

P-05-951: Impose a legal limit on the maximum number of breeding bitches in licensed dog breeding establishments in Wales

Y Pwyllgor Deisebau | 9 Mehefin 2020
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Reference: RS20/12390-1

Petition Number: P-05-951

Petition title: Impose a legal limit on the maximum number of breeding bitches in licensed dog breeding establishments in Wales

Text of petition: The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 has imposed the requirement for a breeder with 3 or more breeding bitches to be licensed as a breeding establishment. However, no maximum limit has been placed on the number of breeding bitches that can be kept in a licensed dog breeding establishment. There are therefore licensed dog breeding establishments in Wales that are breeding dogs on an industrial scale, with some establishments licensed to breed from 90 or 100 bitches on a single premises. Even if licensing conditions are met in these mass breeding establishments, the breeding of dogs on such an industrial scale is a highly questionable practice and needs to be reviewed. This petition therefore requests that Welsh Government hold a public consultation into defining a maximum limit on the number of breeding bitches in licensed breeding kennels. Included in this consultation should be a review of whether or not the Welsh public and Welsh organisations consider that the mass breeding of dogs is acceptable. The consultation also needs to consider whether the licensing local authorities in Wales have fulfilled their requirement to inspect and where necessary revoke dog breeding licenses, as if we are to permit the mass breeding of dogs then Welsh Government must ensure that local authorities enforce licensing conditions and fulfill their obligations as laid out in the 2014 Regulations.



Background

Current regulation of dog breeding establishments

Dog breeding is currently regulated under the *Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014* ('the 2014 Regulations'). The 2014 Regulations require that licenses are needed for breeders who keep three or more breeding bitches, breed three or more litters of puppies in a 12-month period and supply or sell puppies from these litters. Enforcement of the 2014 Regulations is undertaken by local authorities. The 2014 Regulations replaced the *Breeding of Dogs Act 1973* in Wales and introduced stricter welfare criteria for dog breeding.

As the petition states, there is no maximum limit on the number of breeding bitches that can be kept in a licensed dog breeding establishment.

In 2019 there were 260 dog breeding licences in operation in Wales, three of which were licensed for more than 100 breeding bitches.

Concerns around the current Regulations

There have been calls to improve animal welfare at dog breeding establishments across the UK. In Wales, there have been appeals to the Welsh Government to review and strengthen the 2014 Regulations. Examples include from RSPCA Cymru, the Kennel Club, and the Dogs Trust (PDF: 2.97MB).

Respondents to a Welsh Government's consultation on Third-Party Sales of Puppies and Kittens (February 2019) referred to the 'inability' of local authorities to 'properly inspect' licenced breeding establishments because of a 'lack of resources and limited training'.

There have been renewed calls for further regulation of dog breeding following a BBC documentary which highlighted poor welfare in some breeding establishments.

Welsh Government action

Following the aforementioned BBC documentary, in October 2019 the Minister for Environment, Energy and Rural Affairs, Lesley Griffiths AM, ('the Minister') set out urgent action to regulate the industry. This included commissioning a review of the 2014 Regulations by the Wales Animal Health and Welfare Framework Group.

The issue was raised again in Plenary on 29 January 2020. Following consideration of the Animal Health and Welfare Group's review, the Minister committed to legislating in this area during this Assembly. However at the time of writing, the Welsh Government is reprioritising its legislative programme in light of its response to the coronavirus emergency.

The Welsh Government commissioned the Wales Animal Health and Welfare Framework Group to review the 2014 Regulations at the end of 2019. The Group's report was published on 4 March 2020 alongside a written statement from the Minister. In her statement, the Minister committed to dedicated funding to improve delivery of the 2014 Regulations.

With regards to the maximum size of breeding establishments the review report states (page 33):

The current regulations allow breeders to license any size of breeding operation, provided that the regulations, including the licence conditions, are met. All stakeholders agreed that socialisation and enrichment was difficult to undertake on a large scale in any dog breeding establishment. It has been reported to the group that there is very little evidence of successful socialisation and enrichment programmes being undertaken at large scale private breeding establishments. However, stakeholders hold different opinions on whether there should be a cap on the number of breeding animals at a single premise. Some stakeholders believe that the largest establishments have better welfare provision than some medium-sized establishments. Many stakeholders consider that staffing ratios, and effective socialisation and enrichment plans are of more importance than overall dog numbers.

R9. The group recommends that further research is necessary in order to determine whether there would be an animal welfare benefit to capping the number of breeding bitches, and the number of total dogs, housed at a single breeding establishment. Without this it is not possible to determine whether there should be a limit on breeding unit size, or what that limit should be.

In her statement the Minister said that some of the recommendations could be adopted within the scope of existing legislation but that new regulations would be required to implement others.

In a letter to the Petitions Committee, regarding this Petition, the Minister said:

The suggested action would require legislative change. I made clear in my Written Statement for new regulations to be effective we must also tackle the barriers to enforcement Local Authorities are facing before proposing amendments to the current Breeding Regulations.

A number of recommendations from the recent review of the Animal Welfare (Dog Breeding) Regulations 2014, by the Wales Animal Health and Welfare Framework Group, have been made and these will now be taken forward by officials.

National Assembly for Wales action

The Committee has received several petitions regarding animal welfare at dog breeding establishments during this Assembly:

- [P-05-915: Call for better enforcement of puppy farms in Wales](#). This petition was submitted by Laura Clays, having collected 112 signatures;
- [P-05-939 Immediate embargo on new dog breeding licences, licence renewals and planning applications until regulations are fit for purpose and enforceable](#). This petition was submitted by C.A.R.I.A.D. having collected a total of 1,738 signatures; and
- [P-05-951 Impose a legal limit on the maximum number of breeding bitches in licensed dog breeding establishments in Wales](#). This petition was submitted by Dinah Mulholland having collected a total of 229 signatures.

The Assembly's [Climate Change, Environment and Rural Affairs Committee](#) questioned the Minister on this policy area most recently [during its draft budget \(2020-21\) scrutiny session on 16 January 2020](#). The Minister recognised there could be additional financial implications for local authorities in the enforcement of further regulations. She suggested this could be mitigated through collaboration by local authorities in order to maximise resources and expertise. The Minister acknowledged that additional funding for local authorities might be necessary eventually, after other opportunities had been exhausted.

[In response \(PDF: 425KB\)](#) to the [Committee's report on the draft budget \(2020-21\) \(PDF: 254KB\)](#) the Minister referred to a scoping project being carried out by the local authorities to determine how much additional resource is needed:

Officials have met with Local Authority representatives to discuss barriers to enforcement and issues surrounding licencing breeding establishments. Further to those discussions a scoping project is underway by the Local Authorities to determine what additional resource is necessary to maximise the use of existing structures and ensure a consistent approach to licensing breeding establishments across Wales.

On 12 December 2018 there was a short Assembly debate **on dog breeding**, during which some Assembly Members argued that poor breeding practice was disproportionately high in Wales.

Since then, dog breeding has been the subject of debate in Plenary several times. This has included calls from Assembly Members for the Welsh Government to review the 2014 Regulations. Welfare at dog breeding establishments was recently debated in Plenary on 29 January 2020. Members urged the Minister to take action in this policy area and introduce legislation. The Minister said that the Welsh Government was investigating barriers to enforcement of the current Regulations and also gave 'the cast-iron guarantee that we will have ... legislation in place in this term'.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.