



Northern Ireland
Assembly

**COMMITTEE FOR
AGRICULTURE AND
RURAL DEVELOPMENT**

OFFICIAL REPORT
(Hansard)

**Welfare of Animals Bill:
Kennel Club**

28 September 2010

NORTHERN IRELAND ASSEMBLY

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RURAL DEVELOPMENT**

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Members present for all or part of the proceedings:

Mr Stephen Moutray (Chairperson)

Mr P J Bradley

Mr Trevor Clarke

Mr Willie Clarke

Mr Simpson Gibson

Mr William Irwin

Mr Kieran McCarthy

Mr Francie Molloy

Mr George Savage

Witnesses:

Ms Victoria Brown) Kennel Club

Mr Bill Lambert)

The Chairperson (Mr Moutray):

I welcome, once again, Victoria Brown and Bill Lambert from the Kennel Club. As before, please give your presentation and leave some time for members' questions.

Mr Bill Lambert (Kennel Club):

Thank you and good afternoon. I will not bother with introductions; members know who we are

and a little bit about the Kennel Club by now. I thank the Chairperson and the Committee for extending an invitation to the Kennel Club to give oral evidence.

The Kennel Club has broadly welcomed the Welfare of Animals Bill in Northern Ireland, but is keen to highlight the inadequacies of existing animal welfare legislation in the rest of the United Kingdom. Therefore, we will take this opportunity to highlight how the Bill could better achieve its goal of improving animal welfare if further consideration was given to certain areas.

Ms Victoria Brown (Kennel Club):

The first point relates to shock collars. Although the Kennel Club welcomes the creation of regulatory powers to allow the banning of electric shock collars in the future, we remain disappointed that the Bill has not gone further to ban their use outright, considering the raft of evidence proving that these devices cause pain and are cruel. The Kennel Club's position on electric shock training devices exists for several reasons.

A shock collar trains a dog to respond out of fear of further punishment rather than a natural willingness to obey. Therefore, it does not address underlying behavioural problems, leaving the cause of barking or aggression suppressed, which can cause further behavioural problems in the future. There are other, positive training tools and methods that can produce dogs trained just as quickly and reliably, if not more so, with absolutely no fear, pain or potential damage to the relationship between dog and handler. With these alternatives available, there is no need for electric shock collars.

Studies conclude that shock collars are:

“not only unpleasant but also painful and frightening”

and that they:

“may influence the dog's well being in the long term in a negative way.”

Those quotes are from the journal ‘Applied Animal Behaviour Science’.

As shock collars are readily available through mail order, retail outlets and on the Internet, they are easily accessible to people who have limited experience in administering correction or treatment, and could be used by an inferior trainer to abuse and punish.

In the UK some years ago, the Environment, Food and Rural Affairs Committee initiated research to try to find evidence as to whether shock collars should be banned in the UK. The Department for Environment, Food and Rural Affairs (DEFRA) issued an open tender call for scientific evidence, but received only one response, which could not be followed up because it was a proposal for a non-invasive study — a study that would not have involved actually testing shock collars on dogs.

The Kennel Club contacted universities and academies to find out why they had not responded to the open call, and were informed that DEFRA's proposals would not get past their respective ethics committees, given that they felt that enough research already existed to prove that electric-shock training devices were cruel.

You may be aware that the Welsh Assembly Government decided on 23 March 2010 to ban shock collars. The Welsh Assembly voted in favour of regulations to ban the use of shock-collar training devices. The ban was the first secondary regulation to be introduced in Wales under its Animal Welfare Act 2006, which differs from the one that is in place in Westminster. The Welsh Assembly took that decision based on existing scientific evidence and significant lobbying from my colleagues and me.

Mr Lambert:

The Bill could be improved by addressing the sale of puppies. That was touched upon when we presented this morning. The Kennel Club is disappointed that the Bill does not include proposals to tackle farming and trafficking of puppies without regard to their health or welfare or that of the breeding bitch. At this point, I should also mention that the Kennel Club sits on the secretariat for the Puppy Farming Study Group, which includes representation from organisations such as the RSPCA, the USPCA, veterinary organisations and other animal welfare institutions.

Often, puppies are removed from their mothers before they are fully developed and

transported to pet shops or dealers. The journey and the alien environment in which the puppies arrive are stressful for them. As a result, puppies can develop physical and psychological problems. There is also an issue with selling pups on the Internet. Legislation to tackle the sale of pups in that way could go a long way to tackle puppy farming. However, pet vending on the Internet has yet to be licensed, leading to a constant stream of Internet puppy-selling scams, which the Kennel Club is especially concerned about. Unscrupulous breeders sell puppies online with little regard for their welfare, and for the biggest possible profit.

Introducing stricter regulations for breeding would reduce the volume of litters that are bred; ensure better education of the puppy-buying public; and, ultimately, reduce straying. The Kennel Club believes that the following should apply to breeders who breed more than four litters each year: they should keep the young dog and breeding bitch in suitable accommodation, which is well-ventilated, clean, adequately spacious, et cetera; provide the young dog with suitable food, water and bedding; take reasonable precautions to control and prevent the spread of infections or contagious diseases; not separate the young dog from its mother before it is eight weeks old; permanently identify the puppy by use of microchip or database record at a suitable time; allow the authority that is licensing the breeder to spot-check the premises; provide the licence-holder's number and the name and phone number of the licensing authority on any advertisements that are placed by or on behalf of the licence-holder; and show the purchaser a copy of the licence prior to delivery or collection of the young dog.

Furthermore, any guidance that is issued with the legislation should remind breeders and owners that, under EU regulation 1/2005 on protection of animals during transport and related operations, it is illegal to transport a puppy without its mother before it is eight weeks old. The Kennel Club would go further and advise against the transportation of puppy or puppies and mother together before the puppies have reached eight weeks old.

The Kennel Club also opposes legislation on docking of dogs' tails, which it believes to be a decision for an individual breeder based on his or her knowledge of the dog. We recommend that, at the very least, a working exemption be introduced similar to that in England which exempts working breeds and their types, which are arguably more susceptible to tail injury. I refer you to a lot of evidence that has been provided in your packs.

We also particularly oppose the creation of an offence for entering a dog whose tail has been docked in a show to which the public pays an entrance fee. It is unfair to penalise responsible and genuine working-dog breeders and owners who quite legally and properly have their puppies' tails docked in the interests of welfare by making it illegal to show their dogs in certain shows. Dog owners who are involved in shows would never purposely amputate their dogs' tails, as that would disadvantage them in the show ring.

Ms V Brown:

The Kennel Club welcomes the proposed introduction of animal welfare inspectors. However, it recommends that the Bill should require inspectors to meet various other criteria, so as not to destroy trust in the inspection regime. First, having inexperienced or unqualified inspectors undermines the effectiveness of the legislation. Any person or body chosen as an authorised inspector should have to demonstrate competence and be trained to a set of common high standards to ensure that the provisions contained in the Bill are upheld and carried out properly.

Secondly, no specific qualifications are currently needed to become a dog warden, and no qualifications are cited as being required in the Bill. The Kennel Club encourages the Assembly to require wardens to have an NVQ in animal care or to introduce a national minimum qualification that all animal welfare inspectors must hold. That would ensure that the provisions of the Bill were upheld and carried out to the highest possible standard. At the very least, inspectors should not have any convictions for animal cruelty or a record of having had an animal removed for protection. In the interests of consistency, the Kennel Club further recommends a set of standard inspection forms to be introduced for animal welfare inspectors, for all local authorities to use to record each inspection.

The Bill proposes powers for local authority inspectors to destroy an animal in order to alleviate suffering. Although the Kennel Club understands that euthanasia is sometimes necessary, we are concerned that no provision is in place to ensure that that will be conducted in a humane manner, especially because the term “destroy” can encapsulate anything from drowning or shooting to clubbing over the head and poisoning. A recent example that highlighted our concern was that of the German shepherd dogs killed with captive bolt guns in south Wales last year, which was criticised as being inhumane.

Mr Lambert:

We are also concerned about powers of entry. The Bill allows inspectors to enter a public dwelling without a warrant where they reasonably believe that an animal is in distress. However, that power does not apply to private dwellings, despite the fact that most protected animals that are subject to cruelty and abuse are kept in domestic premises.

Ms V Brown:

In summary, the Kennel Club's suggested amendments are as follows. There is a need to go further in the Bill to ban electric shock collars and training devices. I refer the Committee to the extensive existing scientific research, proof of possible alternatives and the known abuse of those products in the case studies that we outlined in our evidence paper.

Mr Lambert:

We would like to see further legislation to protect puppies. The Kennel Club welcomes the greater protection from cruelty for all animals, but is disappointed at the lack of proposals to tackle the farming and trafficking of puppies without regard to their health or welfare, or that of the breeding bitch. Introducing stricter regulation of breeding would reduce the volume of litters bred, ensure better education of the puppy-buying public and, ultimately, reduce straying.

We also oppose the Bill's provisions on the docking of dog's tails. We believe that that decision should be taken by the individual breeder based on his or her knowledge of the dog concerned. We also oppose the creation of an offence for entering a docked dog at a show for which the public has paid an entrance fee. That would unfairly penalise owners whose dogs' tails were amputated for sound medical reasons.

We welcome the introduction of animal welfare inspectors, but recommend that that Bill goes further to allow inspectors to meet criteria that ensure their competence and knowledge of the field.

Ms V Brown:

To reiterate, the recent German shepherd bolt gun example demonstrates the importance of performing necessary euthanasia in a humane way. Finally, the powers of entry in the Bill must

also apply to private property, as most protected animals that are subject to cruelty or abuse are kept in domestic premises.

Thank you again for allowing us to present to the Committee today. We welcome any questions.

The Chairperson:

Are you in favour of docking the tails of working dogs?

Ms V Brown:

Yes.

The Chairperson:

How do you respond to the medical advice that the practice causes unnecessary acute pain and can lead to psychological problems at a later stage?

Ms V Brown:

Do you mean when they are puppies, or in later life due to injury?

The Chairperson:

Puppies.

Ms V Brown:

The tail-docking scientific research paper that we have given you outlines in several examples that neuro-physiological pain mechanisms are not effectively functional until around 11 days old. That is Professor Hales's research. There are also several other pieces of research that state that a dog's sensory pain mechanisms are not fully functional at a young age, and so that is the fairest time to dock their tails. We have found that docking dogs' tails at five days or younger is a much less painful experience than having to amputate tails as a result of injury later in life. It is much more painful when the dogs are adults.

Mr Molloy:

The Royal Veterinary College's definition of danger to working dogs says that there is a very low percentage risk. Is that because working dogs' tails have been docked or because of the injuries that are seen?

Mr Lambert:

I think it is just the injuries that are seen. Obviously, a dog that has had its tail docked is far less likely to have an injury. That is the whole point of removing the tail. I can speak from personal experience: I inspect kennels as part of my job, and I have seen a number of working dogs whose tails have been severely damaged. Tail injuries are quite lengthy and difficult to treat. They tend not to repair themselves because the dog constantly wags its tail and reopens the wound. In our opinion, there are more welfare disadvantages to not docking the tail than to docking it. That is why, at the very least, we want to see certain exemptions for working dogs.

Ms V Brown:

I reiterate that we in no way support docking for cosmetic reasons. We think that is necessary only for the welfare of the dog.

Mr Molloy:

What is your definition of "working dogs"? Some people say that terriers, spaniels and Labradors can be working dogs.

Ms V Brown:

Traditionally, it is hunt point retrieve dogs that are used in working life. Somebody phoned me last week to ask whether their dog's tail could be docked because he is a security dog for their house. That is a different kind of work, so that is not acceptable in our eyes. Generally, we think that the working types exemption in the English docking legislation is correct.

Mr Lambert:

Some time ago, the Kennel Club removed references to the docking of tails from its breed standards. Therefore, there is absolutely no advantage — in fact, there is a positive disadvantage — for someone who breeds dogs for show to dock tails. That incentive has been removed.

Therefore, the issue of non-working dogs should not come up too often.

Mr Molloy:

The idea has been talked about that, if a dog's tail has been docked, it should be excluded from shows. Is that not unfair to mature dogs whose tails have had to be docked?

Mr Lambert:

No; we have never been able to understand fully why there was ever legislation to differentiate between show dogs. I will give an example of a particular problem. We encourage people to breed dogs that are fit for function. "Fit for life" is one of our mantras, and, because of the current legislation in England, people who breed working dogs whose tails are removed for working purposes are no longer able to show them. The legislation simply does not work; it is superfluous.

Mr Gibson:

My question, which is about cosmetic tail docking, has possibly already been answered. Is the Kennel Club opposed to all tail docking? Does it find any cosmetic docking acceptable?

Mr Lambert:

It should be a matter for the breeders. We have taken away any advantage. We have no issue with docking the tails of working dogs. There is absolutely no incentive under Kennel Club regulations for people to remove tails. We have taken that out of our breed standards completely.

Ms V Brown:

From a public affairs point of view, I probably get a call a day from people who ask me to clarify docking legislation. I just want continuity in the law. It is so different from area to area in the UK that vets ring me and do not know exactly what they are meant to be doing. Furthermore, people come to Ireland to get their dog's tail docked and take it back to the UK. It is important to sing from the same song sheet.

Mr Gibson:

Are you opposed to cosmetic tail docking? Under the auspices of the Kennel Club, I can,

presumably, still show a dog that has had its tail cosmetically docked. That maybe gives rise to a bit of confusion about your attitude. Are you opposed to cosmetic docking?

Mr Lambert:

I am struggling to give an answer. We do not have a position on it, simply because there is absolutely no advantage in removing a dog's tail. Kennel Club show regulations require owners to provide evidence of any surgical operation that the dog has had. Based on that evidence, the dog may be given permission to show. If someone has had a dog's tail removed, we would want to see evidence that the tail had been removed for good reason, and, on that basis, the dog may or may not be given permission to show. I am not trying not to answer your question; the Kennel Club simply does not have a position on it because we have taken all references to tails out of the standards.

Ms V Brown:

We would not encourage it, but we do not have a position against it. There is nothing in any of the work that we do that encourages cosmetic docking.

Mr W Clarke:

Veterinary evidence suggests that even puppies suffer acute pain when they have their tails docked. What is your response to that? Maybe you did touch on it there. The other point that has been made is that there are two different approaches to the issue across the water. What are your members' experiences of the English model, which is the working dogs' exemption, and the Scottish model? What are your members telling you?

Mr Lambert:

First, we accept that there may be a limited amount of pain in docking the tail of a puppy under the age of three days, but there is some evidence that the pain receptors are not that developed at that stage. Our position is that if you are going to dock a dog's tail for working purposes — if you are aware that your dog is going to go out and work and there is a high likelihood that it will damage its tail as a working dog — then surely it is better to give the dog less pain at an early age than subject it to a painful operation at a later age.

Secondly, we have issues with the differences in the docking bans in different parts of the UK. We would like to see a uniform ban. I understand that the Scottish legislation completely bans all docking. We argue that some working dogs in Scotland will suffer because their owners are not allowed to dock their tails humanely at an early age.

Ms V Brown:

Yes, that is the case, but Scotland differs slightly in that it does not have a showing ban. A dog that has a medically docked tail can still be shown.

Mr W Clarke:

Just on the working dog element, you highlighted that again. I think you said something to Francie about the particular breeds. Last week we took evidence from the British Association for Shooting and Conservation (BASC) in regard to spaniels; cocker spaniels and springer spaniels. They did not have much evidence on other breeds such as Labradors and retrievers, or even terriers. Is that similar to you?

Mr Lambert:

Let us take the Labrador and the spaniel, for example; they do a different job of work. A spaniel's job is flushing birds; it will tend to work where the birds are on the ground. They flush the birds out. The Labrador works in a slightly different way; where a bird has been shot, it has to retrieve it. There is also the fact that they are slightly longer-legged, so there are specific differences between the breeds. Spaniels typically have hair on their tails, which can get tangled in brambles and, again, cause injury.

Ms V Brown:

There is evidence in members' papers on retrievers and spaniels — the European hunt point retriever evidence paper. That is the evidence that I have come across that specifically relates to retrievers, and the other one is —

Mr W Clarke:

There is so much paper today.

Ms V Brown:

I agree with what you are saying. There is evidence either way. The fact is that it is a massive issue for a lot of people, and so there is a lot of evidence. Where you can find one saying that it is not painful, you can find another one that says it is. All we can do is go by what we believe, which is that if there is more of a risk of a working dog receiving an injury later in life, it is fairer to the dog to dock it at an early age when it would cause less pain than if it were to hurt its tail as a grown adult and have to have it amputated later in life. That is how we weigh it up.

The Chairperson:

Thank you very much for your attendance today.