Briefing on the recommendations of EFRA's Animal Welfare: Domestic Pets Inquiry

We were pleased the EFRA Committee chose to focus an inquiry on companion animal welfare and agreed with the vast majority of their recommendations. This briefing details those issues covered in the report ahead of the debate on 30th March and includes what we want to see happen to protect the welfare of all domestic pets.

Animal cruelty sentencing

The woefully inadequate penalties available for cruelty cases following conviction under the Animal Welfare Act 2006 (AWA) are a serious cause for concern. Whilst the owner of a dog who injures or kills an assistance dog can (quite rightly) be given a maximum custodial sentence of three years, a person who injures or kills any dog can only receive a maximum custodial sentence of six months. This discrepancy highlights the urgent need for a review of animal cruelty sentences under the AWA and the introduction of penalties that reflect the seriousness of the offences that are sadly carried out on a daily basis.

Whilst the AWA was intended to strengthen animal cruelty sentencing with up to 51 weeks imprisonment, the legislation that would commence these terms has not been implemented; therefore the maximum custodial sentence remains as it was under the Protection of Animals Act 1911. As a result the effectiveness of the Act is severely blunted by the weakness of the sentences available to the judiciary.

We support EFRA’s call for an increase in the maximum penalty available to the courts to 5 years and strongly urge the Government to bring the sentences in line with those in Northern Ireland.

The need for a better licensing system

We have serious concerns about the breeding and selling of dogs and believe the current legislation urgently needs to be strengthened and updated to support those tasked with enforcing it.

- We proposed that anyone breeding, selling or transferring the ownership of a dog, regardless of any financial transaction or gain, should be required to be part of a risk-based registration and licensing system
- In the case of dogs we recognise that one accidental litter is possible, and in cases like these, the breeder should acquire a registration number through their Local Authority which should be listed on any adverts to provide traceability for puppies advertised online
- However, a second litter in the same year is unlikely to be accidental and in this case licensing and inspection would be appropriate

We are disappointed that the Government did not take this recommendation, for anyone trying to sell a litter of puppies to be registered and to set the statutory licensing threshold for dog breeders at more than one litter, forward. This would have brought more breeders onto the radar of the Local Authorities and given traceability of all puppies.
We strongly support EFRA’s recommendations on a registration and licensing system, including the call for a national inspectorate to support Local Authorities with enforcing the licensing regime as a means for improving the breeding and selling of dogs.

Online sales of pets

In recent years there has been a significant increase in the number of pets and animals advertised for sale online. It is easier to acquire a pet than ever before, with the internet providing a convenient gateway to owning almost any type of animal. However, no legislation currently exists to specifically address the enormous area of pets advertised for sale online.

Online classified websites need to be ‘fit for business’. As the chair of the Pet Advertising Advisory Group (PAAG) we continue to call for the Minimum Standards the Group has drawn up for online adverts to be a mandatory requirement for all classified websites advertising pets.

We are pleased Defra has announced that it will soon be a legal requirement for sellers to display their licence number on all adverts; however we continue to urge them to also introduce a centralised, publicly accessible list of registered and licensed breeders and sellers to enable websites and buyers to check the legitimacy of advertisers. This would create a simplified system that would be easily accessible for purchasers to verify who they are buying a dog from in an increasingly online, nationwide marketplace.

We support EFRA’s recommendations on online sales and have welcomed Defra’s announcement that confirms they will look at which other PAAG Minimum Standards can be made mandatory.

Puppy smuggling

- The Pet Travel Scheme (PETS) allows pet dogs, cats and ferrets to enter the UK without the need for quarantine, providing they comply with the rules of travel and have a valid pet passport. A pet passport is a document that records information relating to a pet, including the treatments the pet has had in order to meet the rules of pet travel.

- PETS was significantly changed in 2012, with the requirement to carry out a rabies blood test, followed by a six-month wait before entry into the UK, being removed, as was the requirement for tick treatment prior to entry or re-entry.

- These changes resulted in a huge increase in the numbers of puppies being brought into the UK illegally via PETS to be sold to unsuspecting members of the public. Defra figures show that the number of dogs entering Great Britain via PETS increased by 61% in the first year of controls being relaxed. The number of dogs entering Great Britain under PETS in 2011 was 85,299 and this figure continues to increase year on year with 152,075 entering in 2013 and 164,836 entering in 2015.

- Through undercover investigations we have found that imported puppies are often underage, unvaccinated and have travelled in appalling conditions, destined to be sold via online adverts.

We support EFRA’s call for increased spot checks at entry points into the UK and close working between
A ban on third party sales

The welfare of our nation’s dogs is our highest priority and the issue of third party sales is a complex and emotive one. We understand people are passionate about it – we are too, but we don’t believe introducing a ban at this time will solve the problem.

- Third party sales refers to the selling of dogs anywhere away from their breeder including places such as high street pet shops and puppy dealers.

- We want to see an end to third party sales, including sales in pet shops. Thankfully, in reality, there are very few high street pet shops left. Ultimately, everyone in the animal welfare sector wants to put a stop to unscrupulous breeders; we just have differing opinions on how to get there. We believe that introducing a ban at this time is not wise as it fails to deal with the root causes of the problem – a woefully low supply of puppies from ethical sources. As such, any ban will simply drive the trade further underground and make enforcement harder.

- As long as the supply of puppies from responsible breeders falls short of meeting the growing demand in the UK, dishonest breeders will breed dogs for increasing profits and evade the law, once again making enforcement even more difficult. We already know that this is happening now.

- This shortage of ethical breeders is fuelling the mass importation of dogs into the UK – both legally and illegally. Since 2014 our own undercover investigations into the illegal importation of puppies have shaped our view that a ban on third party sales would not deter such criminal activity. Traders are illegally importing puppies under the Pet Travel Scheme rules, which are intended for pets, rather than under the commercial movement rules and so would not be deterred by a ban on third party sales. This trade is rife and sentences for offenders are utterly inadequate.

- We believe in evidence based solutions and we’re taking action by pulling together a research team to carry out further investigations into dog breeding and selling in the UK. The team will look at problems of enforcement, the need for tougher sentencing and securing our borders against the illegal importation of puppies, as well as gathering evidence that can lead to proposals designed to address the root causes of the problem.

- Independent research (carried out by research and strategy consultancy Populus*) showcases the complexity of this issue as it revealed that well over half (61%) of people think that a ban should definitely not be imposed until we know more about the consequences of doing so. A further 11% of respondents think that there should definitely not be a ban, whereas only 28% of respondents think it is sensible to introduce a ban now.

- At the present time we believe a better route is a robust regime of licensing and inspection of breeders and traders as well as increased enforcement of the law.

- The Government recently reviewed the legislation on dog breeding and sales and a ban on third party sales...
sales was not one of the proposals considered. Dogs Trust welcomed new reforms announced in February 2017 which will explore new parameters to develop tighter inspections on breeding, pet selling and animal boarding establishments by those who are trained in animal welfare. To make this work we believe that local authority inspectors need greater support and resources to enforce these tighter licensing rules.

- We were, however, disappointed that the Government did not take on our recommendation for anyone trying to sell a litter of puppies to be registered and to set the statutory licensing threshold for dog breeders at more than one litter. This would have brought more breeders onto the radar of the local authorities and given traceability of all puppies.

- If a ban on third party sales was introduced, the options for getting a dog would either be directly from the breeder or from a rehoming organisation. As rehoming organisations are not regulated, and anyone can set themselves up as one, we are deeply concerned this could be exploited by puppy traders setting themselves up as rehoming organisations. Defra recently announced there will be no regulation of rehoming organisations so there is already a gaping loophole.

- Whilst we support a ban on puppies being sold away from their mothers, we have to be mindful of how a third party ban would be enforced due to limited resources. We are already hearing reports of dealers blatantly buying puppies in Ireland and selling them in the UK as ‘rescue’. We are also aware of people using fake mums to dupe unsuspecting members of the public into thinking they are buying a puppy responsibly. Our Puppy Smuggling investigations since 2014 have also informed our views.

- As a rehoming organisation we care for over 15,000 rescue dogs every year and in an ideal world all potential dog owners would rehome a rescue dog. But, in reality we know first-hand that some dog owners only want a specific breed of puppy and are not willing to wait. Rescue organisations would not have the quantity of pups to meet the demand.

- The animal welfare sector and the government need to continue to work collaboratively to facilitate a marketplace dominated by ethical suppliers of puppies for an ever increasing population of dog owners. Radical measures are needed and our hope is that our research will open the door to the most appropriate path.

*Populus interviewed a nationally representative sample of 2,079 UK adults aged 18+ from its online panel between 24-26th March 2017. Surveys were conducted across the country and the results have been weighted to the profile of all adults. Populus is a founder member of the British Polling Council and abides by its rules. Further information at [www.populus.co.uk](http://www.populus.co.uk).