

## Animal Welfare (Kept Animals) Bill Written Evidence for Public Bill Committee

### Submission from FOUR PAWS UK

Source: <https://bills.parliament.uk/bills/2880>

#### **About us**

FOUR PAWS is the global animal welfare organisation for animals under direct human influence, which reveals suffering, rescues animals in need and protects them. Founded in 1988 in Vienna by Heli Dugler and friends, the organisation advocates for a world where humans treat animals with respect, empathy and understanding. The sustainable campaigns and projects of FOUR PAWS focus on companion animals including stray dogs and cats, farm animals and wild animals – such as bears, big cats and orangutans – kept in inappropriate conditions as well as in disaster and conflict zones. With offices in Australia, Austria, Belgium, Bulgaria, Germany, Kosovo, the Netherlands, Switzerland, South Africa, Thailand, Ukraine, the UK, the USA, and Vietnam as well as sanctuaries for rescued animals in eleven countries, FOUR PAWS provides rapid help and long-term solutions.

[FOUR PAWS UK](#) is the British branch of the global organisation and as experts in animal welfare, we would like to respond to this call for evidence with our own research, knowledge and expertise on the issues raised. We have previously responded to the following 2021 Government consultations and inquiries:

- [Commercial and Non-Commercial Movements of Pets into GB](#),
- [Moving animals across borders inquiry](#),
- [Primates as Pets in England](#),
- [Farm Animal Welfare Committee live animal transport: Scotland](#),
- [Improvements to animal welfare in transport](#)

In addition to the following consultations and calls for evidence from previous years:

- [Controlling live exports for slaughter](#) (2018)
- [Welfare of primate as pets in England](#) (2019)

### **Part 1: Keeping Primates as Pets**

Summary:

- FOUR PAWS UK believes in a **comprehensive prohibition** on keeping primates privately in the UK, which should apply to breeding, acquiring, gifting, selling, or otherwise transferring primates.
- FOUR PAWS UK believes that a **licensing scheme for primates kept as pets would not prove robust** enough to properly regulate primate owners and safeguard the health and welfare of primates, thus a **ban of keeping primates as pets** in the UK would prove more effective.
- Without clearly **defined zoo standards** for private keepers to follow, a nationwide accessible primate **database for microchipping**, and the necessary resources to execute comprehensive **inspections and subsequent civil penalties**, a licensing scheme would be ineffective.

FOUR PAWS UK submits the following views regarding primates as pets:

- **Zoo-level welfare standards should NOT be used as the basis for a new ‘specialist private primate keeper’** licensing scheme as the welfare standards outlined in the ZLA 1981 S1A(c) do not suitably cover the necessary welfare standards for primates.
- A new ‘specialist private primate keeper’ licensing regime must adhere to the following parameters:
  - a) The license should be contingent on the licensee permitting no deliberate breeding to occur, and not participating in the trade (commercial or non-commercial) of primates.
  - b) Any primate in the possession of a licensee must be microchipped by a primate expert experienced in primate sedation. A national primate database must be implemented with accessibility for vets to monitor captive primates.
  - c) The enforcement and inspection of licenses must be managed centrally by Defra, not at Local Authority level. Any approved licensees must undergo compulsory registration managed centrally by Defra.
  - d) The maximum period for a license should be six years, with annual inspections that, if failed, result in a revoked license alongside other punitive measures available under the Animal Welfare Act.
- Anyone subject to new prohibition must undergo a **veterinary check before they can register their primate** which, if not completed within three months of the new prohibition, would result in a penalty.
- The civil penalty for breaching new prohibition should be a **maximum fine of £5,000**, with subsequent penalties under the Animal Welfare Act to be applied in cases of Animal Welfare Act breaches. In less severe cases of breached prohibition, sentencing can fall to the Sentencing Council guidelines between band B and C.
- Existing private **primate keepers that fall under a grandfather clause if their primate(s) are registered** and are provided a ‘basic standard of welfare’ that is clearly articulated by Defra which must comply with the requirements of the Animal Welfare Act and the associated Code of Practice for the Welfare of Privately Kept Non-Human Primates.

It is estimated that between 3,000-9,000 primates are being kept privately in the UK, however, there is currently no systematic way to know how many are actually kept or where they are. According to the [RSPCA’s ‘Do You Give a Monkey’s? report](#), online adverts for primates comprise mostly of marmosets, followed by tamarins and squirrel monkeys. None of these species require a license under the Dangerous Wild Animals Act 1976, meaning the true numbers of primates being kept in the UK cannot be accurately measured.

By introducing a licensing scheme, the Government are relying on countless numbers of unknown private keepers to come forward and register their primate(s) and have them microchipped. If a scheme similar in function to a dog licence without a robust inspection process were to be established, it 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 non-compliant keepers who would be unlikely to participate.

Current evidence with puppy breeding for example, suggests that licensing does not always work and is not always suitably enforced. So, a total ban on breeding and trade in both privately owned and sanctuary-kept primates would help reduce the number of primates in captivity, and most importantly prevent numbers from growing. It would also provide a black and white set of terms for the authorities to enforce, removing any grey areas or caveats that could ultimately result in increased time and costs for the enforcement agencies to attempt to enforce the ban.

We do recognise that there are a limited number of individuals in the UK who maintain small privately-owned collections of primates that, although not currently subject to inspection under the Zoo Licensing Act, maintain equivalent standards and meet the requirements of the species with 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 regularly inspected by an independent veterinary surgeon experienced in primates.

## **Part 2: Export of Livestock**

Summary:

- FOUR PAWS UK believes that **all export journeys for livestock and horses should be prohibited**, including export journeys for breeding, fattening, and slaughter.
- Livestock criteria should encompass all farm animals such as cattle, pigs, small ruminants, **all kind of poultry and rabbits**, with an industry shift to the transport of meat, carcasses and genetic material only.
- Live animal transport conditions must be improved to ensure animal welfare is protected, with **no exemptions** to proposed standards. The [August 2021 Government response](#) to the Live Animal Transport consultation fails to address many of the key animal welfare issues within live animal transport.
- Improvements to live animal transport conditions should apply to **all journeys regardless of journey time**, with journey times over eight hours being considered for prohibition.

### **Maximum Journey Times**

A maximum journey time of **eight hours** should be set for **cows, pigs, small ruminants such as sheep and goats, and horses**.

A maximum journey time of **four hours** should be set for **all kinds of poultry and rabbits**. Poultry is the animal species that dies most frequently and in much higher numbers during long journeys and export. Inadequate cages, lack of sufficient ventilation and no provision of food and water, all contribute to high mortality rates. Moreover, poultry and rabbits may stay on the vehicle for hours after arrival at the slaughterhouse when not being unloaded immediately, perpetuating the time they are kept in these life-threatening conditions.

Animals that are sick/unfit or un-weaned should be **prohibited from travelling**.

Navigation systems must be made compulsory for any journey, regardless of journey time.

<b>Defra</b>	<b>FOUR PAWS</b>
<u>Maximum Journey Times</u> <ul style="list-style-type: none"> <li>• 4 hours – Broiler chickens</li> <li>• 9 hours – Calves up to nine months (with exemptions permitted if 'additional undisclosed criteria are met')</li> <li>• 12 hours – Horses (with exemptions for competing horses or thoroughbreds used for breeding)</li> <li>• 12 hours – Newly-weaned swine</li> <li>• 18 hours – Swine (with exemption for breeding pigs)</li> <li>• 21 hours – Bovine, ovine and all other animals</li> <li>• 21 hours (species specific times TBD) – Exotic and aquatic animals</li> <li>• 24 hours – Newly hatched chicks (with exemptions permitted if 'additional undisclosed criteria are met')</li> </ul>	<u>Maximum Journey Times</u> <ul style="list-style-type: none"> <li>• 0 hours – Sick/unfit or unweaned animals</li> <li>• 4 hours – All types of poultry and rabbits</li> <li>• 8 hours – Bovines, swines, ovines, horses, small ruminants</li> </ul>

### Minimum Rest Period

We were shocked that Defra rejected the minimum seven-day rest period for cattle proposed in the February 2021 Live Animal Transport consultation. Seven days should be the absolute minimum rest period **for any animal**, and we believe a new journey should only be possible after 30 days to minimise the risk of animals being bought for reselling purposes only.

Regarding a previously proposed 48-hour rest period between journeys, practice has shown that if regulation only requires 48-hour rests, chances are high that animals are continuously transported over very long routes. Some farm's main business model is reselling animals after waiting 48 hours, resulting in multiple long journeys in a short period of time. This would not be possible if the regulation required a 30 day stay. This would also ensure that destinations declared on journey logs are actual destinations (and not a marketplace from which animals are resold).

<b>Defra</b>	<b>FOUR PAWS</b>
<u>Minimum Rest Period</u>  Not yet decided, however, the minimum seven-day rest period proposed for cattle has been rejected.	<u>Minimum Rest Period</u>  We demand a 30-day rest period between journeys

### Thermal Conditions and Ventilation

Live animal transport for **all animal species** should be prohibited if the external temperature is outside of a temperature range of 5-25°C, no matter how long the journey is. Digital recording and documentation of temperature and humidity should also be compulsory for any journey. Before starting a journey, the weather forecast should be considered for the length of the journey and its planned destinations. Not only the temperature, but also the humidity is crucial when it comes to animal welfare during transport. If the prognosed enthalpy-value is above 60 kJ/kg, transport should not take place. Therefore, the temperature-humidity-index must be considered before approvals of journeys and no transport should be approved if it exceeds an enthalpy-value of 60 kJ/kg.

We propose the following exceptions to the 5-25°C temperature range:

- Lactating cows – external temperature cannot be outside 5°C-15°C
- Spent hens to slaughter – external temperature cannot be outside 10°C-25°C
- Rabbits - external temperature cannot be outside 5°C-20°C

We must also emphasise that thermo-regulation systems used to regulate internal temperatures are an insufficient solution and should not be considered as an exception to the proposed temperature limits. Ventilation and full air conditioning systems have proven to be ineffective when regulating internal temperatures and may malfunction, leading to animals suffocating on transporters.

<b>Defra</b>	<b>FOUR PAWS</b>
<p><u>Thermal regulation</u></p> <p>Poultry journeys – external temperature must be between <b>5°C and 25°C</b></p> <p>Livestock and horses</p> <ul style="list-style-type: none"> <li>• Short journeys (&gt;8 hours) – external temperature must be under <b>30°C</b></li> <li>• Long journeys – external temperature must be between <b>0°C to 25°C</b></li> <li>• <b>Exemptions</b> on these limits if vehicle has a thermo-regulation system OR journey is under 65km.</li> </ul>	<p><u>Thermal regulation</u></p> <p>All animal journeys (short and long) – external temperature must be between <b>5°C and 25°C</b></p> <p><b>EXCEPT</b></p> <p>Lactating cows – between <b>5°C and 15°C</b>            Spent hens to slaughter – between <b>10°C and 25°C</b>            Rabbits - between <b>5°C and 20°C</b></p> <p>Additional parameters</p> <ul style="list-style-type: none"> <li>• Transport should be prohibited if the prognosed enthalpy-value is above 60 kJ/kg</li> <li>• Digital temperature documentation compulsory for all journeys</li> <li>• Thermo-regulation system insufficient as solution to temperature limits.</li> </ul>

### Space Allowances

FOUR PAWS agrees with Defra’s statement that further evidence is needed to “understand better the practical implications of using allometric principles”. In general, FOUR PAWS agrees with using allometric principles, however, the formula must be adapted to ensure that all animals can always access drinking water. It must also account for temperature, to avoid animals encountering cold parts of the transporter during cold temperatures and reduce heat production on warm days.

For pigs, cows, and small ruminants, animals should be able to lie down all at the same time, access drinking devices easily, turn around, stand in a natural position, and access the airflow of the ventilation system. For poultry, the container should not be of a height that allows birds to stand as this may result in falling and causing injury. The height should allow them to sit comfortably, with the head raised, during transport.

### Headroom Allowances

FOUR PAWS deemed the proposed requirements for headroom allowances in the live animal transport consultation as insufficient. Following this, Defra has further simplified the proposed headroom allowances to 10cm above head height for pigs and 20cm above head height for all other animals. This vastly underestimates the parameters required to safeguard animal welfare during transport, and hence we demand the following minimum space from the highest point of the back of the animal to the roof of the vehicle (back height):

- 50 cm for adult cows,
- 40 cm for pigs, calves, sheep, and other small ruminants
- 30 cm for rabbits:
- 25 cm for poultry <3 kg
- 40 cm for poultry >3 kg

### Sea Transport

Defra's consultation response acknowledged that the "impact of stressors experienced during long distance sea transport is similar to those experienced during road transport" yet deemed there to be insufficient evidence available to take forward the proposal that animals should not be transported during Beaufort Wind Force six or above.

FOUR PAWS believes that live animals should not be transported by sea as experience shows that animal welfare cannot be guaranteed when transporting animals by this method. Animals fall into the water when being loaded, ramps are too steep, and serious accidents happen (e.g., the Queen Hind capsizing in Romania with 14,000 sheep on board, with almost all the animals dying as a result). We believe safety cannot be assured on the water and that resources should be put into alternatives to live animal transports such as transporting carcasses and genetic material. The decision to travel is left to the discretion of the ship's captain, but issues of animals being transported to ferry ports only to be turned away by the captain raises concerns and without the expertise to make an informed judgement call the captain being provided with clear guidance on what weather conditions are not permissible – these decisions can be detrimental to the welfare of animals being transported.

### Part 3: Importation of Dogs and Cats

Summary:

- The minimum age for commercial and non-commercial movement of dogs should be raised to **six months**
- The maximum number of dogs that can be imported, both commercially and non-commercially, in one journey should be limited to **three dogs**.
- The importation and sale of dogs with cropped tails and ears should be prohibited, with a tightly-worded exemption for dogs that are to be rehomed.
- Dogs that are more than 42 days pregnant should be prohibited from both commercial and non-commercial travel.

In general, FOUR PAWS agree with the measures proposed in this section of the Bill to help tackle puppy smuggling. By increasing the minimum age that dogs can be moved into Great Britain from 15 weeks to six months, we could significantly reduce the number of unweaned puppies that are

separated early from their mothers and illegally imported and sold. However, FOUR PAWS believes that the proposal to limit the number of pets that can be moved into Great Britain per vehicle to five is too high, and this must be reduced to three. Current research by Dogs Trust states that less than 3% of dog owners have more than three dogs, indicating that this reduced maximum limit would have minimal impact on ordinary dog owners but could seriously cripple the puppy trade.

The practise of mutilating dogs via cropped ears and tails is cruel and unnecessary, therefore we approve of the proposed measure to ban the movement of these animals into Great Britain, ideally extending this measure to include Northern Ireland. However, FOUR PAWS finds the following exemptions proposed in the 'Commercial and Non-Commercial Movements of Pets into Great Britain' Government consultation to be too vague or have the potential to be exploited as loopholes:

1. Where the prohibited procedure has been carried out on the dog by a veterinary surgeon or any other person permitted to carry out that procedure in an emergency for the purpose of saving the life or relieving the pain of the dog.

This exception is commonly abused in several countries in Eastern Europe with countless healthy dogs subjected to these procedures under this reasoning. An additional clause requiring the provision of veterinary evidence may reduce the number of unlawfully mutilated dogs entering GB, anecdotal evidence from FOUR PAWS Bulgaria suggests that this evidence can be fraudulent. Therefore, we would recommend removing this exception completely.

2. In the case of tail docking, the mutilation was permitted as the dog is a recognised working dog.

In the case that surgical mutilations may be performed in order to prevent such suffering in the course of work, owner declarations that they are a recognised working dog should demonstrate that such use is not only based on the breed or breed type alone (i.e., gundog, spaniel, terrier) but provide evidence that they will be used as such. Repercussions for falsifying such evidence should be strong enough to be a disincentive to those who would flout this potential loophole.

Whilst we welcome the proposed measures, FOUR PAWS believes that these measures alone are not enough, and that better regulation of the online classified ad sites needs to be incorporated into this bill if it is to effectively combat the illegal puppy trade.

### **FOUR PAWS Model Solution**

In 2021, despite Lucy's Law already being put into force, an investigation of FOUR PAWS delivered between April and July 2021 showed around one-third of monitored ads were for puppies imported from other countries. At eight weeks of age, some of these puppies had already been imported and were offered for sale in the UK. With no requirement to verify their authenticity, these ad sites offer rogue breeders complete anonymity to advertise illegally imported puppies, and with no traceability the dealers can simply disappear and repeat the process.

FOUR PAWS has developed a Model Solution that seeks to implement national digital Identification and Registration (I&R) databases which provide full traceability and identification of stakeholders throughout a dog's lifecycle: breeder, seller, transporter, the microchipping vet, the registering qualified professional, as well as all consecutive owners.

There is mandatory Identification and Registration of dogs in Great Britain, and for cats the same is under consideration. This is a crucial base for domestic traceability. According to our research, there might be some improvements required to ensure that each owner/keeper of an animal is identity verified in the pet registry, also when ownership changes occur. FOUR PAWS together with EUROPETNET has developed a system to ensure only registered companion animals can be advertised online by traceable sellers<sup>1</sup>. A minimum requirement in the system is that anyone registered in the pet registry is identity-verified, to ensure reliable pet and seller traceability.

There is currently no mandatory requirement for the keeper registering their dog to have their identity confirmed prior to registering the dog in their name. Some pet registration databases will allow keepers to register the microchip details of their dog over the phone. Some databases allow further updates, such as change of address, to be submitted online, whereas others require change of address details be provided in writing. Before a dog can be registered with a new keeper it will need to be transferred from the breeder/previous owner/keeper, doing this might involve retrieving a pet transfer code that is provided to them by the microchip database in order to register the dog under their name as the new owners.

Furthermore, holders of a pet breeder license, a seller, or as a registered establishment should have that information mandatorily listed (and updated) in the pet registries, with the dogs. In Great Britain it is already mandatory for dogs to be registered to the breeder as the first owner. For better transparency, and also for regulation of online advertising and automated validations, any registration numbers and specifications should be reflected in the pet registries. This will enable more efficient controls for authorities. To contribute to international traceability, all pet registries (or networks of registries) should provide data to EUROPETNET.

#### **Part 4: Zoos**

FOUR PAWS supports a review of the Zoo Licensing Act 1981 and welcomes the proposed amendments that will extend the power for the Secretary of State to specify standards for zoos to include standards for conservation.

With 12 sanctuaries spread over three continents, FOUR PAWS cares for over 250 bears, big cats, small carnivores and orangutans. FOUR PAWS Sanctuaries offer animals from poor housing conditions a species-appropriate home, whereby the animals are cared for and given the opportunity to express most of their natural behaviours. The animals are not used for breeding or trade and remain at the sanctuary until their natural death. Only when animals suffer from pain that cannot be relieved or otherwise lack quality of life due to diseases or injuries that cannot be treated, euthanasia may be considered.

FOUR PAWS Sanctuaries comply with high quality standards and we can supply direct advice for the best keeping practises for bear and big cats.

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<sup>1</sup> <https://www.four-paws.org/campaigns-topics/topics/companion-animals/tracing-the-trade>