

Written evidence submitted by Dr Jennifer Maher, Criminology Department, University of South Wales (PS0005)

Written evidence submitted by Dr Jennifer Maher, Criminology Department, University of South Wales, who specialises in research into environmental crime and animal abuse. In 2018 she completed a report on the illegal puppy trade for the Scottish Parliament and DEFRA which focused predominantly on Scotland, but also England and Wales (with colleagues Tanya Wyatt and Paul Biddle, Northumbria University). The report, based on an extensive literature review and empirical data collection from experts, practitioners and recent puppy buyers, can be found here: <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2017/11/scoping-research-sourcing-pet-dogs-illegal-importation-puppy-farms-2016/documents/00527436-pdf/00527436-pdf/govscot%3Adocument/00527436.pdf>

Written Evidence was previously submitted to the EFRA Committee Inquiry in 2019 on the nature and enforcement of the puppy trade. A brief response to the additional enquiry questions of the EFRA Committee Inquiry into the smuggling of puppies, kittens and other companion animals is provided below.

The extent of the problem of puppy, kitten and other companion animal smuggling; and Government statistics on this issue.

While it is not possible to accurately identify the scale of the legal or illegal puppy trade due to data-limitations, estimates from business, NGOs, enforcement agencies and academic research on the value of the trade (1.3 billion Euros over 12 EU Member states and £130 million UK-wide - IBF International Consulting et al. 2016 and Wyatt et al. 2017 respectively) and the number of puppies required to meet consumer demand (8 million for the EU – Four Paws 2019, 1.6 million for the UK) indicate it is a buoyant and profitable business. Figures available from TRACES and ITAH Certificates issued demonstrate the legal trade continues to grow in response to UK consumer demand. Our research indicated that the legal trade facilitates and hides the illegal trade, as offenders use legitimate businesses and professionals (e.g. vets), established legal trade routes (e.g. port entry from Europe and Ireland) and legal processes (e.g. PETS) to move and sell dogs. Puppy smuggling is difficult to detect and identify due to the a) covert nature of the trade, b) difficulty of distinguishing it from the legal trade, c) the lack of traceability of puppies across Europe and the UK, d) limitations in the enforcement of the trade and e) the increased distance between consumers and the supply chain.

A further important consideration in understanding the extent of the illegal trade is the role of organised crime. While the role of organised crime in other pet trades, such as the trafficking of exotic pets, has been the focus of a significant amount of research in the last decade, the trafficking of 'domestic' companion animals/pets has received little attention. Nonetheless, more recently, puppy smuggling has been linked to tax evasion and organised crime (Eurogroup for Animals 2020). This is evident in the successful recovery by the HMRC over a three-year period of over £5 million in unpaid taxes by those in the puppy trade. Furthermore, the nature and scale of the trade suggests it is both attractive and susceptible to the involvement of organised crime groups. In particular, the illegal puppy trade involves high profit and low risk.

While it is not possible to clearly evidence the role of organised crime groups or criminal networks in the puppy trade, our research indicated parts of the illegal trade are clearly organised. The illegal trade is structured around numerous offenders across-borders and intertwined inextricably with the legal trade; this leads us to speculate that the market could be vulnerable to infiltration by organised crime groups. The impact of the trade is serious and significant and necessitates the involvement of a variety of actors to facilitate the scale, fluidity, and international nature of the supply chain. It requires those involved to, repeatedly and over a long period of time, successfully navigate the system to move large numbers of puppies over long distances, using legitimate channels or avoiding enforcement agencies, for significant profit. This profile fits with the UNTOC definition of Organised Crime Groups “a group of three or more persons existing over a period of time acting in concert with the aim of committing crimes for financial or material benefit” (UNODC 2020). To illuminate the scale of the illegal trade and involvement of organised crime groups the following is necessary:

- Better data collection and sharing focused on the nature of the trade
- Multi-agency partnerships to enhance identification and recording of the trade
- Further research on the illegal puppy trade and organised crime in the trade (e.g. an evaluation of the HMRC tax evasion cases to identify the role of legitimate and illegitimate business in the illegal trade)
- Evaluation of enforcement responses
- Evaluation of online advertisements

To identify the extent of the legal and illegal puppy trade, traceability of dogs through the supply chain is imperative, this could be achieved through a European-wide microchipping database.

The nature and scale of the puppy trade during COVID-19.

As indicated above, it is difficult to identify the nature and scale of the puppy trade. Our research identified the legal and illegal trade is very flexible, with breeders and traders responding promptly to the regular changes in consumer demand for fashionable dogs. During COVID-19 the puppy trade appears to have successfully responded to the sudden decrease in trade in early 2020, followed by a subsequent rise in consumer demand in March/April which led to the highest recorded number of legal imports of puppies between May and October (e.g. 3,220; 3,967; 4,850; 3,916; 5206; 5287 Intra Trade Animal Health Certificates (ITAHCs) issued – RSCPA personal correspondence 2020). While the data does not exist to identify how these changes in the legal trade has impacted the illegal trade, the inspection of commercially imported dogs during COVID-19 has been negatively impacted, which may have created new opportunities for the illegal trade.

The impact of recent measures including Lucy’s Law and the “Petfished” campaign, and what other measures should be taken

Lucy’s Law is an important step in facilitating traceability and transparency and making breeders more accountable in the legal trade. Consequently, it creates barriers for the illegal trade and should help to enhance the animal’s welfare. Further, the law communicates a clearer message to prospective buyers on how to appropriately source a puppy and provides them with further support and confidence when doing so (e.g. demanding to see the parent

dogs and breeding facility). However, it will not force consumers to buy responsibly and thereby avoid the illegal trade. To enhance the effectiveness and range of the law, a collective approach across the UK and Europe would be more beneficial. It is unclear how significantly this law has impacted the (il)legal puppy trade as it has come into place during a pandemic, which is likely to impact on the availability of data and nature of the trade (as discussed above). Unfortunately, the rise in consumer demand, online advertisements, and the import of puppies to the UK during the pandemic suggests Lucy's Law has not impacted demand or supply. An evaluation of the enforcement of, and consumer awareness of, the law would be beneficial. Importantly, the law must be supported by more robust enforcement at the local authority level (e.g. breeding facility inspections) and online (e.g. advertisements providing appropriate information).

The end of the Brexit transition period and the impact on pet travel requirements, plus the situation regarding the NI Protocol and also GB's involvement in the EU's PETS scheme

Since the introduction of the EU PETS scheme in the UK, the non-commercial importation of dogs has increased significantly, changing the dynamics of the puppy trade and opportunities for illegal trade. Our analysis of commercial imports in 2016 to Scotland and England and Wales identified 909 dogs in 731 consignments and 27,564 dogs in 10,827 consignments, respectively. On average each consignment includes less than 3 dogs. Yet the non-commercial movement of dogs permits five dogs per individual, this is a loophole which greatly facilitates the illegal puppy trade. As there is no record of which dogs are moved it is possible for offenders to repeatedly use this process to illegally import large numbers of puppies. This flexibility in the PETS scheme, alongside the use of forged documents, has also permitted offenders to streamline their processes so that puppies are imported to order. With minimum time between leaving the breeder and reaching the consumer the risk and cost to offenders is minimised. Poor enforcement of non-commercial dogs entering the UK at the border has been repeatedly documented, in particular, not visually inspecting the dogs and the scanning of microchips enables the illegal trade. The age at which puppies can be transported also facilitates the irresponsible consumer behaviour, as evidence suggests there is a peak-age (8 weeks) at which consumers will be attracted to the puppies they view online. Reducing the number of non-commercial dogs permitted per individual, increasing the minimum age requirements of the dog, requiring traceability and effective visual inspections within the new regulations on the movement of non-commercial dogs will create barriers to the illegal trade.

COVID-19 and the impact on the companion animal welfare sector including the finances and demand for services of the charitable sector, and Government support

Our research identified many dogs in the puppy trade are bred in poor conditions which can result in long-term health and behavioural issues and the possible development of zoonotic diseases (e.g. rabies). Some of the popular breeds (e.g. French Bulldogs and Dashshunds) are known to experience serious health issues from birth. Additionally, many owners impulsively purchase their dogs online without a clear understanding of the commitment required and without necessarily having the capacity to train and care for them in the future. As a result, animal rescues can experience patterns of increased relinquishment and abandonment of popular breeds within a few years of the height of their popularity (e.g.

Huskies). Given the rise in consumer demand during the pandemic, likely encouraged by the temporary change in living and working conditions, we may experience similar patterns in 2021. Arguably both local authorities and animal welfare NGOs will need to prepare for an increase in the abandonment of dogs and an increase in behavioural and health issues in these dogs in 2021.

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