

Joint BVA & BSAVA Response Welsh Government Consultation Licensing of Animal Welfare Establishments, Activities and Exhibits

Who we are

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With nearly 20,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We, therefore, take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues, and employment matters.
2. BVA Welsh Branch represents members in Wales, bringing together representatives of specialist and territorial divisions, government, academic institutions, and research organisations in Wales. The branch advises BVA on the consensus view of members in Wales on Welsh and UK issues.
3. The British Small Animal Veterinary Association (BSAVA) is a professional body representing veterinary surgeons who treat companion animals and now has over 10,000 members. The majority of members work in practice as veterinary surgeons or veterinary nurses.

Do you agree that Animal Welfare Establishments (animal sanctuaries and animal rescue and rehabilitation centres) should be subject to licensing?

Yes No Don't Know

4. Anyone keeping, rehoming, or rehabilitating animals should be competent to do so and have appropriate facilities and funding. This is particularly important for non-traditional companion animals (NTCAs) and wildlife, which can have exacting husbandry requirements, and complex social, cognitive, and nutritional needs. There are some captive species whose five welfare needs¹ are so specialised they can only realistically be met in an appropriately licensed zoo. Animals rescued from the wild should be appropriately rehabilitated and released (or euthanased) and should not be kept in captivity long-term.
5. Small private sanctuaries can develop beyond the owners' capacity to provide care for the animals. The 2012 [AWNW report on the regulation of Animal Welfare Establishments](#) shows several examples of animals being kept in unsuitable conditions, where an interest

¹ The UK Animal Welfare Acts require all animal keepers and owners to meet the five welfare needs of the animals that they keep. These are:

- the need for a suitable environment
- the need for a suitable diet
- the need to be able to exhibit normal behaviour patterns
- the need to be housed with, or apart from, other animals
- and the need to be protected from pain, suffering, injury and disease

in these animals has snowballed into an informal sanctuary or rehabilitation centre. Again, NCTAs and wildlife are particularly at risk here due to their specialised needs.

6. Although those who operate sanctuaries and rescue and rehabilitation establishments often have good intentions, the ethics and quality of care given varies widely, as does the knowledge and capability of the individuals running them or working/volunteering. Sanctuaries with a poor infrastructure, however well-meaning they may be, can become overburdened resulting in closure of the sanctuary which puts animal welfare at risk and the welfare of wildlife in particular often suffers as a result. Licensing, which should involve inspection, oversight and minimum standards of knowledge, capacity, welfare etc., would help to avoid such problems.
7. A licensing regime will also help to draw a clear line between keeping pets, and operating a welfare establishment, and clarify for well-intentioned animal-lovers what they need to provide in order to rescue or rehabilitate animals.
8. In addition, better application/enforcement of existing rules and much improved consistency across local authorities is required. Finally, more resource is required for Local Authorities, as currently they are very much underfunded and their work, particularly in relation to wildlife, is poorly understood by many.

Do you agree that Animal Activities (human engagement services, doggy day care, dog walking, home boarding, livery services etc) should be subject to licensing?

Yes

No

Don't Know

9. In principle, BVA and BSAVA are supportive of proposals that lead to improved outcomes for animal welfare. In terms of the proposals outlined by Welsh Government, it's questionable if we can fully commit to 'yes' across such a broad spectrum of businesses intended to be captured by licensing for reasons outlined below. Furthermore, what is appropriate for a large professional livery yard, could be wildly out of proportion for an individual operating a dog walking business from their home. Any licensing scheme must have the flexibility to recognise this.
10. Should a licensing regime be introduced, it needs to be developed from the start with the appropriate expertise to support the activities. The veterinary profession should have a pivotal role in defining the requirements for licensees in terms of "a solid understanding of animal welfare and care" or any breach or failure to meet these standards by the licensed individuals/businesses. It is recognised that this would have implications for the veterinary profession regarding competence and capacity.
11. Any measures to regulate the sector should be justified, reasonable, proportionate, and appropriate for the situation. However, to be effective, any licensing regime will need to be properly enforced, and we are concerned about local authorities' capacity to take on such a wide range of additional work.
12. Taking livery yards for example, to ensure the protection of animal health and welfare, local authorities must be trained in equine health, with the ability to identify not only environmental threats but also animal-based indicators. To do this, local authorities will either require appropriate training or inspections will need to be undertaken by an equine vet. This could lead to significant costs for local authorities.
13. Likewise with dog walking, we believe that enforcement of the licensing scheme could prove challenging. It would be difficult to assess on sight whether someone is a professional dog walker or is walking dogs as an owner or on a voluntary basis. It is not clear how to classify the activities provided by dog walkers recruited via platforms like 'Borrow my doggy' and 'Trusted Housesitters'; or individuals providing foster services for charities.

14. To help enforcement officers at local level identify commercial dog walkers, a register could be set up that lists such dog walkers, and an identity card could be issued to walkers which they should carry, along with insurance details, when carrying out commercial activities. The focus should be on protecting public safety and animal welfare. We are aware that local authorities and other enforcement bodies are already struggling to ensure compliance with existing legislation on animal welfare related activities due to a lack of resource. Action on dog walkers failing to protect animals and the general public should therefore not be focused on whether someone is a professional dog walker and whether they have a licence, but on the actual failure to comply with existing legislation protecting animal welfare and public health which applies to anyone in control of a dog. These aspects cover canine diseases, zoonoses and public safety aspects such as the type and number of dogs walked.
15. We have not collected any case studies on dog grooming businesses. However, due to the nature of the activities carried out, there is undoubtedly potential for dogs to come to harm if procedures are carried out without the necessary training or care, and in unsafe spaces without a good standard of hygiene or using unsafe or poorly maintained equipment. If done incorrectly, activities such as nail clipping, emptying anal glands, or clipping matted fur can affect welfare and require veterinary treatment. Groomers should be clear what procedures are required to be carried out in compliance with the Veterinary Surgeons' Act (VSA) 1966 such as dentals and be sufficiently trained in any other services they provide.
16. Dog grooming is a trade where training courses and recognised qualifications are already widely available. Although it is obviously possible for trained providers to make errors, particular dangers arise from providers with little or no training claiming to be experienced dog groomers. Additionally, dog owners currently have to rely on their own assessment of the services and qualifications listed. Requiring a recognised qualification, would be an essential part of any licensing regime.
17. For day care and boarding, it is important that the conditions of the licensing regime are designed to take account of the differing needs of cats and dogs. In addition, if other animals are included, their needs as separate species would need to be considered.
18. The provision of day care (where no overnight boarding services are provided) should be covered by the regime. However, the requirements should be designed in a way to avoid unnecessarily impacting the voluntary non-commercial provision of this service. Those service providers will still be covered by existing animal welfare legislation which applies to anyone interacting with animals. Given the challenges experienced by England regarding implementation and review of Day Care criteria and in particular where issues have been encountered that could potentially compromise animal welfare, we would recommend that Welsh Government liaise with their Government counterparts in England and Scotland to share best practice.
19. Any licensing regulations must be designed in such a way that they do not inadvertently bring veterinary surgeries within the remit of the licensing regime. (For comparison, veterinary practices are exempt from some of the rules around livestock movements regarding animals being taken to clinics, as basic biosecurity and professional standards mitigate the disease risk.) In addition, we would not wish veterinary practices to be adversely impacted by requirements that allow licensees to avail of practice facilities, such as isolation facilities, without clear legislative criteria stipulating the need to have an agreement between both parties in place. In particular, it is not acceptable that a LAIAR business names a veterinary practice without the practice's knowledge and consent.
20. Overall, licensing should encompass minimum standards of knowledge, capacity, welfare and attention to health. However, licensing is of limited value unless there are local authority resources sufficient to run and enforce such schemes. Additional

expertise will also be needed to properly enforce regulations with regard to NTCAs and wildlife.

Do you agree that a licensing scheme be introduced to strengthen existing legislation re animal exhibits i.e. people who take animals to parties such as reptiles, birds of prey centres or other travelling and static animal exhibits?

Yes No Don't Know

21. Our 2022 Voice of the Veterinary Profession survey found that over eight in ten vets (81%) were concerned that the welfare needs of NTCAs were not being met, with the most cited welfare issue being 'irresponsible animal ownership' (82%). Vets who treat NTCAs report that over half (58%) of the NTCAs they see do not have their five animal welfare needs met.
22. These statistics were not referring specifically to exhibitors, but they demonstrate the difficulties of ensuring the welfare of these species. As noted under sanctuaries and rescues above, there is also potential for hobby keepers to develop this kind of business without being able to scale up the facilities and care they provide accordingly. A licensing regime would help to clarify the requirements for any such business, stipulating appropriate veterinary provision, premises, insurance etc.
23. Overall, it is necessary to ensure that these animals are being kept in suitable accommodation. Anecdotal evidence suggests that there are some extremely good/knowledgeable rescue organisations that do this for education purposes very well however, for some, they have been set up purely for commercial reasons without due consideration to the stress/welfare implications. Oversight of these activities is desirable for reasons of animal welfare; safety of the animals involved; disease and zoonoses control; and public health.
24. Any licensing should encompass minimum standards of knowledge, capacity, welfare and attention to health. However, licensing is of minimal, if any, value unless there are local authority resources sufficient to run and enforce such schemes.

Do you agree that owners and/or keepers or trainers of racing dogs (including greyhounds) should be subject to licensing?

Yes No Don't Know

25. BVA and BSAVA welcome the Welsh government's proposals to licence greyhound racing in Wales. We supported the introduction of the Welfare of Racing Greyhounds Regulations 2010 in England, and the subsequent licensing of tracks through GBGB. While there are still potential areas for improvement, it is of concern that there are currently no comparable regulations in Wales, although the one operational track has recently come under the aegis of GBGB. While these dogs are ultimately protected under animal health and welfare legislation, more specific regulation and licensing could do much to protect the health and welfare of racing greyhounds in Wales. It would allow injuries and poor welfare standards to be prevented, rather than prosecuting once the damage has been done.
26. We consider that it should be a legal requirement for a competent, experienced vet to attend all race meetings and trials and for the vet to inspect greyhounds to check for fitness to compete. It may be useful for veterinary inspections to also take place

following the race or trial to help identify and treat any injuries. Veterinary presence is essential to ensure the health and welfare of all dogs. The introduction of this requirement in England has had a positive impact on independent greyhound tracks in particular, where prior to the introduction of the Regulations there was no requirement for a veterinarian to be in attendance. As indicated above, having a suitable vet in situ also means that first aid, pain relief or euthanasia can be promptly provided.

We are aware of significant public interest in the welfare of racing greyhounds. Further to the above question on the licensing of owners, keepers, or trainers of racing dogs, we seek evidence to justify or negate consideration of a phased ban in future. Please tick the box which most appropriately reflects your opinion on whether a phased ban should be given consideration.

For a phased ban

Against a phased ban

Undecided

27. BVA are in the process of formulating a position on animals in performance sport and are unable to give a definitive answer until this is complete.
28. We support the ethical use of animals in sport and many veterinary surgeons work at the heart of the greyhound racing industry. However, the ethical use of animals in sport must be predicated upon high standards of welfare and, as vets, we have a role in promoting that welfare.
29. We would like to note that an outright ban could have negative impacts on animal welfare if existing greyhounds are suddenly retired, having no residual economic value to the owner. Any ban should be accompanied by a robust transition process that ensures the welfare of existing animals. It is essential that clear guidance is provided for existing owners and anyone delegated to enforce new regulations with respect to transitional arrangements for the rehousing/rehoming of the animals, or their disposal. In particular, animals must not continue to be disposed to suboptimal conditions which would further compromise their welfare. In addition, we would suggest some degree of involvement of experienced vets in this transition process for welfare reasons (unless or until it is banned). This would be subject to availability given the existing pressures on the veterinary sector.

We would value your view on the effects that any of these proposed changes would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English. What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

30. BVA and BSAVA are aware of the Welsh Language Act and the importance of the Welsh language in Welsh communities. Our high animal health and animal welfare standards rely on effective communication between vets and those in charge of animals, for example, to enable effective disease surveillance to be carried out. Welsh language is an essential aspect of this communication, and it is important for animal health and welfare that stakeholders in all parts of Wales are able to access schemes and veterinary services in Welsh when that is their chosen first language.

Please also explain how you believe any of these changes could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

31. This is not within our area of expertise.

We have outlined the issues we are considering with regard to licensing animal establishments, activities and exhibits and considering future regulation of dog racing and have asked you to give specific answers to our questions above. If you have any further comments you would like to make on these issues, please enter in the text box below:

it is paramount to ensure that if the sport of greyhound racing continues, the health and welfare of the animals is protected by appropriate legislation and enforced without driving issues “underground”.

Has consideration been given to establishments that breed NTCAs? Some of these may fall under animal welfare establishments. Large establishments are covered under Balai regulations, and inspected accordingly by APHA, but smaller breeders, operating from a private home, may not be registered or known to Local Authorities.