

Response to DAERA call for views on the LCM on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill



Legislative Consent Motion: *“That this Assembly endorses the principle of the extension to Northern Ireland of the provisions within the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, as introduced in the House of Commons on 16 October 2024, which enables the making of legislation for the purpose of promoting the welfare of dogs, cats or ferrets, when bringing any of those animals into the United Kingdom.”*

Dogs Trust position:

Dogs Trust welcome the decision of the DAERA Minister to table a draft LCM on the Animal Welfare (Import of Dogs, Cats and Ferrets) Bill, as introduced in the House of Commons on 16 October 2024.

Dogs Trust are broadly supportive of the legislative proposals within the Bill, as they seek to address several concerns on the issue of puppy snuggling, which have both persisted and emerged following changes to the Pet Travel Scheme (PETS) in 2012, intended for use by people taking their pets on holiday.

However, in the interest of delivering the most comprehensive, robust, and enforceable legislation we have detailed further questions and comments below on the various clauses of the Bill, as they apply to Northern Ireland.

Animal Welfare (Import of Dogs, Cats and Ferrets) Bill.

Clauses as they apply to Northern Ireland:

Clause 1

Specific restrictions or prohibitions on imports as outlined:

- **Prohibition of the importation of animals under six months of age**

Dogs Trust welcome the prohibition on the importation of animals under six months of age.

As noted, since changes to the Pet Travel Scheme (PETS) in 2012, puppies being imported often do not meet the requirements for travel. They are often below the legal minimum age of entry, in poor welfare conditions and / or have not received the appropriate vaccinations for travel and may have falsified documentation; often travelling from Eastern and Central Europe.

Increasing the age that puppies are able to be imported to six months, is in line with the incubation period of rabies and as such can be enforced by introducing a requirement for a

rabies blood (titre) test before entry into the UK, together with a 12 week wait period post vaccination.

This prohibition should serve to reduce the number of puppies transported under the legal minimum age of entry and ensure that those being transported meet the legal requirements for travel.

- **Prohibition of the importation of animals more than 42 days pregnant**

Dogs Trust welcome the prohibition of importation of animals more than 42 days pregnant.

Unscrupulous traders have continued to adapt their importation practices to avoid detection, including the troubling development of heavily pregnant female dogs being transported illegally in the very late stages of pregnancy. An effective means of passing puppies off as UK bred and circumventing the Government advice to prospective puppy buyers to always see a puppy with its mum. Once they have given birth in the UK, the dogs are often transported back out of the country to continue their cycle of abuse.

Whilst we welcome the proposals, we have some questions and concerns regarding their implementation. We understand that Port staff will be required to assess and seize the animal, will port staff be given suitable training to make these assessments, or access to a professional to make these assessments i.e. a veterinarian.

We are disappointed that the Bill does not include a complete ban on the import of heavily pregnant dogs under commercial legislation, and we would welcome the expansion of the Bill to include this. Given the health and welfare implications for the animals involved, we cannot think of a reasonable justification for importing dogs that are pregnant for commercial reasons.

- **Prohibition of the importation of animals that have been mutilated.**

Dogs Trust welcome a prohibition of the importation of animals that have been mutilated.

Whilst mutilations, for example tail docking and ear cropping, are illegal for cosmetic reasons in the United Kingdom and the EU, the importation and sale of mutilated animals into the UK is not. A loophole which Dogs Trust has long highlighted and called for remedy.

There has been a significant rise in the importation of dogs with illegal mutilations, with as many as seventy-five dogs coming through the Dogs Trust Puppy Pilot having had their ears cropped.

The prohibition will hopefully close the loophole on the import of animals, who have had these painful procedures performed for 'aesthetic reasons' and hopefully lead to a reduction in the practice overall.

Dogs Trust do not believe there should be any exemption for dogs with cropped ears or docked tails, regardless of their working status. Tail docking is never acceptable unless for clinical reasons e.g. trauma. Research has found that puppies suffer pain because of docking, as well as being deprived of a vital element of normal behaviour and communication.

Clause 2

Dogs Trust welcome the creation of criminal offences related to non-compliance with the proposed regulations. Dogs Trust has long called for the introduction of commensurate penalties for those caught smuggling / illegally importing puppies.

It is of note that responsibility for enforcement concerning companion animals is delegated to local authorities. It is important that those given the power to exercise the regulations have appropriate resources and training to interpret, enact, and enforce them.

Joined up working is paramount to ensuring that the issue of puppy smuggling is effectively tackled, this has been highlighted by DAERA Minister Andrew Muir most recently in an [AOO concerning puppy smuggling](#). He stated “My Department created the ‘Paws for Thought’ multi-agency group in 2020 to coordinate the actions of relevant statutory agencies here in order to disrupt the trafficking of low-welfare pups....through the group, it has been possible to target individuals who are known to be moving consignments of low-welfare pups to Great Britain through ferry terminals. That joined-up working has resulted in a considerable number of seizures of pups and in criminal convictions for those involved.”

Territorial extent and Dogs Trust’s position

We understand that EU Regulations relevant to non-commercial movements and imports of dogs, cats and ferrets into Northern Ireland apply in Northern Ireland by virtue of the Windsor Framework i.e. Windsor Framework (Non-Commercial Movement of Pet Animals) Regulations 2024).

By virtue of this, as outlined in clause eight of the Bill, clauses 5, 6 and 7 do not extend to Northern Ireland (with clauses 1, 2, 3, 4 and 8 extending to Northern Ireland).

Nonetheless, we would seek to outline Dogs Trust’s position on the regulatory proposals contained within clauses 5, 6 and 7, given that the Windsor Framework (Non-Commercial Movement of Pet Animals) Regulations 2024, include provisions relevant to the proposals outlined and, within the EU regulations there is provision for individual countries to go further than the proposals allow.

Clause 5

Concerning the relevant maximum of pet animals of the species listed (dogs, cats, and ferrets), in a case where the animals are being moved in a motor vehicle, the Bill records that five shall be the relevant maximum.

However, Dogs Trust would prefer that three per vehicle pet animals of the species listed be considered the relevant maximum.

We further note that provision is not made within the Bill for mandatory visual checks. In their absence there is concern as to how these regulations will be enforced, and how anyone operating outside of them will be suitably identified and held to account.

Movement of animals and cross-border activity

The DAERA Minister has indicated that his “Department and its partner agencies remain aware that puppies are being moved into Northern Ireland illegally from unlicensed breeding establishments in the Republic of Ireland.”

There are currently no border checks, including visual checks, on companion animals being transported between Northern Ireland and the Republic of Ireland.

As such, whilst the legislation makes provision for criminalisation, for example, of importation of dogs with cropped ears into the UK (including Northern Ireland), we question how this will be detected and enforced?

Additionally, we understand that, as agreed under the Windsor Framework, there will be no routine checks (either commercial or non-commercial) on companion animals moving from Great Britain into Northern Ireland.

Northern Ireland operates the highest numbers of bitches per breeding licence in either the UK or Ireland. It moves a sizeable number of puppies from Northern Ireland to Great Britain for sale. We are concerned that, without routine checks between GB and NI on the non-commercial movement of companion animals’ opportunities for detection and enforcement may be limited.

Furthermore, we would seek to understand how the proposed legislation would impact or interact with the newly established Pet Travel Scheme (PETS), governing non-commercial movement of dogs, cats and ferrets between GB and NI, and ensuring that any pet movements into EU Member States, including the Republic of Ireland, remain subject to relevant EU law requirements.

Case study on puppy smuggling

Poppy was one of 15 Dobermann pups seized at the UK border in November 2021 after being illegally imported. Before they were intercepted, the puppies had been transported thousands of miles across Europe from Hungary. They were all under 15 weeks of age, the age at which they could legally enter the UK and sadly all had had their tails docked and ears cropped, a procedure that is illegal in the UK and across the EU.

The prospective owners of the pups had paid £3,500 each for their dogs and could not only request that the dog be cropped and docked, but even what style of ear cropping they wanted.

Poppy is now safe in Dogs Trust care, but she will always bear the marks of her time as a smuggled pup. Her case is not just a ‘one off’ - 80% of all Dobermanns Dogs Trust have rescued on their Puppy Pilot have had their ears mutilated, a practice that is illegal in the UK and in all EU member states.

Contact

For further information please contact Dogs Trust Regional Public Affairs Officer (Northern Ireland) Laura Orr on publicaffairs@dogstrust.org.uk.