

Written evidence submitted by the RSPCA (PWA0018)

Summary

Our understanding of animal welfare has increased hugely in the 17 years following the Animal Welfare Act 2006 and legislation needs to be brought up to date in many areas. The legislation managing the import, breeding, sale and keeping of pets in England has changed dramatically over the past 5 years and licensing rules are being reviewed in 2023. Some improvements have met their goals, notably the increased sentencing for animal cruelty and the licensing legislation whilst others, such as the rules on importing dogs commercially, Lucy's law and standards in fertility clinics, have either failed or underestimated changes in pet ownership trends and demands and the impacts of unforeseen issues such as Covid. Legislation, such as the Kept Animals Bill, which would have a dramatic impact on the illegal trade in puppies and dogs with cropped ears, have been sidelined by a Government distracted with other issues. Impacts on animals from Covid and the cost of living differ markedly according to the species. There was a marked increase in dog and rabbit keeping under Covid resulting in an increase in welfare problems and abandonment of both species now due to the cost of living. In cats and especially horses, this does not appear to have occurred to the same scale. The importation of dogs poses clear biosecurity risks, particularly around rescue dogs which could lead to new diseases being established in the dog population in England as well as posing a zoonotic risk to humans. Solutions are self-evident. The Government could reduce that risk and solve the puppy trade problems by passing the Kept Animals Bill and introducing statutory licensing of all rescues and sanctuaries in England. It needs to update or introduce new Codes of Practice particularly on rabbits and guinea pigs as well as ensure existing codes of practice reflect a contemporary understanding of good welfare. It needs to overhaul the 56 year old Veterinary Surgeons Act which has not kept pace with veterinary changes. Finally the corporatisation of veterinary surgeries has resulted in monopolies of veterinary offerings to pet owners in certain areas and rises in veterinary charges, which needs to be addressed.

1. The RSPCA is pleased to respond to this consultation looking at the changes in pet ownership, and the impact of changes in legislation and practices on pet welfare and the impact of Covid-19 on dogs and cats. The RSPCA is the oldest and largest animal welfare organisation in the world. Last year we dealt with over 138,000 welfare incidents, took in nearly 50,000 animals including 7,794 dogs, 20,938 cats and 2,801 rabbits and rehomed 27,529 animals. The RSPCA investigates and prosecutes around 85% of all prosecuted animal welfare offences under the Animal Welfare Act 2006. In 2022 we investigated over 63,000 complaints on animal cruelty, issued 938 welfare notices to pet owners courts and 400 pet owners were convicted on evidence gathered through RSPCA investigations. This response uses information from these experiences.

Unscrupulous breeding and importation

What risks to biosecurity and public health are posed by abhorrent practices such as

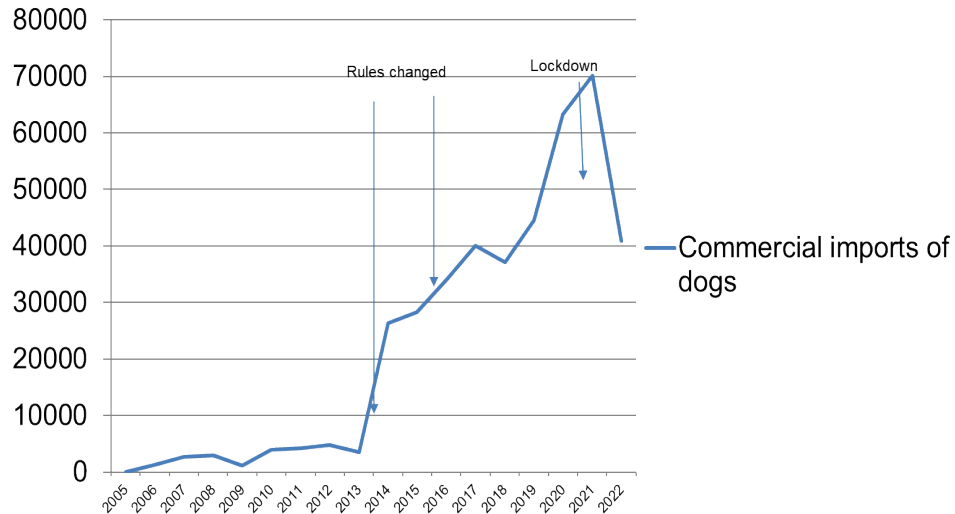
- **unscrupulous breeding, including "puppy mills" – which are characterised by poor conditions and rapid breeding – both here and those overseas from which dogs are then imported, often in large numbers in a single vehicle,**
- **the importation of dogs, including heavily pregnant bitches, and cats, 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?**

2. The legislation underpinning the trade and breeding of dogs and cats has changed markedly in the past 15 years as have the practices used to breed and sell companion animals, particularly dogs and cats. The Animal Welfare Act 2006 is the framework law for animal welfare in England. Under this law, it is illegal to crop dogs' ears, and breed and sell dogs and cats under conditions which do not meet the five welfare needs (section 9). In 2018 England's legislation that licences pet sellers, dog breeders and those looking after others' dogs was updated (Animal Welfare (Licensing of Activities Involving Animals (England) Regulations 2018 (LAIAR)). This fundamental change in England's legislation on activities such as selling and breeding of dogs was much needed - it replaced historical outdated laws which in one case was over 67 years old¹. It introduced a framework for the first time to ensure that all animal activities that were licensable were based on standards meeting the animals' five welfare needs. Eight activities are now licenseable. These are now being reviewed during 2023 by Defra to assess their impact on improving animal welfare and business. The rules on the sale, import of dogs, the breeding of dogs and the ban on dogs with cropped ears will now be assessed as to their impact on improving animal welfare.
3. The LAIAR were updated to implement a ban on the selling of puppies bred in England by third party sellers. On April 6 2020 this ban was extended to include all puppies under six months being sold in England aside from those sold by the breeder or from a rescue centre. Whilst the RSPCA supported the intent of the ban, the legislation had three loopholes (as well as allowing non licensed rescues to sell puppies, it also permitted importers to sell puppies bred in other countries). This legislation has standards lower than that in Scotland (which licences all rescues and licences any imported puppies) and Wales (which only permits the sale of puppies from the place where they were bred). So England's standards are the lowest of the three British countries. The proposals in the Animal Welfare (Kept Animals) Bill to restrict imports to dogs over six months and the proposed consultation on licensing rescues and sanctuaries would partially close these loopholes.
4. The lack of adequate legislation and enforcement concerning the selling of dogs can be seen in the numbers of dogs being imported in the past decade. Import rules were changed in 2013 and 2015 when the process was eased to finally stop imported puppies entering quarantine from legally compliant exporting countries. This, and the impact of Covid lockdown can be clearly shown on the trade in imported dogs (Figure 1)².

¹ <https://www.legislation.gov.uk/ukdsi/2018/9780111165485>

² APHA/Defra. PQs 2005-2022 incl PQs 47060, 160552 113273

Commercial imports of dogs



5. This illustrates how the trade changed and legislation was not able to keep up with these changes. In 2012, the English dog population was estimated to be around 6.7 million³ and given the increase in dog ownership across the UK⁴ in the past decade, current estimates suggest it was around 8.5 million⁵ in 2022. At least 600,000 dogs are needed annually to replenish the population though actual numbers may be much more due to death en route or immediately post sale. Covid lockdown restrictions in 2020 resulted in a huge increase in demand as people sought puppies to help with mental well being, companionship and exercise. Demand could not be met from within the UK, resulting in a reported shortage of puppies⁶ and a dramatic increase in prices in a short period of time. For example, internet searches found prices of French bulldogs increased from the usual price of £1500-2000 to £7000⁷. Puppy prices only stabilised in early 2021 but the pet market itself only stabilised to pre pandemic levels by the end of 2022 with dog prices crashing by around half during 2022.⁸ The impact of these price spikes can be clearly seen in Figure 1. Trade shifted in particular to Romania which supplied 52% of all imported dogs in 2021. Dog breeding in Romania is performed at standards below those in England⁹, resulting in animals experiencing poor welfare.
6. Clearly the third party sales ban (Lucy's law) in England did not work and did not produce a reduction in legal or illegally imported puppies. This is due to the loopholes in the legislation together with inadequate enforcement. When a temporary ban was placed on imports from Romania for seven months in 2022, imports of dogs crashed by 31% (78,154 to 40,890 dogs). This ban was implemented due to animal and human health concerns on the risk of importation of rabies from dogs imported from Romania, Poland, Ukraine and Belarus following the Russian

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/82470/dangerous-dogs-annexb-microchipping-ia-120423.pdf

⁴ <https://www.pfma.org.uk/historical-pet-population>

⁵ <https://www.pdsa.org.uk/what-we-do/pdsa-animal-wellbeing-report/paw-report-2022/pet-populations-across-the-uk>

⁶ <https://www.ft.com/content/1d14541e-0c11-48bb-90a1-3f7dc05258a6>

⁷ Puppy prices soar in Covid-19 lockdown. Vet Rec. 2020;187(1):4-5. doi:10.1136/vr.m2755

⁸ <https://www.pets4homes.co.uk/pet-advice/a-stabilisation-in-rehoming-of-pets-but-breeders-are-facing-more-challenging-times-than-pre-pandemic.html>

⁹ <https://www.dogandcatwelfare.eu/media/locations/romania.pdf>

invasion of Ukraine. This ban was rescinded on October 29th 2022 with stricter controls on imported dogs. It is too early to assess the impacts of this new regime but clearly the ban was successful in stopping imports of rescue dogs and puppies that could be disease risks as well as experiencing poor animal welfare.

7. The new import regime is intended to tackle the increased disease risk arising from diseases such as canine brucellosis, distemper, Echinococcus and Leishmaniasis all of which pose a risk to the native dog and cat population. Some of these diseases such as *Brucellosis canis* are zoonotic and so pose a risk to the human population. In 2022 the first case of a human contracting *B canis* was reported¹⁰. The owner caught it from her imported Belarussian rescue dog. So the disease risk is clear. APHA have reported cases of *B canis* rising from three cases prior to 2020 to 87 in 2020 and 2021¹¹. In 2022 there were 55 incidents involving dogs with *B canis*¹². Many veterinary practices are now demanding every rescue dog that is imported has to be tested in the UK for *B canis* prior to being treated in the UK. Many rescues who import do not test for these diseases as it is not a legal requirement. Although the Association of Cat and Dog Homes (ACDH), the UK's regulator for rescue organisations, mandates testing for brucellosis on imported dogs, this only applies to its 173 members¹³. It is not possible to ascertain how many of the 40,890 dogs imported commercially in 2022 were rescues and how many were puppies. But the RSPCA believes there has been a rise in imported adult dogs by rescues from countries such as Romania and Ukraine over the past few years. As ADCH members only imported 935 dogs in 2021, it is clear that the vast majority of rescue dogs imported were not by ADCH members, and so were not subject to further testing such as for *Brucellosis canis*.
8. The solution is clear. All dogs that are imported should be tested for diseases such as brucellosis and Leishmaniasis. This could be achieved by implementing mandatory licensing in England for all rescues and sanctuaries, basing the standards on those that ADCH use for their members. Scotland already has such licensing in place. Defra have promised to consult on this for the past two years.
9. There is a criminal element in the trade but the degree of large scale organised crime involvement is unknown and a 2020 report by the Croatian Presidency considered it to be small¹⁴. RSPCA has seen links between puppy dealers and both animal welfare criminal behaviour such as badger baiting and other criminal behaviour such as drugs. Criminal elements are attracted to the trade as the risk of getting caught is low and even when caught punishment is low compared to drugs or people smuggling. Against this, large profits can be made; a puppy worth €40 in Romania can sell for €700 in the UK and income high - one dealer prosecuted by the RSPCA was earning £3 million annually. This money is hidden but when investigated, monies reclaimed by the Government can be substantial - HMRC reclaimed £5.3 million for 257 cases over a four year period¹⁵.
10. Solutions to the illegal trade that have worked include increased sentencing to five years for animal welfare offences (para 59) and implementing Proceeds of Crime Act requests to recover money.

¹⁰ <https://vethelpdirect.com/vetblog/2022/08/21/uk-brucellosis-outbreak-in-dogs-what-we-know-and-what-we-need-to-do-next/>

¹¹ <https://vets.blog.gov.uk/2022/07/06/world-zoonoses-day-how-you-can-help-protect-our-dogs-from-brucella-canis/>

¹² <https://www.gov.uk/government/publications/non-statutory-zoonoses-disease-surveillance-reports>

¹³ <https://adch.org.uk/minimum-standards/>

¹⁴ https://www.eurogroupforanimals.org/sites/eurogroup/files/2020-09/Eurogroup%20Illegal%20pet%20trade%20report_v7.pdf

¹⁵ <https://www.gov.uk/government/news/millions-raised-from-tax-evading-dog-breeders>

11. Turning to dog breeding, around 10% of the market was supplied by licensed breeders in 2015¹⁶ but following the introduction of the LAIAR, this will have risen due to a change in the threshold of litters bred for which breeders need to be licensed. No accurate data exist but it is still likely to be under half the puppies entering the market are from licensed breeders, leaving the other half to be filled by unlicensed English breeders or imported puppies including those from Wales, Ireland and central Europe.
12. LAIAR does not licence all breeders regardless of litters bred so dog breeders can sell puppies if they are not deemed as commercial vendors, i.e. they fail to reach the £1000 commercial turnover threshold. It is the RSPCA's view that all people, regardless of number of litters bred or failure to meet the commercial threshold, should be registered.
13. Enforcement of the breeding legislation is undertaken by local authorities but there are regional differences in officers who are specifically trained to deal with animal welfare issues. Whereas a slim majority (53%) of local authorities have at least one animal welfare officer¹⁷, three in five (60%) upper-tier authorities in England and close to one in two (48%) lower-tier authorities have no dedicated animal welfare officers. In eight of nine regions, the majority of local authorities have at least one dedicated animal welfare officer. The East of England is the only exception, where just 34% of LAs have at least one dedicated animal welfare officer.
14. In 2022, enquiries and reports of puppy trading to local authorities fell by 18% to 1,882 enquiries compared to 2021¹⁸. 15% of these were on imported dogs. Whilst the volume of enquiries decreased, the number of investigations carried out, 1,469, increased by 39% compared to 2021. A significantly higher proportion of enquiries were investigated (78%) compared to 2021 (44%). This implies that enforcement activity and effectiveness by local authorities on the puppy trade have been more targeted. Of those enquiries investigated, 48% resulted in "no further action", 17% resulted in a formal warning/caution, and 27% resulted in other formal action. There were 32 successful prosecutions carried out by local authorities on the puppy trade in 2023 (2.2% of all investigations).
15. **Recommendation:** the Government fast track the completion of the Kept Animals Bill; bring in licensing of sanctuaries and animal rescues to include stricter controls on the importation of dogs; update the licensing provisions in LAIAR 2018 to include registration of all those who sell pet animals.

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. Canine Fertility Clinics present significant risks to dog welfare through their proximity to unethical breeding practices for increasingly extreme conformation and the delivery of invasive fertility procedures by unqualified personnel. The sector has seen a rapid expansion since 2020 fuelled in part by the pandemic puppy boom. An investigation carried out by Naturewatch (2022) found 332 clinics across the UK, a steep rise from the 37 clinics identified by Vet Record in 2020. It is worth considering the number is likely to be far higher given that some businesses refer to themselves as 'Pet Services' or operate on a need to know basis.

¹⁶ Battersea 2015. <https://www.battersea.org.uk/battersea%E2%80%99s-new-report-exposes-murky-world-dog-breeding>

¹⁷ RSPCA 2022 Enforcement of animal welfare by local authorities FOIA investigation (88% response rate)

¹⁸ RSPCA 2023. Enforcement of animal welfare by local authorities FOIA investigation (74% response rate)

17. Clinics offer a variety of breeding and fertility services which include; artificial insemination, blood testing, progesterone and reverse progesterone testing, vaginal cytology, ovulation testing ultrasound scanning, semen chilling, analysis and transportation, caesarean sections, whelping services and provision of stud dogs. Whilst some fertility clinics are run by registered veterinary professionals the majority are run without any veterinary involvement or oversight. This means that invasive procedures which are classed as Acts of Veterinary Surgery (1966) such as blood testing and artificial insemination are being performed unlawfully by lay persons which poses significant risks to the health and welfare of the dogs involved.
18. Canine fertility clinics have a strong link to the breeding of brachycephalic dogs, specifically French bulldogs, English bulldogs and pugs. Some of these businesses are facilitating breeding of increasingly exaggerated animals including 'fluffy' and 'big rope' Frenchies. Some of the stud dogs advertised on CFC websites have such extreme features it is difficult to differentiate their anatomy (eyes, nose) from rolls of fat and wrinkles. The health and welfare of these animals is likely to be so poor that they will experience a lifetime of ill health and suffering. These businesses play an important role in furthering the popularity and availability of increasingly extreme dogs who would otherwise not be able to reproduce naturally. Animals will continue to be bred based on aesthetic trends and without proper consideration of health and welfare or suitability for breeding.
19. The RSPCA believes that unregistered, unaccountable canine fertility clinics have no place in ethical, health led dog breeding. We recommend that fertility procedures must only be carried out by qualified veterinary surgeons in registered veterinary practices. Two legislative changes are necessary to facilitate vet led small scale fertility support which promotes and safeguards the welfare of dogs; reform of the Veterinary Surgeons Act 1966 and expansion of the existing breeding schedule to include canine fertility clinics.
20. The Veterinary Surgeons Act (1966) is not fit for purpose and requires urgent modernisation to safeguard the welfare of animals in the UK. The Act needs to be updated to make provision for regulation of veterinary practices in addition to individual veterinary surgeons.
21. Either expansion of the existing breeding schedule, or new conditions under LAIAR to include CFC's will provide a framework for dismantling businesses which are unlawfully providing fertility based acts of veterinary surgery.
22. **Recommendation:** the Government should prioritise modernising and amending the Veterinary Surgeons Act 1966; expand the dog breeding part of LAIAR 2018 to include a new framework so that businesses providing illegal fertility acts are prohibited.

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)?

23. The current approach to banning mutilations should be effective but is weakened by the ability to legally import animals who have undergone mutilations abroad illegally or otherwise. For example, recent research found over 60% of cropped dogs showed evidence of importation from outside of the UK and across a number of countries where the prohibition on cropping varies¹⁹. It

¹⁹ Norris LJ, Pinchbeck GL, Noble P-JM, et al. Dogs with cropped ears in the UK: a population-based study using electronic health records. Vet

is possible that some dogs were illegally cropped before entering the UK, despite being legally imported but it is also possible that some dogs were cropped illegally in the UK using legal importation as a smokescreen for this activity. Indeed, it is the RSPCA's experience that many dogs stated as being cropped outside of the UK have histories that would make this highly unlikely.

24. Norris et al's research also found a large increase in the number of cropped dogs in the UK since 2015 and is supported by trends reported by rescue centres and veterinary practices²⁰. RSPCA data likewise corroborates this pattern; between 2015 and 2020 the RSPCA saw a 621% increase in the number of reports of ear cropping and cropped ears, receiving a total of 279 reports and this trend has continued (Table 1). It is, however, likely that the number of cropped dogs reported will be an underestimate of the true scale. Various reasons for this pattern are suggested to include an increased presence of the appearance on social media platforms as well as ownership by celebrities and influencers²¹.

Table 1 Complaints to the RSPCA call centre on the ear cropping of dogs and convictions obtained by the RSPCA.

	2020	2021	2022
England	177	365	337
TOTAL England and Wales	224	451	391
Convictions	7	13	11

25. Declawing has received less scientific inquiry compared with ear cropping although it is currently estimated that 31,000 (0.28% of cats)²² in the UK are subject to this mutilation and PDSA data published in 2022 indicated that a desire for declawed cats is a motivating factor for some UK residents acquiring a cat from abroad.
26. There is a clear solution. The UK Government's Animal Welfare (Kept Animals) Bill would lead to a ban on the import of animals with mutilations. This will help reduce the trade and make it much more difficult to carry out this illegal procedure in the UK, thereby helping to safeguard animal welfare. The UK Government needs to prioritise bringing this Bill into law as soon as possible.
27. The RSPCA does not believe that the current ban on tail docking in dogs is as effective as it could be given the exemption provided for working dogs. Two recent studies by the Scottish Government aimed to estimate the prevalence of tail injuries, assess the risks of tail injuries in docked and undocked working dogs and identify risk factors for tail injuries. The studies found that working dog breeds were at greater risk of tail injury than non-working dog breeds, and that undocked spaniels and hunt point retrievers (HPRs) were at greatest risk, with 56.6% and 38.5% respectively sustaining at least one tail injury. However, the studies found that in order to prevent one tail amputation across all working dog breeds, 964 puppies would need to be

²⁰ British Veterinary Association. What's the issue with ear cropping? www.bva.co.uk/take-action/ear-cropping-campaign (accessed 13 February 2023)

²¹ Cropping? Cut it Out. <https://dogstodaymagazine.co.uk/2020/09/22/cropping-cut-it-out/> Accessed February 2023.

²² PDSA, (2022), PDSA Animal Wellbeing Report 2022, <https://www.pdsa.org.uk/what-we-do/pdsa-animal-wellbeing-report/paw-report-2022/pet-acquisition>, [retrieved 14th February 2023]. Current estimated size of the UK cat population is around 11 million, according to the PDSA Paw Report and the Cats Protection Cats and Their Stats report.

docked. In order to prevent one tail injury requiring vet treatment in all working dog breeds, it was shown that 232 puppies would need to be docked. In spaniels and HPRs, it was found that between 2 and 18 puppies would need to be docked to prevent one injury in one shooting season.

28. There is insufficient evidence to support the continuation of tail docking to prevent injury in working dogs and we do not believe that preventing one tail injury justifies causing pain and stress to over 200 puppies, or nearly 1,000 puppies in order to prevent one amputation. We would like to see the current exemption repealed such that it is illegal to dock the tail of any dog regardless of their function.
29. **Recommendation:** complete the Kept Animals Bill and introduce legislation under it which would prohibit the importation of dogs with cropped ears.

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?

30. The post pandemic situation for the welfare of some companion animals is a major concern. The pandemic puppy generation has recently been highlighted as one which is uniquely vulnerable with risks of poor welfare, relinquishment and euthanasia due to breeding and socialisation deficits, inexperienced ownership, the cost of living crisis and a change in work life post covid²³. In contrast, research based on owner reports of cat welfare during the pandemic, suggests no adverse effect²⁴. However, given that cats were affected by some of the same challenges as dogs e.g. socialisation deficits²⁵ and changes in owner working patterns²⁶, coupled with the challenges for pet owners in objectively and accurately assessing companion animal welfare²⁷, this may not be the case.

31. The impact of the pandemic for dogs was identified early on with changes in provenance, breeding and rearing practices, ownership as well as the management of dogs during lockdown predicted to have long term effects on their welfare²⁸. For example, a lack of socialisation experiences were predicted to pose challenges for future adult behaviour²⁹, while the inability to leave dogs alone for periods of time during the lockdown periods was linked to an increased likelihood of dogs displaying separation related behaviour³⁰. Indeed, early findings from a longitudinal study exploring the early lives of pandemic puppies suggest that the pandemic has

²³ Packer R. (2022) The Pandemic Puppy Phenomenon: Past, Present and Future Canine Welfare Impacts. Association of Dogs and Cats Homes conference October 2022.

²⁴ Jezierski T, Camerlink I, Peden RSE, Chou JY, Sztandarski P, et al. (2021) Cat owners' perception on having a pet cat during the COVID-19 pandemic. *PLOS ONE* 16(10): e0257671. <https://doi.org/10.1371/journal.pone.0257671>

²⁵ <https://www.rspca.org.uk/-/early-socialisation-and-habituation-in-kittens-how-can-we-provide-for-them-in-these-difficult-times-1>

²⁶ <https://www.rspca.org.uk/-/how-can-i-minimise-stress-and-keep-my-cat-happy-during-coronavirus->

²⁷ Serpell, JA (2019). How happy is your pet? The problem of subjectivity in the assessment of companion animal welfare. *Animal Welfare*. 28: 57-66. doi:10.7120/09627286.28.1.057.

²⁸ Brand CL, O'Neill DG, Belshaw Z, Pegram CL, Stevens KB, Packer RMA. (2022). Pandemic Puppies: Demographic Characteristics, Health and Early Life Experiences of Puppies Acquired during the 2020 Phase of the COVID-19 Pandemic in the UK. *Animals*. 12(5):629. <https://doi.org/10.3390/ani12050629>

²⁹ <https://www.rspca.org.uk/-/early-socialisation-and-habituation-in-puppies-how-can-we-provide-for-them-in-these-difficult-times>

³⁰ Christley RM, Murray JK, Anderson KL, Buckland EL, Casey RA, Harvey ND, Harris L, Holland KE, McMillan KM, Mead R, Owczarczak-Garstecka SC, Upjohn MM. (2021) Impact of the First COVID-19 Lockdown on Management of Pet Dogs in the UK. *Animals*. 11(1):5. <https://doi.org/10.3390/ani11010005>

had a detrimental impact on behaviour and welfare³¹. For example, the prevalence of behaviour problems reported by owners of pandemic puppies appears higher than in puppies born outside of the pandemic period. Further, puppies owned by first time dog owners, which was more likely than experienced owners, during the pandemic³² also appear to be associated with an increased likelihood of more negative behavioural outcomes including vocalisations and aggressive behaviour towards unfamiliar people than those belonging to experienced owners.

32. The emergence of behaviour problems in this generation is of real concern especially as the scale of behaviour problems within this dog population may be yet to peak. Previous research suggests that the average age dogs present with behaviour problems is between 2.5 to 3.7 years³³. With many puppies born and raised during 2020, we may see an even greater number of dogs presenting with behaviour problems going into 2024 and the dog welfare situation worsening.
33. The presence of behavioural problems is not only a welfare issue for the pet as many indicate an underlying negative emotional state, but they can have a major impact on the pet-human relationship³⁴ and places dogs at risk of relinquishment³⁵. Indeed, Carroll et al's study³⁶ cited behavioural problems as one of the major reasons for relinquishment of pets acquired around the pandemic after financial reasons and along with Covid-19 health concerns. Other research similarly supports the vulnerability of the pandemic pet population to relinquishment and particularly those acquired peri-pandemic. A survey distributed to 4000 participants across several countries, including the UK, found that, compared with owners who acquired their pet more than six months prior to the pandemic being declared, owners who acquired their pets less than six months before the pandemic was declared were three times more likely to be considered for, or be, given up and those acquired after Covid 19 was declared a pandemic were twice as likely to be considered for, or be, given up³⁷. In addition to relinquishment, behaviour problems are also closely linked to the risk of euthanasia with dogs presenting with behaviour problems aged less than three years at a proportionately high risk of death³⁸.
34. During Covid-19, the importance of resource availability to minimise any issues that might jeopardise the human-animal bond or increase the likelihood of abandonment was highlighted. Furthermore, accessible and feasible resources and solutions for those suffering from job loss, economic uncertainty and housing insecurity were also identified³⁹. As the cost of living crisis continues and the number of dogs behaviour problems grows, an increased demand for behavioural services and their cost coupled with the need to be referred by a vet, may restrict or

³¹ Packer R. (2022) RVC Pandemic Puppies: Interim analysis of owner-reported undesirable behaviours at 21, 24 and 27 months of age. Presented at the Association of Dogs and Cats Homes conference October 2022.

³² Packer RMA, Brand CL, Belshaw Z, Pegram CL, Stevens KB, O'Neill DG. (2021) Pandemic Puppies: Characterising Motivations and Behaviours of UK Owners Who Purchased Puppies during the 2020 COVID-19 Pandemic. *Animals*. 11(9):2500. <https://doi.org/10.3390/ani11092500>

³³ González-Martínez, Ángela & Pernas, Germán & Diéguez, Francisco & Suarez Rey, Maruska. (2011). Risk factors associated with behavioural problems in dogs. *Journal of Veterinary Behavior: Clinical Applications and Research*. 6. 225–231. [10.1016/j.jveb.2011.01.006](https://doi.org/10.1016/j.jveb.2011.01.006).

³⁴ Zawistowski S and Reid P. (2017). Dogs in today's society: the role of applied animal behaviour. In Serpell, J, (ed) *The Domestic Dog. Its Evolution, Behavior and Interactions with People*. Cambridge University Press. London.

³⁵ Kwan JY and Bain MJ. (2013). Owner attachment and problem behaviours related to relinquishment and training techniques of dogs. *Journal of Applied Animal Welfare Science*. 16. 168-183.

³⁶ Carroll GA, Torjussen A and Reeve C. (2022) Companion animal adoption and relinquishment during the COVID-19 pandemic: Peri-pandemic pets at greatest risk of relinquishment. *Front. Vet. Sci.* 9:1017954. doi: 10.3389/fvets.2022.1017954

³⁷ Carroll GA, Torjussen A and Reeve C. (2022) Companion animal adoption and relinquishment during the COVID-19 pandemic: Peri-pandemic pets at greatest risk of relinquishment. *Front. Vet. Sci.* 9:1017954. doi: 10.3389/fvets.2022.1017954

³⁸ Boyd C, Jarvis S, McGreevy P, Heath S, Church, D, Brodbelt D, & O'Neill D. (2018). Mortality resulting from undesirable behaviours in dogs aged under three years attending primary-care veterinary practices in England. *Animal Welfare*. 27(3), 251-262. doi:10.7120/09627286.27.3.251

³⁹ Applebaum JW, Tomlinson CA, Matijczak A, McDonald SE, Zsembik BA. (2020). The Concerns, Difficulties, and Stressors of Caring for Pets during COVID-19: Results from a Large Survey of U.S. Pet Owners. *Animals*. 2020; 10(10):1882. <https://doi.org/10.3390/ani10101882>

prohibit access to this support further compromising dog welfare. The recent increase in support and guidance from rescue organisations such as Dogs Trust⁴⁰ and Blue Cross⁴¹ may help, although innovative and low-cost ways to support owners and their pets will be urgently required.

35. RSPCA data similarly suggests that companion animal welfare is being affected post pandemic and we are particularly concerned that pressures on pet owners from the Covid lockdown merged into the cost of living crisis. There have been several surveys investigating the impact of the cost of living crisis on pet welfare⁴² and it is difficult to tease apart the actual impact and trends of the cost of living crisis vs that of the pandemic on companion animals' welfare but the RSPCA attempts to measure these effects through a variety of indices it collects: data on prosecutions, animals that are abandoned and investigated by the RSPCA and investigations into neglect. It also measures public perceptions obtained through polling and enquiries. These will be examined to assess trends in 2022 and 2023.
36. Calls into the RSPCA's call centre cruelty line increased by 1.5% in 2022 on the previous year to 1.098 million calls. However calls are still below pre Covid levels, During Covid calls into the RSPCA showed a clear correlation to lockdown which is not unexpected ie the more people are out exercising or going to work, the higher the opportunity to witness and report animal cruelty. So it is probable that continued home working has also had an impact on numbers of calls received by the RSPCA. Of course the number of calls received on cruelty does not indicate any correlation to actual animal cruelty occurring.
37. As the vast majority of RSPCA cruelty investigations are dependent on calls received from the public there is a relationship between calls received, cruelty investigations undertaken and those investigations that resulted in prosecutions. 94,652 allegations of cruelty were investigated by the RSPCA in 2019 but this dropped in 2020 by 44%. As lockdown incidences decreased the allegations of cruelty increased. In 2022 the RSPCA undertook 63,008 cruelty investigations, a 23% rise on the previous year.
38. Around 1% of investigations undertaken by the RSPCA become prosecutions. 798 cases in England were reported by our inspectors to our prosecutions department in 2022 which is a 35% increase on the previous year but still lower than 2019, the pre Covid year. In 2022 764 convictions were obtained for animal welfare and cruelty offences in England, a 6% increase on the previous year but still 41% lower than 2019. The data are difficult to assess and compare as backlogs occurred when court time was restricted under lockdown to hear cases particularly in 2020 but the data do indicate a rise in offences under the Animal Welfare Act 2006 in 2022.
39. Abandonments and neglect cases may provide a more accurate and instant impact from the cost of living crisis. The RSPCA recorded a 12% rise year on year in the number of abandonments being dealt with by our rescue teams in 2022. However there is a notable difference amongst species. The total number of dogs, cats and rabbits abandoned in 2022 was 28% up on 2021 and suggests that it is these three species where the cost of living seems to be impacting most. However based on the intake data below and notwithstanding the variety of reasons for why animals are relinquished and/or abandoned, it is dogs, guinea pigs and rabbits who appear to be most affected.

⁴⁰ <https://www.dogstrust.org.uk/how-we-help/behaviour-support-line>

⁴¹ <https://www.bluecross.org.uk/behaviour-services>

⁴² <https://www.noah.co.uk/wp-content/uploads/2023/03/Kantar-report-on-challenges-to-pet-care-2022.pdf>

40. The traditional view of rabbits is that they are easy and cheap pets to care for and make good pets for children. However, they are actually more complicated to care for and do have specialised needs. Rabbits may be more likely to be abandoned by those who find a disparity between these myths and the reality of ownership, and this adds weight to the need to convert the current Good Practice Code for the Welfare of Rabbits⁴³ into a full Code of Practice.
41. In 2022 neglect cases the RSPCA investigated increased by 9% on the previous year to 35,738. This was particularly apparent again with certain species. Neglect cases actioned involving dogs, cats and horses rose by 24% on the previous year. It would be expected that neglect cases increase as a result of the cost of living with owners cutting back on veterinary visits and treatment (paras 12, 13). Indeed neglect cases increased by 4% for the first two months of 2023 compared to the same months in 2022.
42. RSPCA inspectors are seeing more people struggling financially. 95% of RSPCA officers surveyed for an internal survey felt that the biggest cause of neglect they witness is due to the cost of care, including veterinary and grooming costs. This is supported through RSPCA research which has shown that, from April 2021 to April 2022 there has been a 50% rise in people searching online about 'giving up pets'. Further, google searches for 'can I give my dog paracetamol' have increased three fold from 5,600 per month (Jan 2020) to 14,600 per month (Jan 2022).
43. In 2022 the RSPCA enquiries line received over 1,500 requests for assistance to pay veterinary bills with January 2023 seeing the highest number of enquiries. Responding to these increasing requests in October 2022 the RSPCA set up its first dedicated cost of living hotline to allow inspectors to give out vouchers to members of the public that were finding difficulty paying veterinary fees. In the five months since the scheme was started over 1,300 vouchers have been issued and over £74,00 of these redeemed at a veterinary practice.
44. Dog intake to the RSPCA was 45% lower in the last three months of 2020 compared to 2019 but rose 26% in Q4 2021 and a further 2% in 2022 . Indeed total dog intake to the Society rose 5% during 2022 compared to 2021. Data from the ADCH survey replicate this picture with dog relinquishment, abandonment and intake starting to occur in 2022⁴⁴. Cat intake only rose by 1% in 2022 compared to the previous year. Rabbit intake continues to be a concern with rabbit intake rising by 8% in 2022 compared to 2021. In the first eight months of 2022, the RSPCA took in 90% more guinea pigs than in the same time period during 2020 (173 vs 91). Fortunately horse intake continues to flatline with no changes in the numbers of horses taken in during the final quarter of 2022 compared to the previous year. Dog numbers entering shelters may be an underrepresentation of those being relinquished post Covid as owners pass on animals to friends and neighbours or try to reclaim back some of the initial costs by reselling them on the internet⁴⁵.
45. Turning to public opinion, 78% of pet owning respondents to the RSPCA's Animal Kindness Index⁴⁶ say they think the cost of living will impact their animals, 68% have found the cost of looking after their pets has increased in the past twelve months, with 28% now worried about being able to look after their animals and 19% worried about being able to feed them. These figures are clearly concerning.

⁴³ <https://appaw.org/wp-content/uploads/2021/06/Rabbit-CoP-2021-1.pdf>

⁴⁴ ADCH 2022. Survey on impact of cost of living on ADCH rescues

⁴⁵ <https://www.frontiersin.org/articles/10.3389/fvets.2022.1017954/full>

⁴⁶ The total sample was 4,102 UK adults and the results have been weighted to be representative of the UK population aged 18+, the survey was carried out by YouGov13 April - 25 April. 2022

46. So the RSPCA strategy is to ensure people are able to keep their pets rather than abandon them or hand them in to rescues. The RSPCA is supporting food banks across the country collecting pet food donations and delivering them to food banks for owners and animals in need. In the North of England alone, our pet food project currently supports 72 partnerships with food banks. Between January 2022 and December 2022, the pet food project received 326 requests for pet food donations from our Food bank partners - more than double the number received in 2021. This equates to a delivery of more than 57,000kg of pet food in the North in 2022 - including more than 140,000 daily dog meals, and over 65,000 daily cat meals.
47. As well as our Early Help and Support voucher scheme, we are supporting people to keep their pets through our partnership with food banks such as Fairshare, to collectively direct donations of surplus pet food to Fairshare for distribution through their national logistics infrastructure. It remains to be seen if this proactive strategy to keep animals in pet owners' houses will reduce the amount of animals being abandoned.
48. At the height of the 2008-10 banking crisis the RSPCA saw a 115% increase in the number of horses we collected and PDSA saw a 48% increase in demand for their services providing low-cost veterinary care. These highlight the connection between increasing poverty and increasing demand for pet rescue services. We are very concerned the situation is repeating itself particularly for dogs and rabbits.
49. The RSPCA, is itself, also being affected by the impact of the pandemic and the cost of living crisis. For example, we are seeing increased energy costs which is placing pressure on our centres and hospitals to provide our services. In addition, rehoming is slowing down, as people begin to cut back on spending. The number of animals leaving our centres for new homes has fallen by 8% - while the intake has gone up 8%. The RSPCA rehomed an average of 753 animals per week in 2019, 565 in 2020 and 518 in 2021 meaning that spaces aren't being freed up as quickly and animals are staying in care for longer. RSPCA centres are full and there are almost 700 pets waiting to come into our care. The RSPCA is currently spending £26,000 per week on private boarding establishments for animals in our care; while spaces become available at our centres.
50. **Recommendation:** the Government should implement, under the LAIAR 2018 review, specific licensing on rabbit breeding.

5. What are the pressures currently facing those dealing with companion animal welfare including

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

51. The direct impact of increased costs can also be seen in the rescue sector. The RSPCA received 3,644 calls in 2021 categorised as 'help with vet bills', a growth of 12% year-on-year and, in the first quarter of 2022, we saw a 9% increase in calls to our emergency cost of living hotline. There may be a knock on effect on instances of deliberate cruelty too.
52. In the wider charitable sector confidence amongst ADCH member in the future has reduced with the average score down from 3.9 in March 2022 to 3.4 out of 5⁴⁷. ADCH members were concerned about the double whammy of rising costs and increasing animals. 83% saw increased costs for animal products, 81% increased energy costs and 74% increased food costs; veterinary costs were also increasing whether for external veterinary costs (95%) or on inhouse veterinary

⁴⁷ ADCH. October 2022 Cost of living survey of 60 rescues in the UK and Ireland

costs (83%). In addition 97% of rescues expected to see greater demand for services, 44% are concerned that they may have to withdraw some services.

53. 96% of rescues in October 2022 are seeing more dogs coming in with behavioural issues (compared with 70% in March 2022). 90% are seeing dogs with medical issues. This is in line with the studies of dog owners being inexperienced. 60% are seeing cats with behavioural issues.
54. Clearly this needs a strategic response within the sector. ADCH has set up a £200k grant system funded by the RSPCA, Dogs Trust and Humane Society International to help the smaller rescues get through the crisis and the sector as a whole is responding with 54% planning on opening food banks, 54% provide pet advice and 30% providing low cost neutering or veterinary services¹⁷.
55. The veterinary sector is faced with multiple systemic challenges that are impacting on the provision of veterinary services, with resultant negative impacts on animal welfare.
56. Issues with recruitment and retention have left many practices understaffed and unable to register new clients. The report of the RCVS's 2022 workforce summit states "Workforce shortages are a key challenge facing the veterinary profession. While this is not a new phenomenon, the issue has been exacerbated significantly by recent events, including the additional pressures on the profession brought by the Covid-19 pandemic, changes to the situation of EU vets caused by Brexit, and an increase in demand for vets driven by a surge in pet ownership in the UK"⁴⁸.
57. The increasing ownership of dogs imported from overseas, dogs from poor breeding environments and breeds with inherent health and welfare issues, including, but not limited to brachycephalics, within an understaffed profession has created a perfect storm of increased animal health and welfare issues but inadequate capacity to respond. The RCVS's survey of the veterinary profession on their experiences of the pandemic found that "the increased demand has been widely felt with 80% saying they personally saw an increase in their caseload due to an increase in animal ownership. Many felt this took a toll on them personally, with 65% experiencing conflict between their wellbeing and their professional roles.
58. With the most common reasons given by those stating they intend to leave the profession in the Survey of the Veterinary Profession being poor work-life balance (60%), not feeling rewarded or valued (55%), chronic stress (49%), long or unsocial hours (48%), and pay (44%) it is clear that there is a risk of more vets leaving the profession.
59. Independent veterinary practices have dropped from 89% of the marketplace in 2013 to 45% in 2021 due to independent groups being bought by corporate groups⁴⁹. This massive increase in corporatisation of the veterinary profession has resulted in rapid change in the way the profession operates, the professional freedom of vets and, in some cases, a more target driven culture.
60. There are now geographical areas where there is minimal, or no competition and we have experienced significant increases in fees. Belatedly, the Competition and Markets Authority (CMA) are looking at these businesses⁵⁰.
61. Much of the focus of veterinary training and corporate practices over the last decade has been on providing more complicated treatments and diagnostic approaches, as the veterinary profession has attempted to keep up with advances in the medical profession. This can undoubtedly be beneficial, however there does not appear to have been adequate consideration

⁴⁸ <https://www.rcvs.org.uk/news-and-views/publications/recruitment-retention-and-return-in-the-veterinary-profession/>

⁴⁹ <https://www.gov.uk/government/news/takeover-of-eight-vet-businesses-could-increase-costs-for-animal-owners>

⁵⁰ <https://www.gov.uk/cma-cases/cvs-slash-quality-pet-care-merger-inquiry>

given to the impact on owners, and their pets, when they can't afford the resulting fees. In addition, there has been minimal discussion of whether this so called "gold standard approach" does result in improved animal welfare outcomes. Over the last few years this ethical and welfare debate has started and must surely continue in the face of the cost of living crisis⁵¹.

62. The increasing costs and complexity of veterinary interventions means that issues accessing vet care are more severe for those clients who are less well off. Many of these clients are in work and ineligible for charitable assistance, which is overstretched in any case. The information provided above (paras 59-61) above directly relates to this situation of market failure.
63. The current situation within the profession creates situations where vets' are at increased risk of moral injury, this has been shown to be significantly associated with adverse mental health outcomes in the U.K profession⁵².
64. The Government has not offered the rescue sector any bespoke assistance to help over the cost of living crisis although the energy price cap and monthly assistance with bills has been invaluable for rescues and pet owners. The RSPCA and other organisations have set up a bespoke grant fund for rescues to give grants to help with veterinary and energy costs and has requested the Government reduce the VAT on pet food and veterinary fees to help during this period.
65. **Recommendation:** the Government needs to support the sector by cutting VAT on veterinary fees and pet food and introduce bespoke financial assistance to the voluntary sector; the CMA should look at the provision of veterinary provision across the country and assess if this breaches the monopoly rules; encouragement should be given to the veterinary sector to neuter rabbits.

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?

66. The RSPCA has been investigating animal welfare cases for 197 years and currently undertakes 85% of investigations and prosecutions under the Animal Welfare Act 2006; the police and local authorities undertake the remaining 15%. The legislation on the welfare and abuse of companion animals has changed markedly in the past 15 years. The Animal Welfare Act 2006, the framework law for animal welfare in England, was amended in 2021 to increase sentencing from six months in prison to five years⁵³. This was primarily in response to magistrates feeling that in some severe cases they would have given a stronger sentence if available for cases brought to them under the Animal Welfare Act 2006. It has certainly assisted to tackle crimes associated with severe animal welfare offences and the role played by criminals in the illegal dog trade where six months in prison was not seen as a deterrent. The RSPCA is content with how the Animal Welfare Act 2006 is working. It is also content that the Animal Welfare (Sentencing) Act 2021 is working as intended. To date in the 18 months since the Act was implemented 49 cases brought by the RSPCA have been sent to the Crown Court but many of these have yet to be heard or were sent to the Crown Court under direction of the defendant. Eleven have concluded. Seven cases were sent to the Crown Court for sentencing.

⁵¹ <https://bvajournals.onlinelibrary.wiley.com/doi/10.1136/vr.104559>

⁵² <https://bvajournals.onlinelibrary.wiley.com/doi/10.1002/vetr.2181>

⁵³ <https://www.legislation.gov.uk/ukpga/2021/21/contents/enacted>

67. The RSPCA estimated in 2020 that there would be around 30 cases a year of the 700 animal welfare prosecutions that would be liable to the higher sentencing. As expected such cases included investigations into the puppy trade and involved fraud issues together with AWA offences. Both predictions seem accurate.
68. The link between the higher penalties and deterrence is difficult to prove but the higher penalties certainly give courts more flexibility in sentencing as seen by the seven sent to the Crown Court for sentencing. This, together with the Proceeds of Crime Act 2002 being used by HMRC in a targeted manner, (para 9) is likely to be more of a deterrent on puppy dealers who are making £2-3 million annually than on people prosecuted for cruelty or welfare offences under the Animal Welfare Act.
69. For two years, the RSPCA has been in discussion with the Attorney General's office, the CPS, Home Office and Ministry of Justice officials regarding the transfer of its prosecution function to the CPS in order to establish the CPS as the main body for animal welfare prosecutions in England and Wales, mirroring the arrangements already in place in Scotland. The primary drivers behind this move are the increase in sentencing (para 68), and the increase in cases involving multi million pound fraud and tax evasion, particularly around the puppy trade. The previous Efra report in 2016 on this issue also recommended the RSPCA maintain their investigatory role but hand over their prosecutory role to the CPS⁵⁴. The RSPCA is proud of its 95% success rate in its prosecutions, so will require reassurance that any new operating model will maintain quality levels⁵⁵. In a letter to the RSPCA's CEO, Chris Sherwood in January 2023, the Solicitor General confirmed that the conclusion of the discussions was that an amendment would be required to the Prosecution of Offences Act 2015, and transferred the responsibility to progress this initiative to the Ministry of Justice. As yet, no parliamentary vehicle has been forthcoming, delaying the RSPCA's ability to make progress. It is unclear whether the Government will prioritise this initiative before the General Election.
70. In 2021, the RSPCA spent £37.8 million on investigating incidents of animal cruelty and a further £32.4 million rescuing, rehabilitating and rehoming animals. In addition, they spent £2.12 million on boarding case animals and £2.61 million on legal costs⁵⁶. As animals involved in court cases have to be housed until the court procedure is completed in England, and this depends on court time being available as well as the appeal process being completed, this increases the costs in England. In Scotland new legislation adopted in 2021 allows the Scottish SPCA to rehome an animal involved in a court case after 21 days⁵⁷. The RSPCA is looking for similar legislation to be adopted in England as this would improve animal welfare (dogs in some RSPCA cases have had to be kennelled for up to three years whilst the court case is completed) as well as generate financial savings. Investigating animal cruelty and rescuing animals is the core work of the RSPCA, relying heavily on their skill, resources and networks. In any future model, this will not change and will continue to be funded and operated by the RSPCA.
- 71. Recommendation:** The Government bring in measures to allow the RSPCA to hand over its investigations to the statutory authority to take forward for prosecution; brings in legislation to permit the early rehoming of animals involved in court cases; provides statutory powers to RSPCA inspectors on the same model as in Scotland and Ireland.

⁵⁴ <https://publications.parliament.uk/pa/cm201617/cmselect/cmenvfru/117/117.pdf>

⁵⁵ RSPCA 2022. Prosecution data.

⁵⁶ <https://www.rspca.org.uk/documents/1494939/7712578/Trustees+Report+and+Accounts+2021.pdf/1e2cbd98-332e-3959-6171-06eb1f12cd07?t=1656083461580>

⁵⁷ <https://www.legislation.gov.uk/asp/2020/14/section/19/enacted>

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?

72. Yes the Animal Welfare (Kept Animals) Bill, if adopted, will be a significant step forward to tackle pet abuse particularly to control the trade and importation of dogs, the welfare of kept primates and reduce sheep worrying.
73. However on March 24th the Bill reached its 500 days anniversary that it has been stalled in Parliament since its Committee Stage ended in November 2021. The Secretary of State confirmed it is still a Government priority in 2023⁵⁸ so it is vital that the Government brings the Bill back. Whilst the proposals in the Bill may not be perfect in all areas, they do represent an improvement on the current situation for many animals in many different settings. To delay progress on so many important policy areas risks the welfare of the animals currently affected by them deteriorating even further. The Bill also implements three Government manifesto commitments (improving puppy trade, stopping the private keeping of primates and ending excessive journeys for farm animals).
74. The Bill also has widespread public support on its key measures. 86% of the public support a ban on the import of puppies under six months with only 8% opposing it. 80% of the public support the measure to end private keeping of primates including 65% who strongly support it⁵⁹ and 54% of the public support a ban on live exports with only 10% against it.
75. The Bill would also assist in tackling the illegal trade in puppies as well as dogs with cropped ears (paras 4, 11).
- 76. Recommendation:** the Government allows Parliamentary time to complete the final stages of the Kept Animals Bill

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?

Increase focus on prevention:

77. Legislation can only achieve a certain level of progress in improving animal welfare. The RSPCA recommends the Government implement a three tier approach when looking at pet welfare and abuse. The first is Primary Prevention which prevents the problem occurring in the first place. In this stage, there should be an encouragement of large numbers of people to take small actions based on human behaviour change theory which improve pet welfare at scale. The next stage is Secondary Prevention which focuses on early intervention methods to resolve the problem as soon as it starts to emerge. This includes more targeted interventions to stop abuse being established or escalated. The tertiary stage should focus on the management of a crisis or ongoing problem, such as abuse, to minimise its consequences and stop it from recurring.

Increase the scope of LAIAR and tackle poor breeding practices:

78. The review of the LAIAR provides the Government with the opportunity to bring unregulated activities under licenseable activities. Examples include dog walking, groomers, the regulation of behaviourists, trainers, rescues and sanctuaries, fertility clinics and the breeding of cats. It also gives the opportunity to examine the case for licensing of any kept animals.

⁵⁸ Efra. 28/3/23. Secretary of State oral evidence

⁵⁹ Savanta Oct 7-9 2022 2309 public polled

79. The RSPCA believes that the welfare of cats has been compromised by current breeding practices. Over five years (2015-2020) the RSPCA received 1,648 reports relating to kitten breeding operations. A FOI request also found that there had been a large increase in complaints to Trading Standards regarding the purchase of kittens between 2017 and 2021 (2017 = 88, 2021 = 251 complaints). It is not uncommon to find overcrowded, barren environments with poor hygiene. These environments can foster physical suffering (ie. feline parvovirus, cat flu, heavy parasites burdens, abnormal conformation, malnutrition) as well as emotional suffering, resulting in both kittens and adult cats that are too sick to survive, or improperly socialised to humans. Some cases involve kittens being removed from their mother and sold far too young. As a result of this, even those cats who physically recover after rescue from such environments may mentally struggle to cope with life as a companion animal.
80. At present, where cases of commercial cat breeding impact cat welfare, the Animal Welfare Act is the only legislation that can be used as there is not yet a DEFRA recognised code of practice for breeding cats, although The Cat Group have provided one for review by the Government. The Society believes that cat breeding should be regulated, like dog breeding, under the LAIAR.
81. Guidance needs to be included that is in line with that provided in the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021. This guidance makes it clear that licences are unlikely to be granted for some breeds of dogs, cats and rabbits, which are especially likely to suffer poor health and welfare in light of their conformation. More responsibility should be taken by breeders on the way animals are bred to produce exaggerated conformation. Flat-faced animals such as pugs, French bulldogs and Netherland dwarf rabbits, have a much higher risk of developing numerous painful illnesses and diseases than others. Like dogs, inherited diseases and conformation issues are significant welfare issues for cats with experts ranking them in the top ten cat welfare issues for both severity, duration and prevalence⁶⁰. Other abnormalities include folded ears in a Scottish Fold cat, caused by a developmental abnormality, osteochondrodysplasia⁶¹, and the short legs of the Munchkin breed, caused by chondrodystrophia. Both are likely to cause painful osteoarthritis.
82. The breeding of hybrid cats results in severe welfare concerns for both the breeding cats and the offspring. The welfare concerns associated with these traits are described in detail in our 2022 response to DEFRA regarding the licensing of cat breeding.
83. Rabbits are the third most popular mammalian pet in the UK⁶², yet their welfare needs are very different from dogs and cats. Vets receive limited training and teaching in vet schools and consequently can lack confidence and knowledge once in practice. Rabbits and other small animals (e.g. guinea pigs, hamsters, rats) have been kept as pets for many years but are still sometimes classified as 'exotics'. These species are often grouped together by owners and professionals alike, but all have very different welfare needs. Grouping them under one umbrella means these separate welfare needs aren't always recognised. Dogs and cats are treated separately and this should be extended to species such as rabbits, guinea pigs, rats and hamsters.
84. Rabbit acquisition rose during the pandemic, and for those who got an opposite sex pair, they will quickly breed if not neutered at an appropriate age. At the same time, vets reduced their work to respond to emergencies only and many routine procedures, like neutering, were not

⁶⁰ Rioja-Lang, F., Bacon, H., Connor, M. and Dwyer, C. M. (2019) 'Determining priority welfare issues for cats in the United Kingdom using expert consensus.' *Veterinary Record Open*, 6(1) pp. 1–10.

⁶¹ Malik, R., Allan, G. S., Howlett, C. R., Thompson, D. E., James, G., McWhirter, C. and Kendall, K. (1999) 'Osteochondrodysplasia in Scottish Fold cats.' *Australian veterinary journal*, 77(2) pp. 85–92.

⁶² <https://www.ukpetfood.org/information-centre/statistics/uk-pet-population.html>

undertaken. This is one of the possible causal factors of the current rabbit 'crisis'. Information has been created by organisations including the RSPCA to help upskill, support and increase confidence among the veterinary profession around rabbit neutering.

85. Rabbit breeding is currently unlicensed in England but over breeding on rabbits is adding to the problem of them being a greater commitment than some people realise. Rabbits are a social species and owners are advised to keep a rabbit with at least one other friendly rabbit. New owners may therefore buy two rabbits and it's not uncommon for unsuspecting members of the public to buy two incorrectly sexed young rabbits who are incorrectly sexed which then can also lead to accidental litters. Whilst we are well aware that unsuspecting owners may be taken by surprise as their rabbits produced an accidental litter, this could be avoided by implementing legislation requiring rabbit breeders to be licensed and by including a stipulation requiring them to correctly sex the rabbits they are selling. This already happens in Scotland and the Rabbit Welfare Association and Fund has called for the law to be changed in England⁶³.

Reform and consolidate Dangerous Dog legislation:

86. The welfare of many dogs has been compromised through the application of Breed Specific Legislation under the Dangerous Dogs Act 1991. This includes the extended periods of time dogs can spend in kennels during the court process, the conditions required for the legal keepership of exempted dogs and the number of prohibited dogs that are euthanized because the law prevents them from being rehomed. There is an urgent need for measures which improve the welfare of dogs affected by this law including the rehoming of prohibited types and better management of seized dogs. The RSPCA believes that public safety and dog welfare would be better protected through the introduction of a new legislative framework which allows early intervention, is preventative, evidence-based and proportionate in approach as well as breed neutral.

Ensure legislative provisions reflect a contemporary understanding of good welfare:

87. Since 2006 and the introduction of the Animal Welfare Act, there has been significant advances in the field of animal welfare science, our understanding of animal welfare and the subjective experiences of animals - their mental state.
88. Previous definitions of animal welfare placed a lot of emphasis on an animal's physical health or their ability to live a natural life. However, a more contemporary understanding includes links to health/biological functioning, feelings/subjective experiences and natural behaviour, and there is increasing importance placed on an animal's subjective experiences and their mental state – how an animal is experiencing their life.
89. For many years good animal welfare has been discussed within a framework focusing on the prevention of suffering and avoidance of situations or conditions (e.g. a lack of food) that would result in negative feelings (e.g. prolonged hunger). However, minimising suffering is not enough because its outcome tends to be a neutral rather than a good welfare state, i.e. not feeling bad rather than feeling good. Developments in animal welfare science are increasingly focused on *good* welfare. The framework for good welfare doesn't just include the avoidance of suffering or prevention of harm but also delivers opportunities for positive states through the provision of good experiences, opportunities and conditions. While the codes of practice for the welfare of dogs, cats and horses makes reference to resources that provide the foundations for positive states and good welfare, they do not explicitly set out the importance of positive subjective

⁶³ <https://www.change.org/p/amend-the-animal-welfare-act-2006-to-include-rabbit-breeding-legislation>

experiences and mental state when defining animal welfare or the need for an animal to enjoy their environment and diet and experience behavioural choice, opportunities and good health.

90. Recommendation: the Government updates the provisions of the Codes of Practice under the Animal Welfare Act 2006 to focus on an animal's mental state and how it is impacted by an animal's environment, diet, behavioural choices and health; the Government clarifies the legislation under LAIAR 2018 to limit the breeding of certain breeds of dogs, cats and rabbits in light of the impact of this on the animal's health and welfare; brings in new areas into LAIAR 2018 including dog walking, the regulation of rescues and sanctuaries, fertility clinics and the breeding of cats and reforms legislation covering dangerous dog.

March 2023