

# BVA response to EFRA Committee Call for Evidence: Pet welfare and abuse

## Who we are

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 19,000 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. We welcome the opportunity to provide evidence to the Committee and have focused our response on the areas of greatest concern to our profession. We have also contributed to two joint evidence submissions - one led by Naturewatch with a particular focus on the canine fertility sector and the other by the Dog Control Coalition, of which we are a member.

## Summary

3. We consider that there are a number of areas where the current legislative and enforcement regimes covering animal welfare either have gaps, need to be updated or are not being enforced due to a lack of resources and adequately trained staff. Our concerns relate to a range of issues affecting pet welfare but also public health.
4. The affected areas include the current regime around pet importation where we are asking for additional mandatory pre-travel tests to be introduced as well as better enforcement of existing regulations.
5. We have strong welfare concerns related to dog breeding and in particular the practices of so-called canine fertility clinics and their inappropriate and irresponsible use of assisted breeding including reproductive biotechnology. The current regime is not equipped to deal effectively with welfare breaches committed by such establishments and we are therefore asking for the Veterinary Surgeons Act and the licensing regime for dog breeding to be reviewed and amended.
6. The veterinary profession has been experiencing a workforce crisis over the last few years which has put its members under considerable strain. The cost-of-living crisis has added additional pressures and our members are also seeing the effects of the crisis when in clinical practice with concerns that pet owners are forced to delay medical treatment due to financial reasons which raises concerns for animal welfare.
7. The Kept Animals Bill addresses a number of animal welfare issues and we are keen to see it enacted in this Parliament. Mutilations that are illegal under UK animal welfare legislation are becoming more common in the UK, an issue which will be easier to address once the Bill has come into force. However, we would like to see additional measures around the keeping of primates as pets introduced into the Bill.
8. In addition, we are also calling for urgent reform of the Veterinary Surgeons Act 1966 to address a range of shortfalls in the current legislation, including provisions covering the disciplinary process for veterinary surgeons, the status of allied professionals and the regulation of veterinary practices.

## Unscrupulous breeding and importation

1. What risks to biosecurity and public health are posed by abhorrent practices such as
  - a. unscrupulous breeding, including “puppy mills” – which are characterised by poor conditions and rapid breeding – both here and those overseas from which dogs are then imported, often in large numbers in a single vehicle,
  - b. the importation of dogs, including heavily pregnant bitches, and cats, and “rescue dogs” (some of whom are misrepresented as such);

as well as similar practices for other species of companion animals? Is the occurrence of such activities changing?

9. The importation of dogs raises a number of concerns regarding health and welfare. We are particularly concerned about:
  - the increased risk of exotic and zoonotic diseases (those that can be passed between animals and humans) being brought into the UK via pets imported into the UK;
  - the rehoming of stray dogs from abroad with unknown health histories and behavioural issues, the later are known to be a leading cause of rehoming failure of rescue dogs<sup>1</sup>;
  - the ongoing misuse of the pet travel regulations to illegally import puppies; and
  - abuse of legislation for the commercial movements of pets by illegal importers.
10. A BVA member survey<sup>2</sup> conducted in 2021, found that 38% of respondents working in companion animal or mixed practice had seen puppies they were concerned had been imported illegally. This figure compared to 29% when we asked the same question in spring 2018. The two main reasons illegal imports were suspected were the client’s explanation of how/where the puppy was acquired (73%) followed by the puppy being too young to have been imported but the vet having been told that it has come from abroad (50%)<sup>3</sup>. A survey of pet owners carried out by the vet charity PDSA showed that the proportion of dogs, cats and rabbits imported from abroad had increased in 2022 to 6% compared to 4% in 2021<sup>4</sup>.
11. We have been calling for pet travel legislation to be strengthened in order to reduce biosecurity risks and protect the health and welfare of the UK’s animals and wider public. Our key asks are:
  - reintroduction of compulsory tick treatments for all non-commercial movements of cats and dogs
  - introduction of tapeworm treatment for cats as well as dogs and shorten the tapeworm treatment window from 24-120 to 24-48 hours before entry into the UK from infected countries.
  - extension of the waiting time post-rabies vaccination to 12 weeks
  - restriction on the movement of stray dogs from other countries with high rates of diseases that aren’t commonly found in the UK, and mandatory testing in stray dogs before travel
  - stronger enforcement provisions and compliance checks for the commercial movement of pets

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<sup>1</sup> <https://vethelpdirect.com/vetblog/2022/11/05/how-to-reduce-the-risks-if-importing-rescue-dogs-from-abroad/>

<sup>2</sup> We are happy to share the underlying data for all BVA surveys mentioned in this submission on a confidential basis if this would be helpful for the enquiry.

<sup>4</sup> PDSA Animal Wellbeing Report 2022: <https://www.pdsa.org.uk/media/12965/pdsa-paw-report-2022.pdf>

- support vets to report suspected illegal imports and non-compliance with pet travel regulations.
12. The removal of the requirement for tick treatments is an example of the potential impact on public health and domestic animal welfare. It has, in our view, increased the risk of UK exposure to tick species not native to the UK and the vector-borne disease they may carry. This has been demonstrated by canine babesiosis cases in Essex in 2016, including one report of an autochthonous case<sup>5</sup>. In addition, some vector-borne diseases like ehrlichiosis are zoonotic and so present a risk to public health as well as posing a significant welfare impact on an immunologically naïve population of animals.
  13. BVA is also concerned about the biosecurity risk posed by the movement of adult stray dogs into the UK for rehoming that have an unknown health history. Under current pet travel regulations, stray dogs can be moved within the EU as long as they are compliant with existing pet travel regulations, including receiving the rabies vaccination and completing the 21-day wait period. However, a stray dog with an unknown history may be moved into the UK whilst it is still incubating a disease, including rabies, as there is no longer the requirement for the titre test before travel.
  14. Cases of canine brucellosis, a zoonotic disease which is currently not endemic in the UK, appear to be rising due to increasing numbers of infected imported dogs. Since 2020, the Government has recorded a significant increase in confirmed cases<sup>6</sup> and the first reported case of dog-to-human transmission in the UK occurred in 2022.
  15. More detailed information on our policy asks and underlying evidence on how to protect public and pet animal health can be found in our policy position on pet travel<sup>7</sup>

2. What risks do unregulated and illegal Canine Fertility Clinics present to dog welfare, including the breeding of so-called “designer” dogs? What is the appropriate role and regulation of assisted breeding techniques in dog breeding?

16. Irresponsible breeding has a detrimental effect on the health and welfare of dams and their litters, and a recent BBC Panorama investigation<sup>8</sup> has also highlighted potential welfare concerns for sires. Dams are often kept in small pens without natural light or contact with other dogs. This form of ‘captive’ not only breaches the five welfare needs set out in the Animal Welfare Act 2006 but also facilitates the spread of infectious diseases and often results in behavioural problems, both in the dams and in their pups.
17. BVA believes that irresponsible dog breeding and the practice of puppy farming must be tackled as quickly as possible. In a BVA membership survey carried out in 2022, 63% of vets in clinical practice considered the irresponsible breeding or sourcing of animals as the most pressing animal health and welfare issue across the UK.
18. According to research<sup>9</sup> carried out by Naturewatch Foundation there are now more than 300 canine fertility clinics operating in the UK, a steep rise from the 37 known clinics found by a Vet Record investigation in 2020<sup>10</sup>. Canine fertility establishments or clinics are offering a range of assisted breeding services, ranging from semen

<sup>5</sup> Johnson, N. , 2016. Tracing disease emergence: canine babesiosis in the UK. Vet Rec. 179: 356-357 doi: 10.1136/vr.i5372

<sup>6</sup> <https://vets.blog.gov.uk/2022/07/06/world-zoonoses-day-how-you-can-help-protect-our-dogs-from-brucella-canis/>

<sup>7</sup> <https://www.bva.co.uk/media/4043/bva-policy-position-on-pet-travel-full.pdf>

<sup>8</sup> ‘Dogs, Dealers and Organised Crime’ (2023). Available at:

<https://www.bbc.co.uk/iplayer/episode/m001hjbw/panorama-dogs-dealers-and-organised-crime>

<sup>9</sup> <https://naturewatch.org/wp-content/uploads/2022/10/Breeding-beyond-dogs-limits-Canine-Fertility-Clinics-in-the-UK-October-2022.pdf>

<sup>10</sup> <https://www.bmj.com/company/newsroom/sharp-rise-in-canine-fertility-clinics-but-not-always-staffed-with-vets/>

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collection and analysis, progesterone testing, artificial insemination, and ultrasound scanning. Many of the clinics focus on the most popular dog types, such as bulldogs and other flat-faced breeds, which struggle to whelp naturally<sup>11</sup> and are known to have a range of breed-related health and welfare problems.<sup>12</sup> BVA has worked extensively on raising concerns around such breeds and improving their welfare. We launched the 'BreedtoBreathe' campaign<sup>13</sup> to raise wider awareness of the issues affecting the health and welfare of affected breeds.

19. In our view, artificial insemination can play a role in dog breeding and if used correctly can result in improved dog welfare. For example, the procedure can be used to widen the genetic pool of some breeds by introducing semen from stud dogs based in a wider number of locations although adequate protections should be in place to avoid overusage of semen from a single stud., It can also be used to ensure the use of semen of higher quality to achieve a pregnancy, which carries potential benefits for the dam as well as the health of the puppies. However, it should not be used to overcome a dog's physical inability to procreate naturally due to innate health problems, or to breed from dogs who are otherwise unsuitable for breeding due to health, welfare or temperament. Artificial insemination should always either be carried out by a qualified veterinary surgeon or under their guidance.
20. We are also aware that procedures that fall under the Veterinary Surgeons Act (VSA) and should only be legally performed by qualified Veterinary Surgeons registered with the Royal College of Veterinary Surgeons (RCVS) or in some cases qualified veterinary nurses under the supervision of a veterinary surgeon eg intravenous blood sampling. However, unqualified laypersons are carrying out these procedures at such establishments<sup>14</sup>.
21. There is also currently no Exemption Order<sup>15</sup> under the VSA which would allow unqualified persons to carry out any type of canine artificial insemination. This leaves legal uncertainty whether the actual act of artificial insemination, including the least invasive form, transvaginal AI, can be legally carried out by laypersons. Until such an exemption order is granted it would require a court judgement to clarify this issue but in the meantime Government guidance on the issue would be welcome.
22. In 2022, BVA carried out a survey of its membership in which 93% of respondents expressed concern about canine fertility clinics. The same survey also found that most vets were not aware of the mechanisms for reporting such clinics (78%), with just one in five vets saying that they are aware (20%).
23. The veterinary profession's lack of knowledge regarding the reporting of concerns about canine fertility clinics highlights a key issue with the current regulatory framework that governs veterinary surgery, animal welfare, and licensing of dog-related activities. There is no national regulatory body governing the clinics and the RCVS as the regulatory body for veterinary surgeons does not have enforcement powers over laypeople carrying out acts of veterinary surgery. Furthermore, the maximum penalty for breaches of the VSA 1966 is £100, which is an inadequate deterrent.
24. There is currently no overarching enforcement authority that is in a position to deal with the breaches of the various pieces of regulation. The main enforcement powers

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<sup>11</sup> <https://www.rvc.ac.uk/vetcompass/news/new-study-reveals-flat-faced-dogs-have-the-highest-risk-when-giving-birth>

<sup>12</sup> <https://www.bva.co.uk/media/4231/bva-position-on-brachycephalic-dogs-full.pdf>

<sup>13</sup> <https://www.bva.co.uk/take-action/breed-to-breathe-campaign/>

<sup>14</sup> <https://www.vettimes.co.uk/news/no-vets-at-restricted-fertility-procedures/>

<sup>15</sup> An Exemption Order permits unqualified persons to perform minor acts of veterinary surgery, subject to conditions laid out in the Order.

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lie with local authorities which in many cases do not have the necessary resources and adequately trained staff to carry out effective investigations, resulting in inconsistent application of the current regime.

25. Effective enforcement action therefore requires a multi-agency approach. However, some of the enforcement authorities like police and local authorities will prioritise other activities over animal welfare related breaches due to a lack of resources.
26. We believe that the key challenges under the current regulatory structure which should be addressed are:
  - a lack of enforcement activity caused by a lack of resources and expertise
  - a varying approach to enforcement between local authorities
  - challenges of evidence collection due to rules around powers of entry/obtaining of court orders
  - lack of significant fines and custodial sentences for activities covered by the current laws and regulations, to act as a deterrent.
27. We are therefore of the view that the current regulatory regime covering dog breeding and related activities requires reform and that a local authority licensing regime for canine fertility clinics should be introduced, with the aim to strengthen the enforcement powers of local authorities and create better resources and more consistent enforcement.
28. The Veterinary Surgeons Act 1966 should also be reformed, to ensure that it is fit for purpose. Allied professions should be brought into the regulatory framework of RCVS as part of this reform, mandatory practice regulation should be introduced, as should appropriate penalties for those in breach of the Act.

## Abuse and mutilation

3. Is the ban on mutilation – such as ear cropping (or docking) of dogs, and de-clawing in cats – under the Animal Welfare Act 2006 effective? How prevalent are practices such as illegal ear cropping, and the importation of dogs whose ears have been cropped overseas or cats that have been de-clawed (which remains legal)?

29. BVA is not directly involved in bringing legal action against breaches of animal welfare legislation although some of our members are. However, we have in the past been contacted for advice by representatives of enforcement bodies investigating potential breaches of the Act with regard to cases of ear cropping. We are therefore aware that the effectiveness of the provisions in the Act is currently being undermined because it remains legal to import and sell dogs with cropped ears, and it's not a specific offence to send dogs abroad to be cropped. It is therefore very difficult to prove that the procedure has been carried out illegally in the UK.
30. Over the last few years vets and animal welfare organisations<sup>16</sup> have been increasingly seeing cases of dogs with cropped ears. This worrying trend is rife on social media too, with celebrities and influencers sharing images of their ear-cropped dogs. We are also aware that ear cropping of dogs is being carried out illegally in the UK and that kits advertised for the specific use of cropping dogs' ears have been available for sale online in the UK. In 2022, we contacted eBay to raise concerns about listings for ear-cropping kits being sold via its website<sup>17</sup> and eBay subsequently

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<sup>16</sup> <https://www.rspca.org.uk/-/news-alarming-rise-in-reports-of-ear-cropping-for-third-year-running-prompts-rspca-concerns>

<sup>17</sup> <https://www.bva.co.uk/news-and-blog/news-article/major-uk-retailers-remove-ear-cropping-kits-from-sale-after->

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agreed to take down the relevant listings. We have continued to highlight our concerns to retailers about products being advertised to carry out procedures that are considered to be mutilations under the Animal Welfare Act<sup>18</sup>.

31. In May 2022 we carried out a member survey and the results showed that 58% of respondents working in companion animal practice had been presented with dogs with cropped ears over the previous 12 months. Companion animal vets in the North West (76%) were more likely than average to have been presented with dogs with cropped ears while vets in the South West (38%) and Wales (33%) were less likely than other regions to have seen this. When asked to estimate whether this was becoming a more common occurrence, 61% of vets that had seen ear cropping felt the number of dogs with cropped ears they saw had increased over the last year, while 23% said it had stayed the same and only 2% said that it had decreased, with the remainder (14%) unsure. The survey also showed that when vets raised concerns that ear cropping was illegal, a significant proportion of clients were already aware. Vets gave a variety of reasons for why clients choose ear-cropped dogs, generally citing the appearance as attractive or fashionable. Some also mentioned that ear-cropped dogs are often imported or rescue dogs.
32. A 2022 survey of cat owners carried by PDSA showed a worrying increase in the number of declawed cats being imported to the UK. In response to the survey, 5% of cat owners who had acquired a cat from outside the UK, equating to 31,000 cats, stated that they chose to get their pet from abroad because they wanted them to be declawed<sup>19</sup>.
33. The increasing popularity of pet animals with mutilations is a highly concerning development for animal welfare. The UK legislation which outlaws ear cropping and other mutilations is robust but enforcement is impeded as long as pets with mutilations can be legally imported into the UK. This underlines the importance of the provisions set out in the Kept Animals Bill. We would like to see the proposed ban on importing dogs, cats and ferrets with mutilations to cover any mutilations that are illegal in the UK.

## Ownership and animal welfare

4. There was a marked increase in pet ownership during the pandemic. What is the situation for companion animals' welfare post-pandemic, especially given recent factors such as

- a. adverse changes in the cost of living?
- b. a decrease in home working?

34. We are becoming increasingly worried about the emerging impact the cost-of-living crisis is having on pet owners and their ability to care for their animals. According to reports<sup>20</sup> from animal welfare charities, the number of companion animals that are being surrendered by their owners for financial reasons has increased significantly in the last year. According to UK Pet Food's annual survey, 3.7m UK households

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[vet-pushback/](#)

<sup>18</sup> <https://www.bva.co.uk/news-and-blog/news-article/amazon-and-ebay-team-up-with-vets-to-tackle-sale-of-products-for-illegal-mutilation-of-animals/>

<sup>19</sup> <https://www.pdsa.org.uk/media/12965/pdsa-paw-report-2022.pdf>

<https://metro.co.uk/2022/08/14/uk-pet-owners-are-giving-up-their-animals-due-to-cost-of-living-crisis-17179720/>

<sup>20</sup> <https://www.rspca.org.uk/-/news-figures-show-more-animals-in-shelter-rehoming-slows>

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relinquished a pet in 2022 with dogs being the most likely species to be relinquished<sup>21</sup>. Research carried out by Pets4Homes, the online pet marketplace, found that 8% of respondents were considering giving up their pet for financial reasons and 25% could not afford veterinary care. There is also anecdotal evidence that some animal owners are attempting to save money by treating their pets themselves, based on data showing an increase in Google searches for 'can I give my dog paracetamol?'<sup>22</sup>.

35. The impact of the cost-of-living crisis on pet owners, and by association pet welfare, has also been confirmed by our own research. We have been hearing from members of the veterinary profession that they are already seeing animal welfare being compromised, with some owners putting off seeking help due to financial difficulties. In a survey of BVA members, conducted in autumn 2022 almost all respondents (99%) felt that at least some of the animals they treat should have been presented to them earlier. This represented a significant increase compared to a similar survey carried out in December 2018, in which 83% of respondents reported the same. On average, vets estimated that 21% of the animals they treat should have been presented earlier by their owners.
36. Delayed veterinary treatment can have a serious impact on animal welfare and can lead to the need for more costly treatment at a later stage as well as worse outcomes for the animal's health. Examples of where delayed treatment causes an increased risk to animal welfare include:
  - Lumps should always be checked by a vet. Although they are often benign, early detection of malignant cases significantly increases the chance of preventing the tumour from spreading. Anaesthetic and surgical time is also usually less for removing small rather than large lumps.
  - Ear infections that are left untreated can lead to a thickened, narrowed ear canal with a higher risk of a middle ear infection and a much greater chance of recurrent ear infections.
  - Increased water consumption by unsprayed older female dogs can be a sign of warning of a possible womb infection or pyometra. Left untreated toxins can cause damage to internal organs such as the kidneys or in some cases result in womb rupture and peritonitis.
37. Financial reasons were highlighted by 91% of vets, when asked what they thought were the main reasons people did not bring their pets in earlier. This is an increase compared to the December 2018 survey, when 86% cited financial reasons.
38. Vets, on average, reported that 18% of the clients they see each week have difficulty covering the costs of *preventative* care. 52% of respondents also said the number of clients reporting difficulty covering the cost of *preventative* veterinary care for their animal had increased compared to 2021.
39. The situation with regard to *diagnostic* care is worse, with respondents on average reporting that 29% of the clients they see each week have difficulty covering the costs of *diagnostic* care and treatment. 70% of respondents said the number of clients reporting difficulty covering the cost of *diagnostic* care and treatment had increased compared to 2021.
40. Researchers at the Royal Veterinary College are currently carrying out a research project into 'pandemic puppies' which was originally funded by the Animal Welfare Foundation, a BVA charity, and which compares the experiences of dog owners who

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<sup>21</sup> <https://www.ukpetfood.org/resource/uk-pet-food-s-annual-pet-survey-shows-cost-of-living-impact-on-pet-owners.html>

<sup>22</sup> <https://www.theguardian.com/world/2022/jul/02/pets-on-paracetamol-animals-at-risk-as-owners-struggle-with-vet-bills>

purchased puppies pre-pandemic and during 2020. There have been two papers<sup>23</sup> published so far which highlight a significant difference in the rate of behavioural issues displayed by the two cohorts of dogs.

5. What are the pressures currently facing those dealing with companion animal welfare including<sup>24</sup>

- a. the veterinary sector?
- b. the charitable animal welfare sector?

41. The veterinary profession has been experiencing a workforce crisis over the last few years which has put its members under considerable strain. This is due to a combination of factors, including problems with recruitment and retention of veterinary surgeons, a significant increase in pet ownership during the Covid-19 pandemic, and immigration restrictions following the UK's exit from the EU. According to the latest survey data released by UK Pet Food<sup>25</sup>, the number of pets in the UK is still on the increase despite the worrying number of pets being relinquished.
42. BVA regularly surveys its members on recruitment related issues and the spring 2022 survey showed that 68% of vets treating companion animals said that they currently have vacancies for veterinary surgeon roles in their main or most recent workplace. In the survey, 86% of respondents representing organisations working with companion animals, reported that on average they received three applications or fewer when advertising vacancies for veterinary surgeons. This compared to 49% of vacancies that received no more than three applications in our 2018 Spring survey. Almost two in five (38%) also said it took more than 6 months to fill a vacancy. When the same question was asked in Spring 2018, 23% of respondents reported taking more than 6 months.
43. We also use our member surveys to explore issues around job satisfaction including work/life balance and mental health. Our autumn 2022 showed that 66% of respondents working with companion animals rated their job-related stress as poor and 44% rated their work / life balance as poor.
44. BVA member research carried out in 2021 has also shown that abusive behaviour by animal owners towards veterinary surgeons has been on the increase over the last few years. 57% of respondents had felt intimidated by a client's behaviour in the previous 12 months, but this figure went up to 66% for vets working in companion animal practice<sup>26</sup>. The issue was not only affecting veterinary surgeons but the wider practice team, with 82% of vets responding that they were aware of members of their practice team who had felt intimidated by a client's language or behaviour. The survey data precedes the cost-of-living crisis but we are aware that abusive behaviour often results from high levels of stress experienced by pet owners, especially in situations where discussions around treatment costs require pet owners to take decisions which can be very stressful and emotionally charged. The cost-of-living crisis is likely to have

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<sup>23</sup> <https://www.rvc.ac.uk/vetcompass/research-projects-and-opportunities/projects/rvc-pandemic-puppies-survey>

<sup>24</sup> [https://docs.google.com/presentation/d/e/2PACX-1vSCzVyH5n3QTP4FbEPuxejPC7Taz48vN6290EJNbf6KcEru4smoJiUmbrocmuhkmXrGhvquV4YCFmQ2/pub?start=false&loop=false&delayms=5000&slide=id.g1bd7688607d\\_0\\_56](https://docs.google.com/presentation/d/e/2PACX-1vSCzVyH5n3QTP4FbEPuxejPC7Taz48vN6290EJNbf6KcEru4smoJiUmbrocmuhkmXrGhvquV4YCFmQ2/pub?start=false&loop=false&delayms=5000&slide=id.g1bd7688607d_0_56)

<sup>25</sup> <https://www.ukpetfood.org/resource/uk-pet-food-s-annual-pet-survey-shows-cost-of-living-impact-on-pet-owners.html>

<sup>26</sup> BVA Voice of the Veterinary Profession Survey Spring 2021

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increased the financial pressures on pet owners and we would expect to see this impact on the veterinary profession.

45. Abusive behaviour by clients has also been shown to have an impact on vets' mental health and plays an important part in vets leaving the profession. In 2021, we asked UK-based vets currently working whether they believe they will still be working in the profession in five years' time. In response, 29% of vets who had experienced online abuse stated that they intend to pursue another career vs. 9% of vets who had not experienced abuse.
46. Veterinary practices are therefore struggling with the combined pressure of:
  - capacity shortages which has been resulting in stress, burnout, and disillusionment
  - poor work-life balance
  - mental health issues.
47. In addition, the cost-of-living crisis has had a direct impact on veterinary care providers. Like other businesses veterinary practices have experienced sharp rises in their energy costs over recent months, combined with increased costs for equipment and medicines. The increased expenditure will place further pressures on the profession, and there is an increased risk that these combined cost pressures will result in some veterinary practices having to close, while others will be forced or have already been forced to increase the cost of veterinary services, leaving more pet owners unable to afford essential care, with serious implications for animal welfare.

## Current Preventative measures

6. Is the current regulatory and legal framework to both support the welfare and prevent the abuse of companion animals fit for purpose? Do the available penalties – and the probability of prosecution – act as a sufficient deterrent?

48. As mentioned above, we are not directly involved in bringing legal action against breaches of animal welfare legislation. We are however aware that it has proven challenging to bring cases related to canine fertility clinics under the Animal Welfare Act 2006 and the equivalent legislation in the devolved nations. It is our understanding that providing proof of unnecessary suffering can be a particular challenge.
49. Like any regulatory regime, the effectiveness of the legislative framework aimed at preventing abuse of companion animals and protecting their welfare is highly dependent on the resources made available to the various bodies with enforcement powers. When researching how the regulatory regime around canine fertility clinics could be improved our first observation was the lack of an overarching piece of legislation and enforcement authority that could deal with all types of welfare breaches, and which brought together the necessary powers and expertise to identify potential breaches of animal welfare legislation and bring them to court.
50. BVA lacks expertise in the criminal justice framework and is unable to assess whether the current requirements make prosecutions more likely to take place and be successful. In terms of sentences available under the current regime, we are supportive of the recent legislative change increasing the maximum penalty for the specified animal welfare offences from six months to five years imprisonment.

7. Will the Animal Welfare (Kept Animals) Bill (as currently drafted) take a significant step to tackling poor pet welfare and abuse, including those issues stated above?

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51. The Kept Animals Bill is important legislation that BVA is keen to see enacted in this parliament, before EU regulations are phased out. It covers several key areas covered by this inquiry, including animal import and export and keeping primates as pets.
52. However, we have concerns about some of the provisions in the Bill and whether they will adequately address specific animal welfare concerns. One of which is the keeping of primates as pets. BVA has significant concerns as to whether the welfare needs of primates can be met when they are kept privately as pets. They are long-lived, intelligent, animals with complex social and dietary needs, and are unsuitable as companion animals. While the Bill aims to ban the keeping of primates as pets without a licence, as it stands, it leaves a number of loopholes which may result in the licensing regime and transitional registration being ineffective at reducing primate ownership and allowing for sub-optimal welfare standards.
53. The effectiveness of the Bill will depend on sufficient resourcing being made available to enable the enforcement of the measures set out within it. The enforcement regime also needs to focus on adequate training for enforcement officers to enable them to correctly identify and assess potential breaches of animal welfare legislation.

8. What additional measures should the Government take to stop bad practices, improve overall domestic pet welfare, and assist those involved in supporting domestic pet welfare?

54. In our view there are three key measures the Government can take now:
  - Reform of the regulatory regime covering animal breeding
  - Passing the Kept Animals Bill and
  - Legislative reform of the Veterinary Surgeons Act 1966.
55. We have already set out our view on the need for regulatory reform of animal breeding and the benefits that passing of the Kept Animals Bill will have on animal welfare.
56. The proposals for a new 'Veterinary Services Bill' would address a range of shortfalls in the current legislation. For example:
  - The current disciplinary process for vets is cumbersome and retrogressive. It focuses on punishment rather than current impairment, and is contributing to the loss of competent vets from the profession.
  - The title 'veterinary nurse' is not protected and is currently being used by unqualified and unregulated individuals, which is misleading for animal owners and potentially harms animal welfare.
  - Other allied professions such as musculoskeletal professionals, are unregulated in the veterinary sector, which also has the potential to negatively impact animal welfare. They should be brought into the regulatory framework of RCVS, to further improve standards of animal health and welfare, and allow vets to focus on the functions that only they can undertake.
  - In the UK there is no regulation of veterinary practices or other veterinary businesses aside from the selling of veterinary medicines which is regulated by the Veterinary Medicines Directorate, which sits at odds with the reasonable expectation from the public that all practices are assessed to ensure they at least meet the basic minimum requirements. There should be mandatory practice regulation, to drive up standards and increase public confidence.
57. We would like to see changes introduced to remedy the above issues and are supportive of the 'Veterinary Services Bill' proposed by the RCVS. Additionally, we would like to see appropriate penalties introduced for those in breach of the Act. We

have outlined our views on regulatory reform in more detail in our submission to a consultation conducted by the RCVS<sup>27</sup>.

58. Another area where we have long called for legislative action and where there is significant evidence of a detrimental impact on animal welfare are electric shock collars and training aids for dogs and cats. This is an area where the Government has repeatedly committed to taking legislative action. We would like to take the opportunity to highlight the significant detriment to animal welfare caused by those devices which we have outlined in our policy position<sup>28</sup> and would urge for the legislation banning them to be brought forward.
59. In conclusion, although we acknowledge that the current regulatory and legal framework contains important provisions to address a number of animal welfare issues, there is a need for further reform as set out above. In our view both the Kept Animals Bill and the reform of the Veterinary Surgeons Act 1966 will be critical in achieving this. In addition, more resources, training and clearer guidance are needed to improve the effectiveness of the current regime and future legislation.

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<sup>27</sup> <https://www.bva.co.uk/media/4038/response-to-rcvs-legislative-reform-consultation-final-11-march-2021.pdf>

<sup>28</sup> <https://www.bva.co.uk/media/1156/full-bva-policy-position-on-the-use-of-aversive-training-devices-in-dogs-and-cats.pdf>