

Petition P-05-743: End the Exotic Pet Trade in Wales

Y Pwyllgor Deisebau | 7 Mawrth 2017

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Research Briefing:

Petition number: P-05-743

Petition title: End the Exotic Pet Trade in Wales

Text of petition:

We call on the National Assembly for Wales to urge the Welsh Government to take action against the trade in exotic animals captured and bred for the pet trade in Wales, and to forbid the licensing of all businesses involved in this destructive, cruel and unethical trade, with clear exemptions for rescue centres and licensed rescue centres. We further urge the Welsh Government to follow the example of the Scottish Government which committed to a review of the trade and importation of exotic animals for the pet trade in Scotland in February 2015, led by The Cabinet Secretary for Rural Affairs and the Environment. For Wales to be taken seriously in the global conservation community, we maintain that we cannot be seen to be allowing this trade – which elicits the concerns of the British Veterinary Association (BVA), The Federation of Veterinarians of Europe (FVE) and the RSPCA – to continue in our own country.

Animals such as monkeys, meerkats, reptiles and turtles are wild animals who belong in their natural habitat, not in cages and glass tanks in somebody's home. Over 1000 species of mammals, birds, invertebrates, reptiles, amphibians and fish are bred and captured for the exotic pet trade, and it is our argument that the complex social, physical and behavioural needs of these animals cannot be met other than in their natural habitats. Furthermore, there is strong evidence linking the trade in exotic animals with habitat destruction and the extinction of species in the wild. In tandem with the suffering of such animals in transit – including many documented deaths – young animals can grow into dangerous adults which can become unmanageable in domestic environments not conducive to satisfying their welfare needs for increased space and food.

Background

Exotic pets in Wales

The Welsh Government's [National Survey for Wales 2014–15](#) estimated that around 4.2% of households in Wales keep a bird as a pet, while 1.4% keep reptiles. An [RPSCA Cymru survey \(PDF 1.22 MB\)](#) in 2015 found that 9% of households in Wales own or have owned a parrot, snake, lizard or monkey. The [Pet Food Manufacturers' Association](#) (PFMA) estimates that in 2015 there were 1.3m indoor birds, lizards, snakes, tortoises and turtles kept as pets in the UK, while the [Federation of British Herpetologists \(PDF 2.99MB\)](#) estimates there are over 7 million pet reptiles and amphibians. In 2016, [Heathrow Animal Reception Centre](#) reported 200,000 reptiles arrived into the UK.

Concerns surrounding exotic pets

Exotic pets can have complex husbandry needs which can be challenging and expensive to manage, and access to specialist veterinary advice can be limited. Stakeholders raise concerns that purchasing pets without an adequate level of knowledge or preparation could lead to neglect or cruelty, even if unintentional. [RPSCA Cymru reports \(PDF 1.22 MB\)](#) that in 2014 it received 407 complaints of cruelty relating to fish, exotic birds and mammals in Wales. Between 2012 and 2014, the RSPCA prosecuted nine defendants in Wales for offences involving exotic pets. Incidents relating to exotic pets include a [Marmoset monkey found in Newport](#), a woman [bitten by a 3m-long python in Swansea](#), and a [bearded dragon sent by post to a pet shop in Cardiff](#). There are risks to human health and safety associated with dangerous or venomous species. [NHS Wales hospital admissions data](#) for 2015/16 includes six admissions relating to bites and contact with reptiles and spiders.

More recently, concerns have been raised over the rise of pet vending on the internet. It is suggested that the internet provides easy and instant access to a range of species, leading to potentially ill-informed purchases. Stakeholders argue that sellers are not subject to the same strict criteria as a licensed pet shop, leading to little protection for animals or for buyers. The ['One Click Away'](#) investigation found that at any one time, around 25,000 exotic pets were advertised for sale on six websites which were studied.

In its response to a recommendation from a [2013 inquiry on primates as pets](#), the [UK Government stated](#):

The Government considers that regardless of the age of the Pet Animals Act 1951, it still provides appropriate protection for the welfare of animals sold as pets. The 1951 Act makes clear that a pet shop is: the "*carrying on at premises of any nature (including a private dwelling) of a business of selling animals as pets...*". This would therefore include businesses selling primates over the internet. Even a business selling over the internet must have premises where the animals are held and therefore should be licensed and subject to inspection.

The response also pointed to the work of the [Pet Advertising Advisory Group](#) (PAAG). PAAG is endorsed by the Welsh Government and promotes responsible pet advertising through education and cooperation between welfare organisations and websites.

Legislation relating to exotic pets

Legislation in Wales

Section 9 of the [Animal Welfare Act 2006](#), which applies to England and Wales, places a duty of care on pet owners to care for their pets' basic needs, introduces tougher penalties for neglect and cruelty, and gives greater powers for enforcers to intervene. The letter to the Chair from the Cabinet Secretary for Environment and Rural Affairs regarding this petition refers to the fact that:

It is the owner's responsibility to exercise a duty of care and to be responsible. Severe penalties can be imposed by the courts for not fulfilling such obligations, although I recognise it is better to avoid problems than to deal with them.

[The Good Practice Guidelines for the Welfare of Privately Kept Reptiles & Amphibians \(PDF 2.99MB\)](#), which are endorsed by the UK Government, underpin the *Animal Welfare Act 2006*. Breach of the guidelines is not an offence in itself, but in the event of any charges brought under section 9 of the Act, the Court may refer to the guidelines. The [2010 Code of Practice for the Welfare of Privately Kept Non-Human primates \(the Primate Code\) \(PDF 771KB\)](#) applies to England only.

Under The [Dangerous Wild Animals Act 1976](#), animal owners are required to possess a licence to keep [certain animals which are considered to be wild, dangerous or exotic](#). Licences are obtained from local authorities following an assessment of the owner and his/her premises.

The [Pet Animals Act 1951](#) protects the welfare of animals sold as pets, requiring any person keeping a pet shop to be licensed by the local council.

Section 14(1) of The [Wildlife and Countryside Act 1981](#) makes it an offence to release or allow the escape of any non-native animal into the wild. Anyone intending to import a non-native species into the UK must [apply for a licence](#).

The [Zoo Licensing Act 1981 \(PDF 775 KB\)](#) requires the inspection and licensing of all zoos in Great Britain.

The [Welfare of Animals Transport \(Wales\) Order 2007](#) applies to the transport of vertebrate animals in connection with an economic activity.

Under current Welsh legislation, there are no measures to license animal welfare establishments (or 'sanctuaries'). A [2012 report \(PDF 2857 KB\)](#) by the [Animal Welfare Network Wales](#) highlighted concerns associated with the lack of regulation in this area. [An](#)

[article on the 'In Brief blog'](#) gives more details. The report led to a petition, details of which are given below in the section on 'National Assembly for Wales action'.

International trade law and conventions

The [Convention of International Trade in Endangered Species of Wild Flora and Fauna](#) (CITES) aims to ensure the trade in wild animals and plants does not threaten their survival. There are [several thousand controlled species](#), for which the import, export and use for commercial gain requires a permit. The designated [CITES Management Authority](#) in the UK is the Defra Wildlife division. The Animal and Plant Health Agency issues permits and certificates.

A [permanent ban on the import of wild-caught birds into the EU](#) was introduced in 2007. This was primarily a response to avian flu, but was praised by NGOs such as the [Wild Parrot Trust](#), the [RSPB](#) and [Animal Aid](#) for its welfare and conservation implications.

Animal licensing

Animal licensing is commonly managed by a 'negative list' approach, in which access to certain species is restricted or subject to licensing. The approach in the UK [consists of multiple negative lists](#), which leads to a requirement for cross-checking across different legislative requirements. Without continual updates, it is suggested that there is potential that legislation remains silent on emerging issues. An alternative approach is based on 'positive lists', where the species which are suitable to be kept by private individuals are identified on a single list. All other species are either prohibited or require a licence. The burden of proof is shifted to the pet industry, to provide scientific evidence that a species is suitable for pet-keeping. More information on the use of positive lists [can be found on the ENDCAP website](#).

Cited stakeholder concerns

The petition refers to concerns of three particular organisations: the British Veterinary Association (BVA), the Federation of Veterinarians of Europe (FVE) and the Royal Society for the Prevention of Cruelty to Animals (RSPCA).

RSPCA position

The RSPCA is part of the coalition of charities [campaigning for a ban on primates as pets](#). The Cabinet Secretary in her letter to the Chair noted this campaign, stating:

Arrangements are in place for my officials to discuss the RSPCA campaign in greater detail over the coming months.

In its report [Animal Welfare Issues for the Fifth Assembly](#), RSPCA Cymru recommended that the Welsh Government:

should undertake a wholesale review of legislation surrounding the dealing, trading and selling of animals; including a key focus of the regulation of animals sold online.

[Their report on wild animal welfare \(PDF 1.22 MB\)](#) calls for more funding to investigate the trade in exotic pets in Wales, for a system of licensing or registration for animal sanctuaries.

BVA position

The BVA has [expressed concern about the welfare and trade of exotic pets](#). In 2015, the BVA also issued a [joint position statement on non-traditional companion animals \(PDF 141 KB\)](#) with the British Small Animal Veterinary Society (BSAVA), British Veterinary Zoological Society (BVZS) and Fish Veterinary Society (FVS). The statement gives a number of recommendations surrounding regulation and enforcement, including a ban on the importation of wild caught reptiles and amphibians into the EU. The BVA is also part of the campaign to ban primates as pets.

FVE position

[FVE](#) is an umbrella organisation of veterinary organisations from 38 European Countries. In 2013, it [called on governments of European nations to restrict the keeping of exotic animals as pets](#).

Other organisations

There are also organisations campaigning to defend exotic pet-keeping. For example, the Federation of British Herpetologists runs the [‘Hands Off Our Hobby’ campaign](#) which was set up in response to the announcement of the Scottish Government review. The [‘Hands off my hobby’ campaign](#) by the Ornamental and Aquatic Trade Association (OATA) works to defend ornamental fish-keeping as a hobby.

The [Reptile and Exotic Pet Trade Association \(REPTA\)](#) was formed to represent the views of those within the trade who are concerned about the potential impacts of campaigns against exotic pets. The presentation [‘Overview of the Exotic Pet Trade in the UK’ \(PDF 3.74 MB\)](#) gives further details.

Scottish review on the trade and importation of exotic animals

The petition refers to action by the Scottish Government. In February 2015, Richard Lochhead, the Scottish Cabinet Secretary for Rural Affairs and the Environment, [committed to a review](#) of trade and importation of exotic animals as pets. In November 2015, the Scottish Government held a [stakeholder meeting](#). The review was [raised in Scottish Parliament](#) (PQ S5W-04082) in November 2016. Roseanna Cunningham, Cabinet Secretary for the Environment, Climate Change and Land Reform responded:

The review of the exotic pet trade is part of a wider review of pet welfare, which is a substantial and on-going piece of work. Initial meetings with stakeholders have already been held on exotic pets and breeding and sale of pets and further meetings are planned to discuss what the welfare challenges are and on how animal welfare might be best assured in various situations.

Once the review is completed, proposals for changes to the current legislation and/or policies relating to pet welfare will be developed and, in due course, consulted on. It is still too early in the process to suggest what those changes might be.

The letter to the Chair from the Cabinet Secretary for Environment and Rural Affairs regarding this petition, notes that the Welsh Government is awaiting the outcomes of the Scottish review. Activity in England is also noted, specifically actions to, “overhaul the licensing of animal establishments, including pet shops”.

Welsh Government action

The [Wales Animal Health and Welfare Framework](#) is the Welsh Government’s plan for improving animal health and welfare standards for kept animals. The second iteration of this [annual implementation plan](#) spans 2016–17. In her letter to the Chair regarding this petition, the Cabinet Secretary for Environment and Rural Affairs refers to the implementation plan, highlighting its commitment to review Welsh Government Codes of Practice published under the *Animal Welfare Act 2006*. This also includes considering whether additional Codes of Practice are required for other species, for example, exotic animals. The Cabinet Secretary’s correspondence also notes the Wales Animal Health and Welfare Framework Group established to support the implementation of the Framework and advise the Welsh Government on animal health and welfare issues.

In December 2016, the Cabinet Secretary issued a [written statement on Mobile Animal Exhibits, including Circuses](#) which gave details of the plans to develop a licensing or registration scheme to manage Mobile Animal Exhibits.

National Assembly for Wales action

The Fourth Assembly petition [P-04-500 Call for Regulation of Animal Welfare Establishments in Wales](#) called for compulsory regulation of animal rescue establishments. It was first considered by the Petitions Committee in September 2013, and was closed in January 2016. This resulted in a new review by the Animal Welfare Network Wales (AWNW), which produced [an addendum to the report which had originally led to the petition](#). The potential for a Code of Practice for exotic pets, to be included in the wider review of Animal Welfare Codes of Practice, was raised in a [meeting of the Committee for Climate Change, Environment and Rural Affairs](#) (CCERA) on 2 November 2016, during the evidence session with the Cabinet Secretary for Environment and Rural Affairs.

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.