and should be maintained. This is recognised as important by a wide range of stakeholders including landowners, many of which actively seek interest from the public in visiting and protecting the countryside. It needs to be recognised that dog walkers are generally responsible and considerate to the environment in which they are exercising their dog and the great majority are not causing any sort of problem.

Farmers and landowners play a key role as guardians of the countryside but they must be able to protect their animals and carry out the business of farming. That is why the issue of livestock worrying is an important one which needs to be tackled owing to its economic, environmental and animal welfare impact.

According to information provided to APGAW at a roundtable meeting in March 2017 it is thought that around 15,000 sheep were killed by dogs in 2016.[7] There is of course a financial impact and prices, which vary depending on the time of year, reported by AHDB[8] for buying in replacement animals and the sale value are:
Fat lamb, (42kg live weight) – £75
Store lamb (requires further fattening) – average £50
Cull ewe (finished its breeding life) – average £49 to £65
Replacement breeding ewe – average £90 to £120
Replacement breeding ram - £350 to £600

With an approximate value of £75 per carcass, based on the estimated figure of 15,000 sheep killed, this totals around £1.3 million cost to the farming and wider sector.

According to further information from Sheepwatch UK most of the attacks seem to take place between January and March and this has seen loss of lambs and mis-mothering issues with lambs dying of starvation or hypothermia when they become separated from their mother. It is much harder to quantify the costs of ewes losing/aborting lambs or the growth check that often results from worrying. It also does not take into account the attacks which result in financial consequences including large veterinary bills.

4 http://publications.naturalengland.org.uk/file/5916012123783168 (accessed 30.08.17)
5 https://www.pdsa.org.uk/media/2627/pdsa-paw-report-2016-printable.pdf (accessed 30.08.17)
6 English Nature Research Report 649: Dogs, Access and Nature Conservation
7 Figures calculated by Sheepwatch UK http://www.sheepwatch.co.uk/uploads/2/5/5/9/25596304/sheepwatch_situation_update_mar_2017.pdf (accessed 23.08.17)
8 http://beefandlamb.ahdb.org.uk/markets/auction-market-reports/individual-auction-markets/

1,669
recorded incidents of livestock worrying
(Sep 2013 to Sep 2017)

1,866
livestock reported killed
(Sep 2013 to Sep 2017)

1,614
livestock reported injured
(Sep 2013 to Sep 2017)

92
offending dogs reported as being shot
(Sep 2013 to Sep 2017)

There are wider consequences for animal welfare. Sheepwatch UK said it had been reported to them that in 2016 at least 49 dogs had been shot and killed for chasing or killing sheep.[9] This clearly causes distress to the owners of both the livestock and dogs. Additionally, such attacks are not limited to sheep and there are reported instances of attacks on cattle, other livestock and horses. The British Horse Society has anecdotally reported to APGAW that there has been 662 attacks since 2012 with the trend showing an increase in the last two years and that only captures those who have gone out of their way to report it to the Society.

A survey of over 3000 dog owners carried out by the RSPCA in 2017 found that 24% of owners reported their dog to chase livestock and/or wildlife and/or other animals either in the past or currently.[10] Of those that reported this behaviour, 29% sought help and of these 47% obtained that help from online sources, 38% from a pet shop and 28% from a vet. 43% did not consider the behaviour a problem and did not seek any advice or help. This seems to undermine the challenge this issue poses when engaging with dog owners; a large amount are simply not aware of the consequences of chasing any animal or bird and the need to take it seriously.

Police Reporting and Data

It has been difficult to have a precise understanding of the scale of the problem as it has been shown that under-reporting is a significant problem and work is needed to ensure farmers and livestock owners have the confidence in the police response to report all instances so that effective data can be collected. Owing to there being no requirement for the police to formally record livestock attacks, it has been problematic to obtain a clear set of data on how many livestock worrying incidences have been reported and also in setting a clear pathway for those affected to report the incident. This lack of evidence has made it difficult to understand the extent of the problem and its causes; however, five police forces, under the aegis of the National Police Chiefs Council, have been carrying out a trial retrospective recording system over a four-year period (going back to 2013) with the aim being to identify a fuller picture. The police forces concerned are Devon and Cornwall, Hertfordshire, North Wales, North Yorkshire, and Sussex. Police Scotland has also been collecting data.

The five forces were faced with enormous challenges in conducting a data trawl including overcoming the initial difficulties of locating related incidents amongst all recorded police incidents over a four-year period, followed by the large predicted data gaps. As a result of these highlighted data limitations interim data has been provided and the fuller data will follow in the Final Report due in December 2017. The following data must be treated as known recorded police findings from the data available, and not necessary a true reflection of the extent of the issues:

- **there was a total of 1669** recorded incidents of livestock worrying and attacks over the last four years (Sep 2013 to Sep 2017) in the five force areas.
- **A total of 1866** livestock were reported killed.
- **A total of 1614** livestock were reported injured.
- **A total of 92** offending dogs were reported as being shot.

9 http://www.sheepwatch.co.uk/dog-owners.html
10 This unpublished data is from an RSPCA commissioned survey among 3,049 dog owners. The survey was conducted by Atomik research online during 11th - 17th July 2017.

Region	Incidents Recorded	Dogs Shot	Livestock Injured	Livestock Killed	Dogs Owner Not Present
North Yorkshire	329	16	292	255	79%
Devon and Cornwall	322	10	229	302	49%
Hertfordshire	72	1	105	69	58%
North Wales	449	52	376	648	89%
Sussex	497	13	612	589	54%

Current legal framework

There are four main pieces of law that can be applied to the issue of livestock worrying and dogs, namely, the Dogs Act 1871, the Dogs (Protection of Livestock) Act 1953, the Animals Act 1971 and the Dangerous Dogs Act 1991. The 1871 and 1971 Acts create civil liabilities and the 1953 Act creates criminal responsibility. There are also some elements of the Anti-Social Behaviour, Crime and Policing Act which may be relevant to dog control, in this scenario.

Dogs (Protection of Livestock) Act 1953

The Dogs (Protection of Livestock) Act 1953 creates a criminal offence for an owner (or person in charge) of a dog to allow it to worry livestock on any agricultural land. The legislation provides for a limited power of seizure and very limited fines if convicted of an offence.

The definition of 'worrying' includes attacking livestock as well as chasing them in such a way as may be reasonably expected to cause injury or suffering and simply being 'at large'[11] in a field where there are sheep. Livestock[12] has a wide definition but does not include camelids. Agricultural land[13] also has a wide meaning and can cover a cricket field on which sheep are grazing.[14]

Certain groups of dogs are exempt from this legislation including police dogs, guide dogs, trained sheep dogs, gun dogs and packs of hounds.

Pros	Cons
• Fairly good general offences covering most situations • Law is written simply and easy to understand with defences that are as relevant today as they were in the early 1950s • Provides a criminal offence for owners and also those in charge of dogs • Court can award livestock owner compensation • Provides for powers of search under warrant (but not to seize the dog) • Provides for limited powers of seizure if the owner is unknown.	• Very limited and outdated fines if convicted as a summary offence. • No powers of search and seizure for evidence under the Police and Criminal Evidence Act 1984 as it is summary only. • The offence is not recordable on the Police National Computer so no record of previous convictions will show against a person convicted. • It is not a "measurable" offence which has implications for the seriousness attached to offences and issues such as Police training. • Definition of "livestock" is limited and does not include camelids. • No other powers post-conviction concerning the dog. • It is not a statutory offence for local authorities so prosecution rarely happens. • No legal definition from either Parliament or the courts on what constitutes "under close control". • An owner cannot be issued with a disqualification order to own another dog upon conviction. section 1 of the Dangerous Dogs Act 1989 does not apply to the Dogs Protection of Livestock Act 1953 as the 1989 act only makes reference to the Dogs Act 1871 in its text.

11 i.e. not on a lead or otherwise under close control

12 Bulls, cows, oxen, heifers, calves, sheep, goats, swine, horses, asses, mules, and domestic fowls, turkeys, geese and ducks.

13 Land used as arable, meadow or grazing land, or for the purposes of poultry or pig farming, market gardens, allotments, nursery grounds or orchards.

14 *Williams v Richards*

Animals Act 1971

The Animals Act 1971 creates a civil liability for keepers[15] of dogs for the damage their dogs cause by killing or injuring[16] livestock. Injuring livestock has quite a wide definition. It is a strict liability[17] and provides circumstances where the owner of the livestock can kill the dog/s concerned to halt the attack as a last resort.

Pros	Cons
• Fairly wide definition of livestock. • Provides powers for the livestock owner to deal with the dog/s concerned.	• No powers of seizure. • Doesn't cover camelids. • Civil act which means police have a tendency to not enforce.

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15 Includes where he/she owns the dog, has it in their possession or is the head of the household of which a member under 16 years old owns or possesses the dog.

16 Includes where foals injure themselves as a result of dogs barking at them (*Campbell v Wilkinson*) and poultry ceasing to lay as a result of shock from a dog's presence (*Ives v Brewer*)

17 i.e. Liability that does not depend on negligence or intent to harm

Dogs Act 1871

The Dogs Act 1871 provides civil liability and allows for a complaint to be made by any individual (including the police. landowner, etc.) to a Magistrates Court about a 'dangerous dog'. The complainant must show the dog was not only dangerous, but also not under proper control and can be used where a dog attacks another animal, for example livestock.

The Court may make any Order they feel is appropriate to require the owner to ensure that the dog is kept under proper control, or if necessary destroyed. The Court may specify measures to be taken for keeping the dog under proper control, such as muzzling, remaining on a lead when in public, or even keeping the garden secure.

It can be a particularly quick (in many incidents the owner can be brought before a Court within a week) and low-cost method (just the costs for the time in Court and preparation of an Order - at present circa £200) for securing controls on an individual animal.

Any complaint laid is a civil action, so whilst there are no powers for enforcement bodies to seize or retain a dog pending the outcome of the complaint, those making the complaint only need to prove it on the balance of probabilities.

The Dangerous Dogs Act 1989 creates an offence of failing to comply with a Court Order under the 1871 Act and does provide powers with regards to penalties and appeals.

Pros	Cons
• Applies to attacks on animals. • Anyone can take the action, including the police and/or the landowner. • Court can require any control on the dog including euthanasia. • Covers a legal gap in the 1953 Dogs (Protection of Livestock) Act where dogs are at large in a field that does not contain livestock covered by the Act. • Only have to prove things on balance of probabilities and thus is an easier offence to prove.	• It is not recordable on the Police National Computer. • No power of seizure or retention. • No compensation can be awarded. • No fines can be imposed.

Dangerous Dogs Act 1991

This Act is perhaps the most well-known of dog legislation in the UK. It is section 3 of the Act that is of interest with regards to livestock attacks although it does not specifically relate to such. The Act makes it an offence for a dog to be dangerously out of control in any place and for the owner or person in control to be responsible. Dangerously out of control is defined as believing that the dog will injure any person or assistance dog, not that it has actually done anything. So it would be difficult to apply this Act to anyone that has a dog suspected of killing livestock as it would be difficult to show it is a cause of concern for their own safety.

Pros	Cons
• The court can award costs and compensation • Police can obtain a warrant to enter a premises to seize a dog or search for evidence • Police or the local authority (dog warden) can seize any dog that is dangerously out of control (as per the definition in section 10) • Different and more narrow meaning of the term	• "dangerously out of control" to the 1871 Act in that it does not appear to refer to livestock, only people • It needs a person to be present to fear or have apprehension that a dog will cause injury to them or another person. The vast majority of livestock attacks are not witnessed or the victim does not fear for their personal safety.

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Anti-social Behaviour, Crime and Policing Act 2014

Within this Act are measures aimed at dealing with dog-related problems and local authorities and the police can use these powers where such problems are considered anti-social. For example, they can issue Community Protection Notices (CPNs), or secure Criminal Behaviour Orders. CPNs are intended to address issues at an early stage and provide a process of communication between the enforcement body and alleged offender where they can require certain actions taken or be prevented. Such actions could include owners being required to muzzle the dog on walks or keep it on a lead or given a set period to address behavioural problems. These powers are not without their problems as the enforcing body often does not have the training or knowledge to know what will effectively address the problem and the impact on animal welfare.

A Government guidance document[18] sets out how CPNs can be used in livestock worrying cases. While this may be the case in certain instances it would still need to be shown that the problem is persistent and continuing and causing anti-social behaviour in the locality. However a CPN could be used as evidence of an offence in a prosecution under other legislation. So this piece of law and its tools may be helpful in certain circumstances.

Pros	Cons
• A range of powers to address issues concerning irresponsible dog ownership in different locations. • Some aspects are aimed to prevent situations escalating rather than address a problem once it has occurred.	• No real awareness of its limited usability with regard to livestock worrying. • Can impact negatively on animal welfare if not used correctly. • Lack of training and consistency within enforcement bodies about dog behavior. • Need to show the problem is persistent and ongoing which may be difficult to show • It can take a while to secure action or for a matter to go to court.

18 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364314/dog-ownership-practitioners-manual-annexes-a-d.pdf P10

Responsible dog ownership

If, as is suggested from the reports received, most livestock worrying incidents occur owing to unaccompanied dogs (for example those that have escaped from gardens) as well as, to a lesser degree, dogs being walker by their owners, there is a need for multiple approaches to tackling this problem. It also suggests that it may be a dog welfare issue as well as welfare of livestock

It is absolutely key that dog owners understand that chasing livestock is an intrinsically rewarding behaviour which any dog is capable of doing. There are three main factors that influence this behaviour: first, at species level, is the role of evolution; domestic dogs descend from grey wolves and as predators, there is an association of pleasure and movement required to obtain food. Second is the influence of selective breeding of dogs to perform different tasks for humans. This has been based on selecting to enhance/reduce/inhibit aspects of the Food Obtaining Action Sequence, which follows a sequence of motor patterns: track, eye, stalk, chase, grab-bite, kill-dissect, consume. This explains why certain breeds can be more pre-disposed to chase livestock than others. For example, greyhounds and other sight hounds have been selected to excel in the chase part of the sequence whilst terriers are, in general, very adept at killing and consuming. Third is the individual dog's experience in terms of training, physical exercise, owner-dog interactions and the provision of appropriate outlets for natural behaviours. Importantly, these individual experiences will result in significant individual differences within breeds and help explain why some dogs, despite their breeding, will not always behave as expected. Choosing a breed which was traditionally selected not to chase is no guarantee that a dog will not chase whilst the reverse is also true.

As the majority of dogs have the potential to engage in behaviours which places livestock at risk it is crucial that owners understand this and manage their dogs in the different circumstances of loose dogs and dogs being walked.

Unaccompanied dogs

Statistics from North Wales and North Yorkshire police and anecdotal evidence from Sheepwatch UK indicate that two-thirds of the attacks on livestock were from dogs who had escaped from the house or garden. This is caused by:

- Inadequate fencing: Dogs are opportunists and if they find a route to escape, no matter how well trained and exercised they are, they will still follow their curiosity and impulses. This may include climbing over or digging under fencing. Owners should manage this by making the garden and the approach to a home secure.

- Escape through inappropriate management or lack of training: Many dogs will respond to the presence of a person at the property and approach the front door once opened by their owner. This provides an opportunity to escape and can be managed in several ways. The dog can be put into a secure area – this may mean an internal air-lock system, such as a dog gate, or taught an alternative behaviour to running out of the front door if it is opened, for example sitting in their bed.

Dog walkers

To tackle incidents involving dogs with their owners present, the attitude and behaviour of dog owners needs to be influenced. It is vital that all owners understand that many dogs, if given the opportunity, will show interest in, or chase livestock regardless of their breed. Measures to ensure that owners are aware of this potential and behave in a way which avoids incidents from occurring is therefore required. Associated behaviours should include watching and reacting to signs where animals are grazing, keeping their dogs on leads in enclosures containing livestock, and considering using alternative routes away from livestock where available. Note: walkers are advised to release their dogs if threatened by cattle so they can get to safety separately.

To help dog owners, a clear and consistent message from national and local government and the police around dog control and clear definitions as to what that means in regard to terms like "under close control" when near livestock is required. This is instead of stating that dogs can be around livestock as long as they are under control which is not a very clear instruction. It also means thinking about how that message gets to these people as it is not necessarily through signposting whilst on a walk if the issue is caused by a loose dog without its owner. There should be more emphasis on the role of animal/dog wardens in promoting responsible dog ownership as well as the police when doing community engagement. This needs to be done in a supportive manner that welcomes dog ownership and does not lead to the more difficult to reach disengaging even more.

Clear and current signage as to where livestock are located is required and that must be done through co-operation from farmers, other livestock keepers and

wildlife trusts (who graze livestock or have conservation needs for dogs to be on lead). It must be that warning signage is put up (and taken down) appropriately. Simply leaving signs up for weeks at a time when there is no livestock encourages disregard by owners who see the signs as irrelevant and all too frequently misleading. This in turn reduces the compliance with the warning, (which may simply no longer be noticed) and thus increases the likelihood of incidents.

Responsible owners

The risk of incidents involving livestock and dogs can be reduced through the owner ensuring training and behaviour modification. For example, introducing puppies to a range of livestock and teaching appropriate behaviours towards them is an important part of rearing a dog to be well –adjusted and friendly and should be considered a critical aspect of ownership. Likewise, ongoing training to teach a reliable recall in a variety of situations will ensure not only their own safety but that of other animals which they may also meet. There is an important role here for industry to lead by example and to aid owners in having dogs which can be managed should they come into contact with livestock. Professional bodies of trainers and behaviourists should consider the skill requirements of membership and content of classes in regards to dogs and livestock including key messages and preventative measures. It is clear from the information APGAW has previously received that it is not always easy for people to find a reputable dog trainer who uses reward-based methods or easily access appropriate professional help at an early stage with their puppy or dog. More work needs to be done in a coordinated way across animal welfare, dog and veterinary organisations to ensure the public is aware of the need to use, and how to locate, a qualified expert be that for one-on-one or class preventative training of their puppy or dog or remedial behavioural help. APGAW welcomes initiatives like Dog School[19] run by the Dogs Trust which aims to make training more accessible and encourages people to train their dogs at all ages.

Figures from the People's Dispensary of Sick Animals Animal Welfare Report 2016[20] state that only 21% of owners have attended one or more organised training classes with 16% completing a course through regular dog training classes. Furthermore, based on results from a study of dog behaviour by the RSPCA in 2017[21], of the 24% of owners who reported their dogs as

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having currently or in the past chased livestock and/or wildlife and/or other animals, 43% did not perceive the behaviour a problem. Those that did seek help did predominantly so online or from their vet. Based on this, tackling livestock worrying via the route of training and behaviour modification is unlikely to fully achieve the desired change. Therefore, it becomes about human behaviour change and seeking to modify the owner's behaviour towards different situations they find themselves in with their dog. A proportion of this work can be achieved through the right education and information sharing and making people aware of the harm their dog can cause if not under control. Another part of the work moves towards the legislative aspect and how repeat offenders are tackled.

From the information set out above, it is clear that the best way of tackling livestock worrying is 'management' to avoid the dog being in a position where it can chase but there are a number of different approaches needed to reach all owners to enable this. Foremost, these approaches will require the key stakeholders working collectively to ensure there is consistent and clear messaging and support. As an example, one area may find it suffers from livestock attacks at certain times of the year because of tourism with members of the public taking their dog from its usual surrounding and not being aware of the need to manage its reaction to a different environment and perhaps its first sight of sheep. This would need local stakeholders to identify where the best place to reach these people are – at the train station, in the local hotels or at the tourist office with helpful leaflets and signs that alert them to the possible hazard of their dog getting out of control, harming livestock and potentially being shot if that does occur. Another area may find a large new housing estate results in an increase of attacks and that will require more focused community engagement to resolve.

19 http://www.dogstrustdogschool.org.uk/
20 https://www.pdsa.org.uk/media/3290/pdsa-paw-report-2017_online-3.pdf
21 This unpublished data is from an RSPCA commissioned survey among 3,049 dog owners. The survey was conducted by Atomik research online during 11th - 17th July 2017.

Examples of preventative work

Stakeholders, including the dog welfare charities and landowners, have provided the view that there is a need to educate dog owners about the risks their pet can pose to livestock and how to better control their animal when walking him/her near livestock and other animals. Therefore, farmers and landowners need to understand how to apply well established good practice for access management and associated signage. This should seek to minimise conflict with dog owners whilst giving them choices to avoid livestock and letting them know where leads are necessary. To be effective any signs need to be clear and consistent. Currently there seems to be a number of different approaches which are potentially confusing. An example can be seen below.

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APGAW has received presentations on some of the projects aimed at preventing incidents from occurring and it is felt there are some very useful ideas which could help to educate dog owners/walkers and prevent the problems on a regional basis where different approaches are likely to be required. These projects need to be evaluated more and information around the different approaches needs to be shared widely so that stakeholders can work out which ones are most effective and how to ensure the best public response that will keep dogs and livestock safe.

What is clear is there is no 'one size fits all' solution to the problem and landowners and enforcement bodies need to understand the key factors in their area before trying to develop a preventative approach.

There are a number of organisations who provide resources and information about this issue, for example, Natural England, the National Sheep Association[22], the National Farmers Union[23] the Kennel Club, Hampshire County Council, and Sheepwatch UK[24]. While this information is helpful, it is unclear how widely it reaches and whether more could be done by other organisations and local and central government to ensure it has a wider reach, in particular to the target audiences. There is certainly a role for central and local government in disseminating the correct information to the public.

Case study 1: Traffic lights for dogs initiative (Hartlepool Borough Council)

The use of a traffic light approach (green paw signs for off lead, amber for on-lead, red for no dogs) to give dog walkers certainty where leads were needed due to grazing livestock, was pioneered in 2010 by Hampshire County Council working in partnership with the Kennel Club at Danebury Hill near Andover; the system apparently eliminated attacks on grazing livestock.

This approach was further developed more recently to suit local circumstances up in the north east by Traffic Lights for Dogs Project (TLfD) developed by Hartlepool Borough Council in response to a request from a farmer and Local Access Forum member who wanted to be able to prevent dog attacks on his sheep, from walkers with dogs using public rights of way on his farm. The neighbours felt unable to accommodate any proposed diversion of the public rights of way, and the farmer was unwilling to shoot any dogs attacking his flock, due in part to the location of his farm on the urban fringe and the chance of reprisal.

As discussions developed with partners it was agreed that the message conveyed would not be the traditional one issued by local authorities (i.e. prohibition), but would inform the visiting public of the problem, and ask for their assistance in helping the partnership's efforts to manage it.

Outcomes: Interchangeable signs were installed on the path entrances to the farm. Since the signs were installed in January 2017, there have been only four users observed with their dogs off lead and ignoring the request. All dog attacks on livestock have ceased

22 http://www.nationalsheep.org.uk/dog-owners/ (accessed 23.08.17)
23 https://www.countrysideonline.co.uk/new/home/back-british-farming-make-a-difference/love-your-countryside/new-partnership-for-nfu-and-the-kennel-club/ (accessed 23.08.17)
24 http://www.sheepwatch.co.uk/ (accessed 23.08.17)

(at present). APGAW commends the council's decision to seek solutions by working with the public.

Limitations: The signs are a little complex and Hampshire County Council, the Kennel Club and the Forestry Commission did a similar project in which the signs are a little clearer as seen below:

Case study 2: Take the lead initiative (South Downs National Park)

The Farmers Guardian has run a campaign entitled Take the Lead to educate the public about the impact of livestock worrying backed by leading farming and rural organisations. The South Downs National Park evolved this to engage with dog walkers and developed a strategy with over ten partners across the Park. This included:

- four videos of real life dogs and their comical canine confessions to highlight issues including sheep chasing, ground nesting birds and leaving mess[25].
- leaflets and car stickers to raise awareness of the issue.
- targeted media coverage and focus on social media to target people from the urban fringe, young people and those unfamiliar with countryside code.
- ambassadors programme to recruit responsible dog walking volunteers in different locations across the National Park

25 https://www.southdowns.gov.uk/enjoy/take-the-lead/ (accessed 26.09.17)

Outcomes: They reached over 500,000 people with the online campaign (from March 2017 to the end of July 2017). The animation is now being used by two other national parks.

Limitations: The figures do not indicate how effective the campaign was in reducing livestock worrying and it may not have addressed the stray dog issue.

Case study 3: Operation Flock (North Wales Police)

North Wales police set up Operation Flock, a social media-driven campaign aiming to alter behaviour patterns amongst dog owners who walked their pets in their location. Alongside this, the police also ensured they have a dedicated team with a consistent service and that statistics are gathered daily to ensure accurate recording takes place. They have been testing the use of drones to keep surveillance on remote land where there is livestock.

Outcomes: The campaign through @nwpruralcrime obtained over 14,500 followers and generated 1-1.9 million impressions through the use of images and Q&A sessions. The live video investigation on a livestock attack in Flint gained 66,000 views. The police have reacted consistently and a clearer evidence based picture is being formed on livestock worrying incidents in the area.

Limitations: It is difficult to know whether the followers on social media were dog owners, farmers and therefore measuring the level of effectiveness is not clear.

APGAW recognises that the case studies have not been fully evaluated and there is a real need for that work to be done. A range of the most useful signs and tools for working with the public needs to be collected and provided as a solution to local farming and landowner groups so that they are easily accessible. That will enable focused regional preventative approaches to address areas of repetitive livestock worrying incidents alongside the national solutions identified and it would be best led by farming and dog organisations. Endorsement by these bodies, with whom the public can identify and trust, will lend authority to signs and APGAW would encourage more thought to be given to identifying such tools.

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