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From Lord de Mauley
Parliamentary Under Secretary

Dear Elizabeth,

Thank you for your email of 16 April to David Heath enclosing a copy of a document received from [REDACTED] the Chief Executive of World Horse Welfare (who I met very recently) about fly grazing. I am replying as the Minister responsible for the welfare of equines and am sorry for the delay in doing so.

I am very sympathetic to the problems experienced by land owners and others caused by irresponsible owners leaving their horses or ponies on land without the landowner's consent. Regrettably, fly grazing is another example of irresponsible and anti-social behaviour, in this case by the owner of the horses or ponies. I welcome the focus on this issue which can only help draw the public's attention to the growing pressure on horse welfare charities at this time.

I would encourage the horse interest organisations, welfare charities and enforcement agencies to continue to work together to find ways in which the problem can be tackled. Sharing best practice on handling cases and learning from the experience of those having to tackle fly grazing can all help. I understand that Wakefield Council has been particularly pro-active in working with other local interested parties to try and address this issue.

I met Alun Davies, the responsible Welsh minister, recently to discuss experience in Wales and share our thoughts. You may be aware that an owner of a large number of ponies in South Wales was recently given an Anti-Social Behaviour Order for fly grazing.

More information about the Home Office measures on anti-social behaviour can be found in the Home Office's White Paper: *Putting Victims First – More Effective Responses to Anti-Social Behaviour*, which sets out the justification for more victim-focused tools when tackling anti-social behaviour. A copy of the Home Office White Paper can be found here:

<http://www.official-documents.gov.uk/document/cm83/8367/8367.pdf>



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The Animals Act 1971 already gives strong powers to the public and private landowners to detain others' property - in this case livestock on their land and furthermore, there is animal welfare legislation in place to deal with animal suffering. There also needs to be a reasonable time for owners to be able to claim back their livestock and 14 days' grace represents a reasonable balance.

Having reviewed the suggested amendments to the Animals Act 1971 enclosed with your email I am not convinced that these would solve the problem. Indeed, taking a legal approach may not be appropriate or even possible with many cases of fly grazing and that, for a large part, the problem lies in the difficulty of tracing the owners of abandoned, stray or fly grazing horses. As Mr Owers says, such horses are often not microchipped or do not have a passport.

Yours ever
Rupert



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