

Report on the Legislative Consent Memorandum on the Dogs (Protection of Livestock) (Amendment) Bill

July 2025

1. Background

1. The Dogs (Protection of Livestock) (Amendment) Bill (“the Bill”) was introduced in the House of Commons on 21 October 2024.¹
2. The long title of the Bill states that it is:

“A Bill to make provision changing the law about the offence of livestock worrying, including changes to what constitutes an offence and increased powers for investigation of suspected offences; and for connected purposes.”

3. Standing Order 29.1 provides that the Welsh Ministers must lay a Legislative Consent Memorandum where a UK Bill makes provision in relation to Wales that has regard to devolved matters.
4. The Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, Huw Irranca-Davies MS (“the Cabinet Secretary”), laid a Legislative Consent Memorandum in respect of the Bill (“the LCM”) on 30 May 2025.²

¹ UK Parliament, Dogs (Protection of Livestock) (Amendment) Bill

² Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025



5. On 11 June, the Business Committee referred the LCM to the Economy, Trade and Rural Affairs Committee, and the Legislation, Justice and Constitution Committee, with a reporting deadline of 19 September 2025.³

2. The LCM

6. Paragraphs 3 to 7 of the LCM set out the policy objectives of the Bill. Paragraph 9 summarises the Bill:

“The Dogs (Protection of Livestock) (Amendment) Bill includes provisions to deliver a number of amendments to the Dogs (Protection of Livestock) Act 1953 to improve enforcement in response to incidents of livestock worrying by dogs. The Bill does so by increasing the powers available to police for gaining evidence and subsequently improve police enforcement. The Bill extends the landscape covered to include roads and paths and expands the scope of livestock currently afforded protection to include camelids. It also increases the maximum penalty in relation to offences in section 1 of the 1953 Act from £1000 to an unlimited fine.”⁴

7. The LCM notes that provisions to tackle livestock worrying offences and enforcement were first included in the Animal Welfare (Kept Animals) Bill, a UK Government Bill which fell in May 2023. It notes that the Dogs (Protection of Livestock) (Amendments) Bill was introduced to the UK Parliament on 11 December 2023, but that the dissolution of Parliament for the July 2024 General Election resulted in the Bill’s fall for a second time.⁵

Provisions for which consent is sought

8. Paragraphs 10 to 39 set out the provisions of the Bill for which the Welsh Government considers that consent of the Senedd is required.

³ Business Committee, Timetable for consideration: Legislative Consent Memorandum on the Dogs (Protection of Livestock) (Amendment), June 2025

⁴ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraph 9

⁵ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraphs 3-4

9. The LCM notes the Welsh Government's view that consent is required for the provisions set out "because they make provision with regard to devolved matters in so far as they apply to Wales, namely, animal welfare and agriculture".⁶

10. A summary of the clauses is set out below.

Clause 1 (Livestock worrying: scope and consequences of offence) and the Schedule (Amendments to the Dogs (Protection of Livestock) Act 1953)

11. Clause 1 gives effect to the Schedule, which sets out amendments to the Dogs (Protection of Livestock) Act 1953 ("the 1953 Act"). These amendments:

- bring incidents on roads and paths within the scope of the offence in section 1 of the 1953 Act;
- bring camelids within the definition of "livestock" that applies for the purposes of that offence;
- exempt a dog owner from liability for that offence where the dog is in the charge of another person without the owner's consent;
- increase the penalty that may be imposed where a person is convicted of that offence;
- allow for a court to order an offender to pay expenses associated with seizing and detaining a dog;
- update the terminology used in the 1953 Act so that attacking livestock is dealt with separately from worrying livestock.

Clause 2 (Seizure and detention of dogs)

12. This clause replaces section 2 of the 1953 Act and sets out the circumstances, described in new section 2(1) and (8), in which a constable may seize and detain a dog in relation to the offence of attacking or worrying livestock.

13. New section 2(2) provides that a constable who seizes a dog may detain the dog until the owner has claimed it and paid all required seizure and detention expenses. New section 2(3) makes provision about what can be done to a seized dog if they are not claimed after seven days. New section 2(4) provides that if a

⁶ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraph 41

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person takes possession of a seized dog in good faith, that person becomes the dog's owner. New section 2(5) and (6) set out requirements in relation to the keeping of a register of all dogs seized under subsection (1). New section 2(7) includes a definition of "disposing of" a dog. New section 2(8) and (9) empower the police to seize and detain a dog where they have reasonable grounds to believe that it poses a risk of attacking or worrying livestock again, if not detained.

Clause 3 (Collection of samples and impressions)

14. This clause inserts a new section 2ZA into the 1953 Act which enables a constable to take samples or impressions from a dog or livestock where this might provide evidence of an offence being committed under section 1 of the 1953 Act and seize and detain a dog for that purpose.

Clause 4 (Powers of entry)

15. This clause replaces section 2A in the 1953 Act. It enables a warrant to be issued by a justice of the peace authorising the entry and search of premises by a constable in order to identify a dog in respect of which an offence under section 1 has been committed, seize and detain the dog under section 2, take a sample or impression from the dog under section 2ZA or to seize any evidence of an offence under section 1 that may be found.

Clause 5 (Extent, commencement, transitional provision and short title)

16. This clause sets out that the Bill extends to England and Wales only, and that it will come into force at the end of the period of three months beginning with the day on which the Act is passed. Clause 5(3) also clarifies that the powers conferred by clauses 2, 3 and 4 are available in connection with any worrying or attacking of livestock which took place (or is alleged to have taken place) before the Bill comes into force.

UK Government view on the need for consent

17. The LCM notes that the UK Government "is of the view that the Bill does not require a legislative consent motion of Senedd Cymru on the basis that all Bill provisions relate to the matter of dangerous dogs and dogs dangerously out of

control which is a reserved matter in accordance with Paragraph 44, Section B6, of Schedule 7A to the Government of Wales Act 2006.”⁷

Reasons for making these provisions for Wales in the Bill

18. Paragraph 42 states:

“Animal welfare is a priority of the Welsh Government, and it is the view of the Welsh Government that it is considered appropriate to deal with the provisions in this Bill for reasons of timing and coherence which is of particular importance in relation to enforcement on cross borders.”⁸

19. Further, the LCM notes that the provisions of the Bill “align with the Welsh Government policy objectives regarding the promotion of animal welfare and will ensure closer alignment of policy and implementation, especially in relation to cross border issues relating to enforcement.”⁹

20. The LCM continues to note the Welsh Government’s support for the Bill as drafted. It concludes with the Cabinet Secretary’s view that the Senedd should give its consent to the Bill:

“In my view it is appropriate to deal with these provisions in this UK Bill, to progress important and high-profile animal welfare issues. Therefore, I recommend that the Senedd supports the proposals and gives its consent.”¹⁰

Financial implications

21. The LCM states:

⁷ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraph 40

⁸ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraph 42

⁹ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraph 44

¹⁰ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraph 46

"It is not considered the Bill has financial implications for the Welsh Government beyond staff costs."¹¹

3. Committee consideration

22. The Committee considered the LCM at its meeting on 9 July 2025.¹²

23. The Committee notes the disagreement between the Welsh and UK Governments as to whether consent is required. The Committee agrees with the Welsh Government, namely that consent is required for the Bill on the grounds that it makes provision in relation to Wales that has regard to the devolved matters of animal welfare and agriculture.

Conclusion 1. The Committee agrees with the Welsh Government that the provisions within the Bill require the consent of the Senedd.

24. The Committee notes the reasons given by the Welsh Government for making these provisions for Wales in a UK Bill. Further, the Committee notes the benefits of legislating on a UK-wide basis for a consistent approach to animal welfare.

Conclusion 2. The Committee has found no reason to object to the Senedd agreeing the Legislative Consent Motion associated with the LCM.

¹¹ Welsh Government, Legislative Consent Memorandum: Dogs (Protection of Livestock) (Amendment), May 2025, paragraph 45

¹² Economy, Trade and Rural Affairs Committee, 9 July 2025