

SUBMITTING EVIDENCE TO A SCOTTISH PARLIAMENT COMMITTEE
DATA PROTECTION FORM

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Organisation: (if required)	Scottish Land & Estates
Topic of submission:	Post-legislative Scrutiny: Control of Dogs (Scotland) Act 2010

I have read and understood the privacy notice about submitting evidence to a Committee.

I am happy for my name, or that of my organisation, to be on the submission, for it to be published on the Scottish Parliament website, mentioned in any Committee report and form part of the public record.

I would like to be added to the contact list to receive updates from the Committee on this and other pieces of work. I understand I can unsubscribe at any time.

Non-standard submissions

Occasionally, the Committee may agree to accept submissions in a non-standard format. Tick the box below if you would like someone from the clerking team to get in touch with you about submitting anonymously or confidentially (not for publication). It is for the Committee to take the final decision on whether you can submit in this way.

I would like to request that my submission be processed in a non-standard way.

PUBLIC AUDIT AND POST-LEGISLATIVE SCRUTINY COMMITTEE
CONTROL OF DOGS (SCOTLAND) ACT 2010 CALL FOR EVIDENCE
SUBMISSION FROM SCOTTISH LAND & ESTATES

Scottish Land & Estates (SLE) is a member organisation that uniquely represents the interests of both land managers and land-based businesses in rural Scotland. Despite the efforts of agencies and Police Scotland to warn the public of the dangers that can occur from uncontrolled dogs in the countryside, irresponsible dog ownership remains an ongoing problem for many SLE members. The effects of livestock worrying on farmers cannot be underestimated – the loss of any animals will devastate a farmer and as well as having a significant financial impact, there is also an emotional aspect when such incidents occur.

Owning a dog brings many responsibilities for the dog owner and SLE is supportive of the aim of the 2010 Act which is designed to highlight these responsibilities and provides measures to ensure out of control dogs are brought and kept under control.

Please see detailed comments below, note these relate to out of control dogs in relation to livestock.

The effectiveness of the Act in reducing the number of out of control dogs/dog attacks in Scotland

This spring saw repeated incidents where irresponsible dog owners allowed livestock to be killed or maimed by dogs. Figures from this years Scottish Partnership Against Rural Crime campaign to tackle livestock worrying saw a rise of more than 50 percent in incidents being reported to Police Scotland and 55 people reported to the Procurator Fiscal. A total of 81 incidents were investigated, which is 28 more than in the same period last year (it is suspected that there is still a large number of incidents being under-reported). These figures show that despite high level campaigns to raise awareness on the issues, statutory duties of Local Authorities and continued partnership working – the number of attacks occurring remains high.

While an important piece of legislation, the increasing number of out of control dogs/dog attacks highlights that the Act has not been effective in bringing about more responsible dog ownership.

How well do you think Local Authorities are carrying out their duties under the Act

SLE recognises that under the Act, Local Authorities have the power to take action against irresponsible dog owners, SLE understands these duties to be monitoring the effectiveness of and the enforcement of DCNs.

As part of this review process it would be helpful if greater information was provided on the degree to which the Act is being enforced by Local Authorities, in particular information relating to the enforcement and monitoring of Dog Control Notices (DCNs).

Due to issues around resourcing within Local Authorities, a point expanded on below, SLE remains sceptical that all local authorities are carrying out their duties under the Act.

What challenges do you feel Local Authorities face in carrying out their duties under the Act

As touched on above, it is clear that Local Authorities are stretched in terms of resources. For the Act to be effective, the public need to be made aware that the law exists, in addition there needs to be adequate Local Authority resourcing and training to ensure the Act is able to be properly enforced.

The provisions of the Act do impact on Local Authorities who are required to appoint at least one officer for the purpose of the Act. Within Local Authorities, the responsible person for issuing DCNs is typically a Local Authority Dog Warden or an Environmental Warden skilled in the control of dogs. It would be helpful to know the current number of appointed 'authorised officers' across Scotland.

At present there is a general sense that Local Authorities are under-funded, under-trained and therefore ill-equipped to enforce the Act.

If there are any weaknesses in the Act or any specific changes you would like to see

As outlined above, SLE is supportive of the Act and its aims and if robustly applied and enforced we believe it could be a useful tool in helping to reduce the number of livestock related incidences across Scotland.

Section 8 of the Act gives Scottish Ministers the power to establish a national database of DCNs. SLE understands to date this has not been developed. SLE would encouraged the development of this as it would allow for greater transparency and monitoring of DCNs and would be a particularly useful tool when dealing with repeat offenders.

Any other issues relating to the Act you wish to bring to the attention of the Committee.

SLE has no further comments to make.