

## Joint BVA and BVZS response to the Defra and APHA call for evidence on the welfare of primates as pets in England

13 January 2020

### Who we are

1. The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 18,000 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. The British Veterinary Zoological Society (BVZS) is the specialist division of the British Veterinary Association (BVA) and has over 400 active members. The membership includes registered veterinary surgeons and veterinary nurses working with exotic species at all levels, from those in general practice providing a service for herpetologists, aviculturists, aquarists and the owners of exotic pets including primates, to those working in animal sanctuaries, wildlife parks, bird gardens, zoos and aquaria, and with free living wild animals.
3. We welcome the opportunity to contribute to this call for evidence on the welfare of primates as pets in England. We note that the introduction of the Defra [Code of practice for the welfare of privately kept non-human primates states](#): "Primates should not be considered as pets in the accepted sense of the word: they are not species that can be treated as part of the family in the way that a cat or dog might be. They are wild undomesticated animals that cannot be house-trained or fully tamed."
4. Primates are long-lived, intelligent, and socially complex animals. It is almost impossible for private owners to meet the welfare needs of primates as set out in the Animal Welfare Act. We therefore support a ban on the keeping of primates as pets.
5. We recognise that there are a limited number of individuals in the UK who maintain small privately-owned collections of primates. Although these are not currently subject to inspection under the Zoo Licensing Act they are kept to equivalent standards, meeting the particular requirements of the species and with the provision of specialised veterinary care. We would support a mechanism for those individuals to keep species-appropriate groups of primates in facilities that reach the minimum standards as set out by the DEFRA *Code of practice for the welfare of privately kept non-human primates* or the Zoo Licensing Act, providing they are licensed and inspected by an independent veterinary surgeon experienced in primates.

### Numbers of primates kept as pets in England

6. The RSPCA report [Do you give a monkey's?: The need for a ban on pet primates](#) estimates the number of primates kept as pets in Britain. However, the report outlines that due to private trade and a lack of regulation, the total number of primates kept as pets in the UK is unknown.
7. In 2013, BVZS asked 100 of their members (c. 1/3 of their total membership) what species of primates kept as pets they most commonly saw in practice, respondents answered as below:
  - 40% Marmoset
  - 18% Squirrel monkey
  - 16% Capuchin
  - 14% Tamarin
  - 6% Lemur
  - 4% Macaque
  - 2% Other (eg Ukari)

### Welfare conditions of primates kept as pets in England

8. We have significant concerns as to whether the welfare needs of non-human primates can be met when they are kept privately as pets. These needs, as set out in the Animal Welfare Act 2006, are:
- its need for a suitable environment,
  - its need for a suitable diet,
  - its need to be able to exhibit normal behaviour patterns,
  - any need it has to be housed with, or apart from, other animals, and
  - its need to be protected from pain, suffering, injury and disease.
9. Primates are long-lived, intelligent, socially-complex animals<sup>1</sup> and we can think of no circumstances where a primate would benefit from being kept privately as a pet. They are unsuitable to be kept as companion animals. Primates are extraordinarily difficult to care for properly as pets, due to their complex social and dietary needs – very few can provide the necessary resources to meet their welfare needs (if at all possible).
10. Primates cannot be kept on their own, but require to be housed with at least one conspecific and often complex family groups to be able to express natural behaviour; reflecting one of the needs set out in the five welfare needs.<sup>2, 3</sup> They require both an indoor and outdoor enclosure to ensure adequate exercise, exposure to UV light (which may require additional lighting) and each species of primate has specific dietary requirements. It should also be noted that primates carry zoonotic diseases to which pregnant people, elderly people and children would be particularly susceptible. Similarly, humans can transmit pathogens to primates. Primates therefore need to be housed in such a way that limits disease transmission to humans.
11. The husbandry requirements for primate groups are complex, requiring ~~robustly constructed~~ enclosures large enough to prevent hierarchical stress.<sup>4</sup> In addition, most primate species have such specialised UV-B, temperature, humidity, lighting, behaviour and dietary requirements to be taken into account that we consider it extremely difficult to fulfil their basic welfare needs if kept as pets.
12. In 2013, BVZS asked 100 of their members (c. 1/3 of their total membership) to indicate the most common presenting problem amongst primate patients in their care, respondents answered as follows:
- 61% Nutritional/metabolic
  - 11% Reproductive
  - 8% Dental
  - 8% Trauma
  - 6% Infectious
  - 4% Behavioural
  - 2% Other
13. Defra's own [Code of Practice for the Welfare of Privately Kept Non-Human Primates](#) recognises the above complex welfare needs, and highlights:

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<sup>1</sup> Jennings M and Prescott MJ (2009) Refinements in husbandry, care and common procedures for non-human primates. *Laboratory Animals* 43: Supplement 1.

<sup>2</sup> Novak MA, Meyer JS, Lutz C and Tiefenbacher S (2006) Deprived environments: Developmental insights from primatology. In: Mason G and Rushen J (eds.) *Stereotypic Animal Behaviour: fundamentals and applications to welfare*. Second edition. Pp 153-162

<sup>3</sup> Lewis MH, Gluck JP, Petitto JM, Hensley LL and Ozer H (2000) Early social deprivation in nonhuman primates: long-term effects on survival and cell-mediated immunity. *Biological Psychiatry* 47:119-126.

<sup>4</sup> Buchanan-Smith HM (2010) Environmental enrichment for primates in laboratories. *Adv. Sci. Res.* 5:41-56.

*“Primates should not be considered as pets in the accepted sense of the word: they are not species that can be treated as part of the family in the way that a cat or dog might be. They are wild undomesticated animals that cannot be house-trained or fully tamed.*

*With the exception of a few solitary species, primates should not be kept singly. They should not generally be kept in domestic living spaces, and instead require specialised accommodation. Furthermore, primates exhibit a wide range of behaviours, in particular social interaction and foraging behaviour.”*

14. Consequently, the welfare needs of primates as set out in the Animal Welfare Act cannot be met when these animals are kept as pets in unsuitable environments. We are concerned that pet owners may not have the appropriate knowledge or facilities to be able to care for these animals properly and sometimes they may be acquired for the wrong reasons eg. fashion statements.

**We are interested to understand how owners acquire primates as pets (e.g. are they bred domestically or overseas, do they come from wild populations overseas or do they come from excess zoo stock either domestically or from abroad).**

15. Anecdotal evidence from our members suggests that primates as pets are either imported or bought in the UK from captive bred stock.

**Evidence on the breeding of primates in England, including the number of breeders, the types of primates bred, the cost of breeding primates, and the numbers of primates sold by breeders annually within England.**

16. We note that, according to RSPCA findings in [Do you give a monkey's?](#), the most common primates detailed in online adverts were those who do not require the DWAA licence eg. Marmosets, tamarins and squirrel monkeys.

**View on retaining the existing approach of a welfare code of practice to specify the conditions in which pet primates must be kept.**

17. In our response to the consultation on the Defra welfare code for the welfare of privately kept non-human primates (Nov 2009) we highlighted our concern that the issuing of the primate codes would be seen as a sign of approval by the general public that it was ethically acceptable to keep such species in their home.
18. We note that the introduction of the Defra welfare code states: “Primates should not be considered as pets in the accepted sense of the word: they are not species that can be treated as part of the family in the way that a cat or dog might be. They are wild undomesticated animals that cannot be house-trained or fully tamed.”
19. We therefore have significant concerns about primates (which are certainly not as domesticated as dogs, cats or even livestock for example) being kept as pets. The welfare code of practice therefore does not provide sufficient protection for primates kept as pets.

**Evidence on potential licensing regimes and/or regulatory conditions for owners of primates kept as pets.**

20. We recognise that there are a limited number of individuals in the UK who maintain small privately-owned collections of primates. Although these are not currently subject to inspection under the Zoo Licensing Act they are kept to equivalent standards, meeting the particular requirements of the species and with the provision of specialised veterinary care. We would support a mechanism for those individuals to keep species-appropriate groups of primates in facilities that reach the minimum standards as set out by the DEFRA *Code of practice for the welfare of privately kept non-human primates* or the Zoo Licensing Act, providing they are licensed and inspected by an independent veterinary surgeon experienced in primates.

21. However, a more general licensing scheme for primates kept as pets eg. a scheme that would function similar to a dog licence without a robust inspection process, is unlikely to be the best option for regulating pet owners and safeguarding the health and welfare of primates. This is both in terms of the message of apparent approval it would give, and how effectively it would target the non-compliant keepers who would be unlikely to participate. In terms of safeguarding the health and welfare of primates, we consider it would be more effective to ban primates kept as pets.

**Evidence is sought on the potential impact to rescue centres and animal welfare charities should restrictions be in place on the private keeping of primates in England. Any evidence on wider impacts is also welcomed.**

22. We recognise that should a ban be introduced there will need to be plans to identify and secure suitable accommodation for those primates currently being kept privately as pets. An appropriate agreed transition period would need to be allowed for. There should also be controls to prevent trading in primates or breeding for non-conservation purposes.

**We are interested to understand whether, if restrictions were to be introduced, there would need to be exemptions to restrictions, and if so, what exemptions would those be, the justification for each of them and how each of those exemptions should be applied.**

23. We support a ban on the keeping of primates as pets. We would welcome further clarity as to how a ban would be enforced and what would happen to long-lived primates who are currently being kept as pets.
24. The definition of a 'pet' is typically accepted as the keeping of an animal in a home environment as a companion to a person. The definition of 'pet' can also be interpreted as an animal that is kept for the emotional benefit of a human. If a primate was kept appropriately in a collection, it could therefore still be considered as a 'pet' under this sense of the word, therefore great care is required in drafting any legislation in order to avoid inadvertently affecting stakeholders maintaining primate collections under the terms outlined in the above paragraph.
25. We recognise that there are a limited number of individuals in the UK who maintain small privately-owned collections of primates. Although these are not currently subject to inspection under the Zoo Licensing Act they are kept to equivalent standards, meeting the particular requirements of the species and with the provision of specialised veterinary care. We would support a mechanism for those individuals to keep species-appropriate groups of primates in facilities that reach the minimum standards as set out by the DEFRA *Code of practice for the welfare of privately kept non-human primates*, or the Zoo Licensing Act, providing they are licensed and inspected by an independent veterinary surgeon experienced in primates.

**Evidence is requested on enforcement arrangements that would be necessary to apply different types of schemes for restrictions on the private keeping of primates. If restrictions were introduced, what penalties should apply for a breach, whether these should be civil or criminal, and who should enforce any such restrictions?**

26. A ban on keeping primates as pets would be the most effective way of safeguarding the health and welfare of primates in the long term. If stricter regulation were introduced, more oversight would be required to help protect primate health and welfare as the current regulatory framework is not particularly effective, despite the Code of Practice. This could be done through inspection or more rigorous enforcement of the Code of Practice and welfare legislation to ensure that owners of privately-owned collections of primates fulfil a strict set of requirements. Any should be carried out by an independent veterinary surgeon experienced in primates.