

Proposed Responsible Breeding and Ownership of Dogs (Scotland) Bill

Page 1: Introduction

A Proposal for a Bill to improve the health and wellbeing of dogs throughout their lives by strengthening the regulation of the activity of breeding, and of selling or transferring puppies, and by establishing a more responsible and informed approach to acquiring and owning a puppy or dog. The consultation runs from 4 May 2018 to 30 July 2018 All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (*) require an answer All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation document Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).
Environmental Health, including animal welfare enforcement

Please choose one of the following:

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your name or the name of your organisation. This will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response.

West Lothian Council Environmental Health

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Page 8: A - Reducing the threshold for a breeding licence to three litters a year

Q1. Which of the following best describes your view of reducing the threshold for a breeding licence from five to three litters in a twelve month period?

Partially supportive

Please explain the reasons for your response, including any advantages or disadvantages.

It is agreed that there are unscrupulous individuals who seek to make profit with no regard to animal health or welfare. It is however impossible from an enforcement point of view to determine how many litters a breeder sells therefore despite good intentions, the proposal is unlikely to address the real problem of illegal trade.

Page 9: B - Extending the breeding licence regime to any form of transfer, not only sale

Q2. Which of the following best describes your view of requiring people to be licensed as breeders even if they do not sell their puppies, but transfer them/give them away?

Partially supportive

Please give reasons for your answer, including any advantages or disadvantages.

It is agreed that there are unscrupulous individuals who seek to make profit with no regard to animal health or welfare. It is however particularly difficult, from an enforcement point of view, to identify breeders. Routes of sale include face-to-face, public locations (such as car boot sales) and various forms of electronic media to which enforcement staff have either no access to or have insufficient resources to monitor at a level to identify unlicensed breeders.

Page 10: C - Introducing a temporary registration scheme for those that breed fewer than three litters a year

Q3. Which of the following best describes your view of introducing a temporary registration scheme for those breeding one or two litters in a 12 month period who wish to sell or transfer their puppies?

Partially opposed

Please explain the reasons for your answer, including any advantages or disadvantages.

Such a proposal appears unworkable and intensively administrative from an enforcement perspective.

Q4. Under the proposal, someone with only one or two litters in a 12 month period found to be selling or transferring puppies without completing an online temporary registration would be committing an offence and may be liable to pay a fine. Which of the following best describes your view on this?

Partially supportive

Please give reasons for your answer, including any advantages or disadvantages.

Although the proposal for temporary registration is opposed, offences enforced by fines may have more impact than the threat of prosecution through the PF system providing there is a liability for non-payment which can be followed up through legal systems.

Page 11: D - Ensuring future health and welfare needs of dogs through a more responsible and informed approach to acquiring and owning a puppy/dog

Q5. Which of the following best describes your view of creating an obligation on prospective owners to consider carefully a set of questions related to their capacity to take on a puppy/dog?

Neutral (neither support nor oppose)

Please give reasons for your answer, including any advantages or disadvantages.

Sadly many future owners are more interested in getting the dog breed which they desire at a price they are willing to pay rather participate in an administrative process of capacity assessment.

Q6. Which of the following best describes your view of placing an obligation on the breeder/keeper of a dog to check that any prospective owner is aware that they should have considered these questions?

Partially opposed

Please give reasons for your answer, including any advantages or disadvantages

Implementing legal systems only work if both parties are aware of their obligations and willing to engage. Those willing to comply are regulated and those not willing to comply remain unregulated. It is a penalty on responsible dealings with no impact on irresponsible dealings. The problems highlighted in the consultation document show total disregard to animal welfare by a number of breeders, illegal importers and buyers. Obligations placed on breeders and buyers would not impact the sad and fraudulent cases highlighted.

Q7. Which of the following best describes your view of obliging anyone acquiring a puppy from a breeder in Scotland to check that the breeder is licensed or registered?

Partially supportive

Please give reasons for your answer, including any advantages or disadvantages

This would only assist the majority of sales and direct potential purchasers to regulated breeders, however would not impact the illegal sale of farmed puppies using various electronic or face-to-face exchanges. It would also have no impact on illegal importation which not only introduces risk to the dogs, but also national health status of the UK in relation to infection control (rabies etc.)

Page 12: Financial impact

Q8. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Local authorities		X				
(b) Dog breeders		X				
(c) General public (including dog owners)		X				
(d) Police and animal welfare organisations		X				

Please explain the reasons for your response.

The proposals introduce additional administrative burdens which cost money. This cost must be found somewhere. It must therefore be spread across all involved in the industry. An unfunded burden was placed upon local authorities due to the introduction of the Control of Dogs legislation, this proposal is yet a further unfunded burden. The control legislation led to a lack of consistency in enforcement across local authorities as observed by various working groups chaired by Ms Grahame. The suggestion that local authorities could gain additional income from licensing shows a complete lack of appreciation of budgeting. Local authority officers have no capacity to take on additional administrative burdens and a small increase in income is not sufficient to employ additional staff. Local authorities are already underfunded and are prioritising their resources on the higher value work of public health protection rather than animal health. The Bill does not appear to take in to consideration the financial constraints upon local authorities and the necessary prioritisation of resources.

Q9. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?

No

Please explain the reasons for your response.

Introduction of any new administrative burden costs money.

Page 13: Equalities

Q10. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, race, religion and belief, sex, sexual orientation?

Neutral (neither positive nor negative)

Page 14: Sustainability

Q11. Do you consider that the proposed Bill can be delivered sustainably i.e. without having likely future disproportionate economic, social and/or environmental impacts?

No

Please explain the reasons for your response.

The introduction of new administrative burdens is not financially sustainable.

Page 15: General

Q12. Do you have any other comments or suggestions on the proposal?

The concerns raised within the Bill are accurate and distasteful and should be addressed by society, however the proposals within the Bill have financial implications for the breeding and enforcement industry and despite being well intentioned, the proposals will only place additional strain on law abiding individuals and do little to stem the unfortunate illegal trade and importation of puppies. The financial figures within the consultation demonstrate how lucrative an activity dog breeding can be. A potential alternative which may be worth considering would be the re-introduction of licensing (nationally funded system) with a requirement that the applicant must state in advance of purchase, where the dog will be purchased from.

Q13. Could the aims of the Bill be better delivered in another way (rather than by means of a Bill in the Scottish Parliament)?

Yes

Please explain the reasons for your response

A potential alternative which may be worth considering would be the re-introduction of licensing (nationally funded system) with a requirement that the applicant must state in advance of purchase, where the dog will be purchased from.