

Animal Health Act 1981: Expenditure and Prosecutions – 2022

Return of expenditure incurred and prosecutions taken under the Animal Health Act 1981, and incidences of Notifiable Disease in imported animals for the year 2022.

Annual return made under section 80 of the Animal Health Act 1981

This statutory return is required to be made and laid before Parliament in accordance with Section 80 of the Animal Health Act 1981 and includes data relating to Scotland only.

A separate report has been compiled by the Department of Environment, Food and Rural Affairs (Defra) and the Welsh Government for their respective functions.

This return is compiled from information supplied to the Scottish Government and while every effort is made to ensure its accuracy, this cannot be guaranteed.

Scottish Government
Agriculture and Rural Economy Directorate
March 2023

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Prosecutions under the Animal Health Act 1981 in 2022

There were no prosecutions in 2022.

Compensation paid for animals slaughtered to prevent the spread of animal diseases in 2022

Type of Disease	Amount (see note 1)
Bovine Tuberculosis	£920,410
Less receipts from salvage of carcasses	£32,057
Total Net Compensation Paid	£888,353
Avian Influenza	£2,312,550 (see note 2)
Total Net Compensation Paid for All Diseases	£3,200,903

Notes:

1. All figures have been rounded up to the nearest pound.
2. This figure includes £160,217 compensation paid for outbreaks that occurred in 2021 but had not been finalised prior to the 2021 report.

Number of imported animals found to be affected by a notifiable disease in 2022

Legislation	Type of Animal	Number	Point of Origin	Type of Disease	Methods of Disposal
The Tuberculosis (Scotland) Order 2007	Bovine	1	Northern Ireland	Bovine Tuberculosis	Slaughter

Formal enforcement actions under the Animal Health Act 1981 and other animal health and welfare legislation by local authorities in 2022

Convictions achieved under the Animal Health Act 1981 and other animal health and welfare legislation

Relevant Act, Order or Regulation	Nature of offence	Result (when known)	Decision (including imprisonment, fine etc.)
<p>Animal Health and Welfare Scotland Act 2006</p> <p>Animal By Products (Enforcement) (Scotland) Regulations 2013</p>	Leaving a dying cow in the main yard of farm without vet assistance and the dumping of a number of dead lambs and ewes without calling for uplift by a designated source	Guilty	<p>£1,800 Fine</p> <p>Banning order on holding more than 20 cattle for a total of 3 years</p>
Animal Health and Welfare (Scotland) Act 2006	Causing unnecessary suffering to a bovine animal	Guilty	£3,000 Fine
<p>Food Hygiene (Scotland) Regulations 2006</p> <p>Animal Health and Welfare (Scotland) Act 2006</p>	<p>Failing to keep the premises clean and in a good state of repair, failing to take adequate steps to control pests, feeding pigs with eggs and eggshells, and failing to take reasonable measures to protect them from suffering and disease.</p> <p>Causing approximately 2000 adult hens unnecessary suffering by failing to provide them with sufficient food and water.</p>	Guilty	<p>2 years and 3 months Custodial sentence</p> <p>Ban of 15 years from keeping animals</p>
<p>Food Hygiene (Scotland) Regulations 2006</p> <p>Animal Health and Welfare (Scotland) Act 2006</p>	<p>Failing to keep the premises clean and in a good state of repair, failing to take adequate steps to control pests, feeding pigs with eggs and eggshells, and failing to take reasonable measures to protect them from suffering and disease.</p> <p>Failing to provide sufficient food and water to a calf which resulted in its death</p> <p>Causing approximately 2000 adult hens unnecessary suffering by failing to provide them with sufficient food and water.</p>	Guilty	180 hours of community payback

Number of visits and enforcement action taken

Category	Subcategory	Visits	Oral or Written Advice	Written Notification Warnings	Formal written Notices	Reported to Procurator Fiscal	Other
Welfare (see note 1)	Farm	1,550	865	46	48	4	14
Welfare	Transport	1,431	53	10	5	4	4
Welfare	Market	579	84	5	10	1	1
Traceability	Identification, Movement and Records	1,068	264	8	9	0	7
Biosecurity (see note 2)	Farm and Transport	652	156	3	0	0	7
Biosecurity	Market	148	7	0	0	0	0
Animal By-Products (ABP) and Transmissible Spongiform Encephalopathies (TSE)	Visits and interventions	159	50	6	1	0	0

Notes:

1. This is the number of welfare visit undertaken which were programmed, part of planned interventions, or projects, or in response to complaints
2. This is the number of visits where biosecurity has been considered separately, outwith a general market or farm visit.

Number of complaints, service requests and livestock animals inspected

Category	Total
Number of animal health and welfare complaints made to Service (see note 1)	1,355
Number of service requests made to Service (see note 2)	2,170
Livestock animals inspected (see note 3)	519,593

Notes:

1. This is the number of requests or complaints received which have required action or investigation by local authority animal health and welfare officers.
2. This figure includes request for service from consumers (not complaints), businesses and other agencies.
3. This is the total number of animals which were inspected or assessed in markets and other premises or holdings. This will include animals inspected for fitness, identification or health at markets and does not require that an examination takes place.

Summary of alternative enforcement interventions taken

- Building good working relationship with partner agencies including the Animal and Plant Health Agency (APHA), Scottish Government Rural Payments and Inspections Division (SGRPID), National Farmers Union Scotland (NFUS) and Scottish Society for Prevention of Cruelty to Animals (SSPCA) officers, together with staff at the local auction marts and port lairage. Effective communication and good local knowledge is utilised to ensure all possible alternative actions are explored and utilised when engaging with local livestock producers and industry partners.
- Undertaking a number of joint visits with APHA that have been intelligence led and continue to use gathered information and complaints as a source of where to direct resources.
- Supporting APHA with enforcement of illegal landings of dogs.
- Working with the Police on appropriate joint initiatives / events, such as days of action regarding the safety of vehicles used in the transport of livestock.
- Participation in multi-agency groups including the Rural Crime Group.
- Working with NFUS to target information to specific areas where low compliance in the use of authorised carriers to up-lift ABP has been identified.
- Engagement with the local livestock industry through the Shetland Animal Health Scheme which aims to prevent the introduction of a number of infectious diseases into the islands. This is a voluntary scheme that tests for a range of specific livestock diseases at the point of entry into Shetland and follows up any positive results in order to keep the islands disease free status.

- Enforce local bylaw for the control of sheep scab, aimed at preventing the introduction of scab into the islands.
- Attendance at Royal Highland Show at Ingliston checking livestock where advice was provided regarding provision of water for sheep during warm days at the show.
- Attendance at other agricultural shows, including: the Drymen Show, Gargunnoch Farmers Club Agricultural Show, Campsie Show, Doune and Dunblane Show, Killin Show, the “Stars of the Future” Calf Show at United Auctions Livestock Market, Dalkeith Agricultural Show.
- Regular email updates to animal keepers informing them of preventive measures to be taken in case of a high risk of disease outbreak.
- Writing to all keepers of registered avian flocks regarding outbreak of Avian Influenza (AI) in wild birds along our coastline, with advice on increased biosecurity measures.
- Proactive social media releases to make poultry keepers aware of local AI outbreaks and providing guidance on the housing and mitigation measures they should implement whilst protection and surveillance zones were in place.
- Produced a range of public-facing guidance documents, including infographics and leaflets, for AI in poultry and other captive birds, wild birds, and general recommendations for the public.
- Working with the council’s communications team to prepare and maintain a locally targeted AI web page.
- Specific interventions to commercial poultry keepers to discuss AI requirements and their biosecurity/housing measures.
- Responding to complaints regarding domestic poultry not be kept in accordance with AI restrictions, and also wild bird carcasses on coastlines and other land.
- Joint working with Countryside Rangers regarding AI outbreaks along our coastline regarding collection and disposal of large numbers of dead birds in areas heavily frequented by the general public.
- Joint working with Parks and Recreation Officers to communicate with the public when AI identified in wild birds in local parks and wetlands.
- Contacting all premises where it was known that birds were kept to ensure awareness of AI restrictions.
- Discussion and liaison with farmers regarding compliance for Bovine Viral Diarrhoea (BVD).
- Produced in-depth guidance for applicants under The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021, covering pet sellers, breeders, Animal Welfare Establishments (AWE) and non-AWE rehoming organisations.
- Undertaking a joint initiative with the SSPCA regarding the identification and licensing of pet sellers, breeders, AWE’s and non-AWE rehoming organisations.
- Specific targeted work to mitigate possible seizures of livestock and secure improvements to animal health and welfare conditions.

Notes: Alternative interventions are recorded to highlight additional work and areas covered. This may include attendance at agricultural shows, NFUS meetings; joint initiatives with APHA, police, SGRPID; leaflets and information etc.

Key Performance Measure

High Risk Visits

Average of high risk programmed visits inspected	50%
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Notes: This is the figure for High Risk agricultural premises visited by local authorities but also includes visits that have not been carried out as a result of these premises being visited by APHA staff as part of their pre-planned visit plan. As a result this prevents penalising local authorities who are using a joined-up approach to prevent double visits by different enforcers for similar purposes.

Definitions

Oral or Written advice: There is little difference whether the advice is written or oral. If it is advice and for enforcement purposes, should be grouped together. This would also be useful as it gives an indication of the level of complaint businesses.

Written correspondence or warnings: This indicates that there is a need for improvements following the intervention of animal health and welfare officers. This includes all letters and written notifications issued by the officer or the service which require improvements or actions to be taken.

Formal written notices: This should include any formal statutory Notices which are issued under the Animal Health Act 1981, or other animal health and welfare Regulations or Orders.

Reported to Procurator Fiscal: We should record the number of cases reported to Procurator Fiscal as this is not the same as the prosecution reports. There may well be cases which are not progressed by the Crown or they may issue a fiscal warning. It would be helpful to determine this as it will provide an overview on the work of Wildlife and Environmental Crime Unit.

Other: This includes Notices issued by the Sheriff including disposal orders in terms of livestock seizures.



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