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Introduction:

Livestock worrying is one of the greatest problems affecting NFU members in Sussex. Over 130 cases a year are recorded by Sussex police, more than the whole of Scotland, and the number is increasing. We are also acutely aware that the number of reported cases is only the tip of the iceberg. Some of our members report incidents with dogs on a weekly or even daily basis, but they often neglect to report it to the police unless it is a serious incident.

Over the last couple of years, Sussex has experienced some of the worst dog attacks in history, including the infamous incident where 116 sheep were killed at West Dean, and another incident where sheep were driven over Beachy Head in 2015. The region is heavily populated and this combined with a grazing landscape, means there is a conflict between people, their dogs and livestock.

Farming in Sussex:

There are nearly 1000 NFU members in Sussex and Farming is one of the major sectors in the county. Over 578,000 acres of land in Sussex are managed by farmers, representing over 62% of the total area and much of the South Downs National Park. Farming contributes over £140 million to Sussex's economy and employs 8500 people permanently as well as offering employment to thousands of seasonal workers. Farmers manage 7,218km of rights of way across the county and many of these rights of way are close to the some 333,000 sheep, 96,500 cattle and 26,500 pigs who call Sussex farms their home. Farmers in Sussex produced 140 million liters of milk last year, and enough wheat for 918 million loaves of bread.

The Scale of the Problem in Sussex:

It should be stressed that farmers do not always report incidents of livestock worrying as they don't think it will make a difference. The NFU is working hard in this respect. The actual figures are no doubt much higher, but even the reported figures are staggeringly high.

Since September 2013, there have been 497 recorded cases of livestock worrying in Sussex. Tragically, these incidents have resulted in 589 animals being killed. In the same period, a further 612 animals were badly injured. In 54% of recorded cases of livestock worrying, the dog owner was not present. 14% of recorded cases were committed by repeat offending owner/walker.

The blight of livestock worrying has cost Sussex farmers £66,089 recorded financial loss from killed and injured livestock, but only £2,254 total fined to offenders in court

How livestock worrying is tackled:

The current legal system makes it an offence for a dog to be out of control around livestock; however, prosecutions are quite rare. Many farmers find that public education can be effective and the NFU yellow dog signs (below) are a common sight in the countryside. There are of course many instances where signs are ignored or even ripped down by dog owners who then proceed to let their dog roam out of control amongst livestock. If a dog is worrying livestock on agricultural land, the owner (and the person in charge of the dog if not the owner) is guilty of a criminal offence under section 1 of the Dogs (Protection of Livestock) Act 1953. On summary conviction (i.e. in the Magistrates' Court), the owner and/or the person in charge of the dog could receive a fine of up to £1,000.



A farmer cannot insist that the dog owner is prosecuted, and they may find that the police/CPS are reluctant to prosecute an owner if the dog has been shot. However, the police may be willing to trace, and speak to, the owner of a dog that has been worrying livestock as an animal that has done so once is likely to do it again.

Under the Dogs Act 1906, a dog that has been shown to have worried livestock can be treated as a dangerous dog for the purposes of section 2 of the Dogs Act 1871, which means that a Magistrates' Court could order that the dog be destroyed. However, it may not always be easy to gather evidence to show that a particular dog is worrying livestock, and it could also be harmful to relationships with the owner of the dog, and other sympathetic local people if this route is used, so it may not always be appropriate.

In many situations, police forces will also use a Community Resolution Order to ensure that the dog owner compensates the farmers for any losses. This may be appropriate in some situations, but will not prevent repeat attacks from occurring.

What action needs to be taken?

Despite the tendency of the law to back the livestock keeper, the problem is continually getting worse and there are very few prosecutions for livestock worrying. Public education and awareness has a huge role to play, as does getting a number of successful prosecutions which can be publicised as a warning to the less responsible dog owners. We are aware that all police forces are under pressure from severe budget cuts so there is an opportunity to work in partnership in order to address the issue.

Below are a number of things we believe need to be done to tackle this issue:

- An effective public education campaign to raise awareness
- Support from the Police to take action against offenders and prosecute where appropriate, particularly with repeat offenders
- Look at developing a database for dog DNA and use DNA testing to help identify dogs that attack sheep

- Consideration of the role of professional dog walkers and kennels in dog attacks – currently only an individual can be liable for attacks, not businesses
- Dog owners should have a legal obligation to report if their dog attacks livestock
- More work needs to be done with farmers to report attacks and improve signage and information provided to the public on farm
- Rights of way law needs to be flexible enough to temporarily or permanently close footpaths where there are continued incidents of livestock worrying

Summary:

Sussex's natural beauty, proximity to London and Brighton and the ease of access provided across the South Downs makes the county particularly vulnerable to livestock worrying. Farmers look after over 62% of Sussex countryside and many public footpaths go through their land, so it's vital that we establish measures to ensure both livestock and dogs are kept safe. Livestock worrying needs to be treated as a recordable crime; dog owners must be given consistent information and act accordingly, farmers must report all incidents and the police must take them seriously

Ultimately, it must be stressed that the number one job of farmers is to produce safe, sustainable and traceable food. They can only do this if they are able to farm safely and profitably and livestock worrying in Sussex is seriously affecting their ability to do this. For small farmers in particular, livestock worrying is devastating because it has a huge impact on their productivity. This problem is entirely preventable if there is simply enough awareness of the issue and it was dealt with effectively.