



Efra Committee Inquiry on Animal Welfare: domestic pets

Evidence from the Dog Breeding Reform Group (DBRG) charitable trust.

The Dog Breeding Reform Group will focus its response on the breeding and selling of Dogs.

1. The effectiveness of the Animal Welfare Act 2006 with regard to domestic pets

The Animal Welfare Act 2006 (AWA) is rather ineffective regarding the breeding and selling of dogs. When passed, the Act represented a milestone in animal welfare law by setting down the five principles of animal care. It recognised the importance of psychological as well as physical welfare and enabled preventative action to be taken before suffering occurs.

The ineffectiveness of the AWA can be seen all over the country in many commercial breeding establishments both large and small where sometimes even basic needs are not met. It is also seen in the dog show ring at events such as Crufts where dog breeds with unnatural physical traits are permitted and encouraged. These traits not only prevent a dog from exhibiting natural behaviour but can cause pain and suffering.

Breed-related genetic welfare problems

Protection from pain, suffering and disease and the enabling of preventative action should include the protection of the offspring of any mating of two parent dogs. In our view the mating of dogs which are suffering from, or carry the genes for, a breed related disease or harmful physical trait should be as much a contravention of the Animal Welfare Act as physical or psychological mistreatment.

Wording of Article 5 of the European Convention for the Protection of Pet Animals (ECPA) 1987 and the Companion Animal Welfare Council's 2006 Report on Breeding and Welfare states, '*Any person who selects a pet animal for breeding shall be responsible for having regard to the anatomical, physiological and behavioural characteristics which are likely to put at risk the health and welfare of either the offspring or the female parent.*' This should be part of a statutory code on Breeding and Welfare.

Statutory Codes of Practice

It is essential that the '*Code of Practice for the Welfare of Dogs*' is a statutory code which would make it easier for enforcement agencies. In addition we would like see a statutory '*Code of Practice*

for the Breeding of Dogs' which includes the stipulation along the lines of the 2006 CAWC Report on the *'Breeding and Welfare of Companion Animals'* and ECPPA, Article 5. Both Codes of Practice should provide more detailed guidance possibly along the lines of the current Welsh Assembly's *'Code of Practice for the Welfare of Dogs.'*

Training for dog breeders

We suggest training courses for dog breeders. It is anachronistic that any person is permitted to breed dogs without knowledge of genetics, or proper care of dogs used for breeding, and young puppies. Such training courses must include addressing the psychological needs of dogs and puppies, the knowledge of breed related genetic diseases, available health tests and the importance of genetic diversity.

Effective deterrents

We urge tougher sentences under AWA which will have a proper deterrent effect. The current sentencing regime does not act as a deterrent for unscrupulous breeders who make substantial profits, despite keeping animals in conditions that are in breach of animal welfare standards. Improvements might include, banning the keeping of animals for life, a national register of animal abusers, lengthy prison sentences.

2. Regulation surrounding the sale of domestic pets, including online sales and advertising

DBRG is very concerned about the absence of effective regulation regarding the sale of pets.

Misleading advertisements

Dogs and puppies may be being sold through third parties claiming to be the owners or through licensed pet shops (which may or may not mean recognisable retail premises). Such dogs or puppies are more likely to be from large or small scale commercial breeders with poor welfare. Such dogs or puppies are more likely to be in poor health or be suffering psychologically as a result of poor treatment or negligence on the part of humans. Puppies may have been imported from other European countries whose welfare standards may be very poor. These puppies are even more likely to be fearful and in poor health.

Pet Advertising Advisory Group (PAAG)

We acknowledge the work of PAAG and the minimum standards it lays down. However its effect is limited because only six on-line classified advertisements websites have signed up to these minimum standards. There will be dozens more which have not signed up. It also relies on volunteers rather than paid workers to browse pet sections and to point out suspicious looking ads to the website owners. Commendable as the work of PAAG is we believe this voluntary system offers little protection for the animals themselves or their future owners.

Local authority registration of dog breeders

Such limited controls and the ease of acquiring a dog/pet leads to impulse purchasing and contributes to the large number of dogs which are abandoned or surrendered to re-homing charities. All breeders should be registered with their local authority and any advertisement accompanied by the breeder's registration number.

There are currently no regulatory requirements for dog breeders who sell direct to the public. We believe that dog breeding will only be effectively regulated if all breeders are registered.

Local authority licensing of breeders

Commercial breeders (more than two litters per year) should also be licensed. In our view breeders should be accountable for the health and temperament of the dogs being sold. We would like to see the BVA AWF/RSPCA Puppy Contract and PIP being adopted by all breeders and available to all puppy buyers. It should be made a requirement for breeders rather than an option.

Accountability of breeders

Breeders should be accountable for the dogs they produce. As in the case, of any 'product' sold, if a dog acquires an identified and preventable breed related disease within the first three years of sale there is an obligation on the part of the breeder to a full refund of the cost of the puppy. This expectation would encourage more breeders to carry out the health testing/screening that is currently available. Coefficients of inbreeding are now available from the Kennel Club and these should be used by breeders to improve genetic diversity.

Protection of dogs and dog owners

The lack of effective regulations regarding the selling of pet animals puts many dogs and their future owners at risk. Owners who have purchased a puppy in good faith even from a 'reputable breeder' may face huge vet bills and the heartache of witnessing their pet suffering. It seems extraordinary that transactions involving pet animals do not have the appropriate assurances that we all expect from other purchases.

Education of the pet buying public

We recommend a national advertising campaign to educate the public about the responsible purchasing of pets. This should be the responsibility of Government and not be left to charities.

3. Enforcement of current Animal Welfare legislation, including prosecution of offences by the police, local authorities, the RSPCA and others.

Enforcement of animal welfare legislation is currently ineffective:

- Lack of awareness of the Animal Welfare Act amongst the pet owning public (69% according to the PDSA's PAW Report 2015)
- Animal welfare is not part of the standard curriculum in schools
- Confusion about which organisation is responsible for enforcement (RSPCA, local authorities, the police)
- Failure of enforcement agencies to work effectively together
- Lack of expertise and/or qualifications on the part of welfare inspectors within many local authorities leading to inconsistency.
- Lack of ring-fenced funding from Government and insufficient resources in local government
- No statutory duty on any agency or body to enforce the Animal Welfare Act
- Police and local authorities regard animal welfare as low priority

Role of the RSPCA in enforcement

In general members of the public will refer cases of animal abuse or neglect to the RSPCA, without which many animal welfare offences would not be investigated. However, the ability of the RSPCA to prosecute brings with it the responsibility to be open, transparent and accountable. We recommend that experienced RSPCA inspectors are granted the status of 'inspector' as defined in Section 51 of the Act. Doing so would save the RSPCA officers from having to call the police or local authority when it is necessary to gain entry to premises. An animal (or animals) may be suffering greatly and precious time is lost while RSPCA officers do not have this power.

Closer liaison between RSPCA and government agencies

Closer liaison between enforcement agencies would improve its efficacy. Where resources are stretched within government and local government there is an obvious benefit to a closer working relationship between them and the RSPCA as long as there is openness and transparency.

The role of vets in licensing inspections

There is concern that, in some cases, licences have been granted for dog breeding by an inspecting vet when standards do not meet those required by legislation. It is essential that the vets involved have relevant competence and knowledge and where there is no conflict of commercial interest. We recommend a designated list provided by the Royal College of Veterinary Surgeons (RCVS).

The role of the State in animal welfare

As a general principle animal welfare should be the responsibility of the State. That is not to replace the work of the animal charities but to acknowledge that as a mark of a civilised nation state, governments both national and local, should be responsible and accountable for animal welfare. All too often in government, animal welfare is viewed only in its relation to the interests of humans. This official stance needs to change in favour of genuine understanding and compassion towards the animals themselves.

4. Comparative approaches to enforcement in England, Northern Ireland, Scotland and Wales

We are not aware of any significant variation in enforcement between England and Wales, although there is variation in the legislation, with Wales leading the way. One major bar to enforcement in England and Wales is that it is not an offence to fail to comply with an Improvement Notice issued under Section 10. Northern Ireland and Scotland include such a provision and we feel that such a provision in England and Wales would enable better enforcement.

Scotland benefits from having authorised the Scottish SPCA inspectors as 'inspectors' under the Act. This allows them to take prompt action where animals are found to be suffering but also ensures the SSPCA is more transparent.

