

P-06-1465 Make Pet Abduction a Specific Criminal Offence in Wales

Y Pwyllgor Deisebau | 04 Tachwedd 2024
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Petition title: Make Pet Abduction a Specific Criminal Offence in Wales

Text of petition: Pets are family. Their abduction a traumatic experience. Despite this, stolen pets are regarded as personal property, with sentences dependent on monetary value.

In England and Northern Ireland, the Pet Abduction Bill 2024 will recognise the emotional and welfare impacts this crime has on people and pets. Dog abduction and cat abduction will become offences carrying a maximum prison sentence of five years. The Dog Abduction (Scotland) Bill is also being considered.

Wales has chosen not to introduce a pet abduction offence. Stolen dogs and cats will continue to be low priority as property theft in Wales. If caught, the sentence will generally be a small fine or suspended sentence.

We urge the Senedd to enact Pet Theft Reform in Wales by introducing a specific 'pet abduction' offence.

With the introduction of more specific penalties in England and Northern Ireland, pets in Wales risk becoming greater targets for thieves. We must offer our pets and their families the same level of security as other parts of the UK.



1. Background

1.1. Current legislation

The [*Pet Abduction Act 2024*](#) (the 'Act') introduced a new pet abduction offence, making the abduction of dogs and cats in England and Northern Ireland a specific criminal offence. Convictions can result in either a fine and/or up to five years in prison. The Act also confers powers to make corresponding provision relating to the abduction of other animals commonly kept as pets.

A [*House of Commons Library briefing*](#) provides further information on the abduction offence.

This new offence replaces pet theft law under the [*Theft Act 1968*](#) for England and Northern Ireland. Under the 1968 Act animals are defined as 'property' and the theft of a pet carries a maximum penalty of seven years imprisonment. However, sentencing is dependent upon the monetary value of the animal, thus, sentences for pet theft are [*commonly less stringent*](#).

The pet abduction offence under the new Act does not apply to Wales. In Wales and Scotland, the theft of a pet remains a criminal offence under the 1968 Act.

You may wish to be aware, in Scotland there is a [*Proposed Dog Abduction \(Scotland\) Bill*](#) which seeks to make dog abduction a statutory offence. The Bill has secured the right to be introduced as a Members Bill but has not yet been formally introduced to the Scottish Parliament.

1.2. Background to the Pet Abduction Act

The UK Government [*set up the Pet Theft Taskforce*](#) (the 'Taskforce') in May 2021 in response to public concerns surrounding rising pet theft during the Covid-19 pandemic. There were concerns that an increase in demand for pets, resulting in increased prices, was driving a reported increase in thefts. Evidence collected by the Taskforce suggests [*around 2,000 dog and 400 cat thefts*](#) in England and Wales were reported to the police in 2020. The Taskforce emphasised that "pets are not mere property but sentient beings".

[*The Taskforce's conclusion*](#) was that a new offence, 'pet abduction', should be created that "could switch the focus from the loss to the owner to the welfare of the animal" when sentencing.

Campaigners called for legislation that reflected the emotional value of pets to their owners, as well as the distress, to both owner and animal, associated with their theft.

The UK Government introduced the Animal Welfare (Kept Animals) Bill in 2021. It included provisions to create an offence of taking a pet without lawful authority in England. However, the Bill was withdrawn in June 2023.

The Pet Abduction Bill was subsequently introduced to the House of Commons on 6 December 2023 with provision to make pet abduction a crime in England and Northern Ireland. The Bill was a Private Member's Bill sponsored by Anna Firth MP and Lord Black of Brentwood and supported by the previous UK Government. It received Royal Assent on 24 May 2024.

2. Welsh Government action

The Deputy First Minister and Cabinet Secretary for Climate Change and Rural Affairs, Huw Irranca-Davies MS (the 'Cabinet Secretary'), wrote to the Committee regarding this petition.

The letter starts by acknowledging that "pet abduction or the loss of a pet is exceptionally upsetting and distressing for owners" and appreciates owners' desire for action.

The letter highlights that the Welsh Government has decided to prioritise delivering existing commitments for animal welfare, which it believes "will positively impact thousands of animals across Wales". The Welsh Government's current commitments for animal welfare are included in the Animal Welfare Plan for Wales 2021 to 2026, they do not include plans for introducing a pet abduction offence.

The Cabinet Secretary goes on to say that "whilst the theft of a pet is already a criminal offence under the *Theft Act 1968*, the Welsh Government retains the right to legislate on this area in future, should this be necessary." He then emphasises the Welsh Government's intention to continue to provide education to help owners to protect their pets.

3. Welsh Parliament action

The issue of pet abduction has been raised in Plenary.

On 27 March 2024, Andrew R.T. Davies MS asked the Cabinet Secretary what consideration had been given to adopting the Pet Abduction Bill. The Cabinet Secretary responded:

The theft of a pet is a criminal offence under the non-devolved Theft Act 1968 and the maximum penalty is seven years' imprisonment. I appreciate the loss of a pet can be distressing and officials are in dialogue with Local Authorities and the police regarding a range of matters around dog ownership. We are working to provide education for owners to help them protect their animals. For example, ensuring microchipping data is current, not tying pets up outside shops, not leaving them unattended in gardens if not secure and not letting pets roam out of sight when out walking, all of which will feature in the ongoing work on Responsible Dog Ownership.

After careful consideration it has been decided to prioritise resources to existing commitments for animal welfare in Wales at this time and therefore Wales will not be included in the UK Government Private Members' Bill on Animal Abduction.

On 16 September 2024, Mabon ap Gwynfor MS asked what impact the *Pet Abduction Act 2024* will have on Wales, and what consideration the Welsh Government has given to introduce a similar Bill to Wales. The Cabinet Secretary responded with similar comments to those above.

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.