

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). We are a medium sized local authority in Central Scotland with mixed demographics in rural and urban areas. We have areas of multiple deprivation and we also have areas that are significantly more affluent than national averages. We have recently placed all Regulatory functions in one department and this includes animal welfare and enforcement. Our Safer Communities Team enforce in relation to dog fouling, dog chipping, breaches of

Please select the category which best describes your organisation

dog control notices. The views expressed in the response are that of the Team Leader of Safer Communities.

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.

Stirling Council

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.

The advantage of this proposed legislation is that it will help control smaller scale breeders who breed commercially rather than as breeders who's dogs happen to have more than one litter per year. Any healthy unneutered bitch could conceivably have a litter twice a year but three litters suggests very strongly that the animal is being bred for commercial uses which tends to involve the associated concerns over welfare of the dogs in particular and of the breed in general. Disadvantages may be that it imposes a level of scrutiny and enforcement on those who may breed and sell dogs as a self financing 'hobby'. These people are more likely to engage with any registration process and the opportunity to trace less scrupulous breeders may be lost in this as an unintended consequence as local authorities may not be provide adequate resource.

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?

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Partially supportive

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

I feel the legislation should include those who transfer or give away puppies. Making the sale a proviso needlessly complicates this and offers a potential 'out' for unscrupulous breeders. It may create a loophole that can be abused.

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.

This is a very common scenario and would place an unmanageable burden on local authorities as well as imposing a duty to inform those doing this of their responsibilities. I feel that would be viewed as an unnecessary and unwelcome imposition by many families who breed their family pet.

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 opposed

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

This would be very difficult to 'police'. It may also lead to litters simply being destroyed if they were seen as not only an inconvenience but a liability, this would have the opposite effect of the purpose of the bill.

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?

Partially opposed

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

This would be near impossible to impose and control. Given that the numbers of those receiving puppies would be about 7 or 8 fold the number of breeders then the administration of this would be very difficult to manage. A questionnaire is very unlikely to make a person consider if they were suitable to own a dog and the accuracy of

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?

any forms would be very difficult to check.

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

Any breeder is very unlikely to be able to vet the background or living conditions of a prospective buyer. The breeder would not be able to verify details and even if the breeder did make checks it would be a very straightforward process to fraudulently pose as someone else. An ordinary member of the public could not be expected to have the checks and balances in place that a large organisation has. Given that this is a transaction that both parties want to succeed then the motivation to ensure that the prospective buyer is suitable is low.

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 opposed

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

This is too big a consideration for local authorities to manage. It would also drive those selling puppies to more readily accessible means such as social media. This may also have an opposite effect than intended on animal welfare

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.

If it was incumbent on local authorities to manage this then it would create an enormous financial burden as

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

they would be inundated with complaints and intelligence from members of the public. There is no scope to recover this money. Enforcement revenue should never be considered as a potential income stream as with compliance any revenue will decrease. The staffing and administration associated to this very large task would be significant. Dog breeders would see little change as they are licensed in any case. The general public likewise as they are either buying from a recognised breed or from a more covert source, in either case the cost should be the same. There will be no cost implication to the police as they will not be involved in any enforcement or other administration. Welfare organisations may see an increase in costs if there is an adverse effect on puppies who are sold on by unscrupulous breeders.

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

Unsure

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.

This is more likely to affect poorer members of society who are more likely to buy a puppy from a small breeder or from someone who's dog has become pregnant, possibly unexpectedly. Mixed bred dogs (as opposed to cross bred dogs which are popular) are more likely to be sold to those who have less disposable income to buy a dog and in these circumstances the sale of any dogs are usually by word of mouth, on social media or other free advertising. Any charges imposed either on a seller or buyer is more likely to have an impact on those from a lower income

Page 15: General

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

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No Response

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

Unsure