

BVA Briefing: 3 November 2021

Animal Welfare (Kept Animals) Bill (KAB)

Overview

The [Animal Welfare \(Kept Animals\) Bill](#) introduces new legislative provisions in the following areas:

- Primates as pets (England) (*covered in page 1 of this briefing and detailed overview at Annex A*)
- Dog attacks and livestock worrying (England and Wales) (*page 2 of this briefing*)
- Export of livestock (GB) (*page 3 of this briefing*)
- Import of cats, dogs and ferrets (GB) (*page 4 of this briefing*)
- Zoos (GB) (*page 5 of this briefing*)

Scotland has submitted a legislative consent motion to adopt the provisions on export of livestock, import of pets and zoos.

BVA has expressed disappointment that regulation of non-stun slaughter was omitted from the Bill. See *page 6 of this briefing* for our recommendations on how this key issue could be incorporated within the legislation.

Primates as pets (England)

Policy objective: To ban the keeping of primates as pets without a licence. It is expected that the licence holder must meet standards that are equivalent to the Secretary of State's Standards of Modern Zoo Practice. Existing keepers of primates who would not meet the standards of the new licence will be able to apply for transitional registration before the new licensing system comes into force.

BVA position: We have significant concerns as to whether the welfare needs of non-human primates can be met when they are kept privately as pets. Primates are long-lived, intelligent, socially-complex animals 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 keepers can provide the necessary resources to meet their welfare needs.

Primates as pets (England): areas of concern

- We're concerned about the number of loopholes in the legislation which may result in the licensing regime and transitional registration being ineffective at reducing primate ownership, and allowing for sub-optimal welfare standards for long periods with little oversight.
- **See detailed BVA, BVZS and BSAVA briefing on proposed amendments at [Annex A](#).**

Dog attacks and livestock worrying (England and Wales)

Policy objective: To repeal the Dogs (Protection of Livestock) 1953 Act, and replace with legislation that has clearer definitions of livestock worrying, livestock, where attacks occur, what it means to be at large, and expands police powers and sanctions.

BVA Position: Vets see first-hand the terrible damage done when dogs are not kept under control around livestock, especially during lambing season. Chasing and attacks can lead to serious injuries, fatalities and spontaneous abortion for sheep and other livestock due to stress. We don't want to discourage people from walking their dogs in the countryside, as it has health benefits for both owner and pet, but owners should keep their dogs on a lead near livestock to prevent avoidable attacks and keep them safe.

Dog attacks and livestock worrying (England and Wales): areas of concern

- We would like to see safeguards in the Bill to ensure that seized dogs are not held in kennels for long periods of time, compromising welfare.

Export for slaughter (Great Britain)

Policy objective: Prohibit the export of livestock for slaughter and fattening from Great Britain.

BVA position: Animals should be slaughtered as close as possible to where they are reared, and should not be exported for non-stun slaughter.

We don't support the call to ban live export as this focuses on journey times and distance, instead of the complex picture of animal welfare during transport as a whole. Instead, we're calling for the improved implementation of current legal requirements to protect animals during transport: EC Regulation 1/2005 and the UK Welfare of Animals (Transport) Orders and Regulations.

We would welcome additional measures to protect the welfare of animals being transported. Any improvements should be evidence-based, informed by a welfare outcomes approach, and consider how proposals would work in all of the UK administrations. However, additional legal requirements are only beneficial if they are effectively enforced.

To build on existing legal requirements, we're also calling for:

- certified training for farmers, drivers, and hauliers;
- improved guidance on assessing whether an animal is fit to travel
- improved veterinary supervision and access to veterinary care during journeys and at rest points.

Export for slaughter (Great Britain): areas of concern

- Proposals should avoid a disproportionate emphasis on journey times and instead recognise the importance of improving journey conditions for animals, while ensuring they are workable for rural and remote areas such as the Highlands and Islands.
- It's paramount that Defra continue to engage with the veterinary profession and stakeholders as they progress their wider proposals on improving animal welfare during transport to ensure they're practical, evidence-based and deliver meaningful improvements to welfare outcomes.

Importation of dogs, cats and ferrets (Great Britain)

Policy objective: To tackle the low welfare puppy trade by reducing the number of animals that can travel per consignment in non-commercial movements. The Bill will restrict the number of pets per non-commercial movement to five per motor vehicle, or three per person if travelling via air or on foot. It will also give powers to amend or revoke retained EU legislation; this will enable government to ban/restrict the import of animals on welfare grounds. For example, prohibit or restrict the import of pets below a specified age, pets that have been mutilated, or animals that are more than a specified number of days pregnant.

BVA position: We support the measures the Bill is introducing eg. reducing the number of animals that can travel per consignment for non-commercial movements, and the ability for GB to restrict imports on welfare grounds eg. by raising the age of import to 6 months and banning the import of dogs with cropped ears.

BVA and BSAVA have responded to the Defra consultation on proposals to ban and restrict imports of dogs on animal welfare grounds. [Read our response](#) to the Defra consultation on commercial and non-commercial movements of pets into GB.

BVA supports the strengthening of commercial and non-commercial pet movement legislation to safeguard the health of the UK's animals and wider public and prevent unintended consequences to animal welfare through the circumvention of existing legislation. Our additional key asks are:

- reintroduce compulsory tick treatments for all non-commercial movements of cats and dogs;
- introduce tapeworm treatment for cats as well as dogs and shorten the tapeworm treatment window;
- extend the waiting time post-rabies vaccination to 12 weeks;
- restrict the movement of stray dogs from other countries with high rates of diseases that aren't commonly found in the UK, and introduce mandatory testing in stray dogs for these diseases before travel;
- strengthen enforcement provisions and compliance checks for the commercial movement of pets; and
- support vets to report suspected illegal imports and non-compliance with pet travel regulations.

Importation of dogs, cats and ferrets (Great Britain): areas of concern

- **We recognise there is considerable support for reducing the number of animals permitted per consignment from 5 to 3 animals and therefore it is crucial that there is a tightly worded exemption for those who are permanently relocating to Great Britain with more than 3 pets.**
- **We would like to see an amendment to introduce mandatory, reliable pre-import testing for dogs with unknown health statuses from countries that have endemic diseases which are not currently considered endemic in the UK, such as brucellosis, babesiosis, ehrlichiosis, dirofilariasis and leishmaniasis.** Stray dogs with unknown histories may currently be moved to the UK while they are still incubating diseases which can be difficult to detect and eliminate. APHA recently recognised that cases of brucellosis appear to be rising due to increasing numbers of untested imported dogs, some of which are infected, and the first identified cases of within-UK transmission have now occurred. Brucellosis also presents a zoonotic risk.
- It is important to ensure that secondary legislation to increase age of import, ban import of dogs with cropped ears and pregnant bitches also applies to commercial movements.
- As these proposals will only apply to Great Britain, we are particularly concerned that both puppy dealers and those importing dogs with illegal mutilations will be able to bypass the additional legislative restrictions by transporting puppies and dogs through Northern Ireland and into Great Britain. While we recognise the political complexities surrounding Northern Ireland remaining in the single market, GB governments must give serious consideration as to how to prevent this legal loophole.

Zoos (Great Britain)

Policy objective: To introduce powers to amend the Zoo Licensing Act (ZLA) to tighten the definition of a zoo and introduce more specific standards for education and conservation. Currently local authorities only have to have 'regard' to the zoo standards when setting licensing conditions: under the amendments proposed in the Kept Animals Bill each licensed zoo will have it as a condition of their licence that the zoo standards must be met.

Zoos (Great Britain): areas of concern

- **We would like to see an amendment to change 'specialist' to 'expert' at "15(b) a specialist in one or more species of animals which are kept in zoos".** In the veterinary profession 'specialist' is a restricted term used to describe those with defined qualifications and experience. It could be that a veterinary surgeon is not technically a veterinary 'specialist' in a specific species, but they may have the sufficient species-specific animal health, welfare and husbandry knowledge to conduct a zoo inspection.
- Further clarity is needed as to what the transition period will be to the new conservation standards and more broadly the updated Secretary of State's Standards of Modern Zoo Practice. If the transition period is too short, this may not be financially viable for some smaller zoos, resulting in them closing and animals having to either be euthanised or rehomed to private individuals/traders, which may have adverse impacts on animal welfare, biosecurity, and make their future monitoring more difficult, especially of species not subject to Dangerous Wild Animals inspection oversight. The tremendous current difficulties (and expense when it is possible) with export of zoo animals to Europe could also exacerbate the problem (currently export of zoo primates, even from major zoos has practically been impossible this year). A transition period for compliance with new Secretary of State's standards and adequate closure insurance may help to protect animal welfare, health, biosecurity, and human public health. However, it is difficult to elucidate points more fully without sight of the updated Secretary of State's Standards of Modern Zoo Practice.
- We have concerns that new legislation will be implemented without stakeholders having had sight of the new standards or indication of the transition period.

Omissions from the Bill: Regulation of non-stun slaughter

We would like to see included in the Bill measures to ensure that the supply of meat from animals that have not been stunned before slaughter does not exceed the demand of the UK's religious communities. Improved regulation could be an opportunity to introduce controls that balance animal welfare with religious freedoms.

BVA Position: All animals should be effectively stunned before slaughter to render them unconscious and therefore insensible to pain, distress, fear and suffering. It is a statutory requirement for all animals to be effectively stunned before slaughter in the UK. However, there is a derogation in UK's Welfare of Animals at the Time of Killing regulations, which permits non-stun slaughter when animals are killed by the Jewish method (Shechita) for the food of Jews by a Jew who is licensed by the Rabbinical Commission and holds a certificate for that purpose, or by the Muslim method (Halal) for the food of Muslims by a Muslim who holds a certificate for that purpose.

Scientific evidence shows that slaughter without effective pre-stunning causes animals:

- to feel the pain of the neck cut;
- to experience a delay in loss of consciousness and therefore a delay in insensibility to pain, fear and distress (up to two minutes in cattle); and
- to be likely to experience pain, distress, fear and suffering before and during the cut, and during bleeding out while still conscious.

Ultimately, we would like to see an end to all non-stun slaughter. However, where non-stun slaughter is permitted, the supply of meat from non-stunned animals should not exceed the demand of the religious communities the derogation in UK legislation is intended to serve. This can be achieved through improved regulation of non-stun slaughter.

Regulation of non-stun slaughter

We would like to see an amendment to the Bill which seeks to:

- Ban the export of products from animals that have not been stunned before slaughter.
- Introduce a non-stun permit system to ensure that supply does not exceed demand.

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