

## P-05-856: Ban the sale of puppies by pet shops and all commercial third-party dealers in Wales

Y Pwyllgor Deisebau | 15 Ionawr 2019

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### Research Briefing:

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Petition number: P-05-856

Petition title: Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales (Lucy's Law)

Text of petition:

We call on the National Assembly for Wales to urge the Welsh Government to implement a ban on the sale of puppies by pet shops and all commercial third-party dealers.

A ban on third-party sale of puppies for profit has been named 'Lucy's Law' and its implementation in England was recently announced. Lucy's Law has huge public, media and cross-party support and we call on the National Assembly for Wales to urge the Welsh Government to deliver Lucy's Law for Wales as a matter of urgency.

Removing puppies for sale from their mum often creates sick, traumatised, dysfunctional dogs. Puppies should be seen with their mum in the place they were born. Transporting them to a different place for sale harms their welfare. Regulating commercial third-party puppy selling is ineffective in preventing harm and a ban is therefore necessary for the welfare of puppies.

Breeding dogs kept in puppy farms are hidden from public view and often suffer from years of physical and psychological trauma. Regulating commercial third-party puppy selling is ineffective in preventing harm to breeding dogs and a third-party ban on puppy selling is therefore necessary for the welfare of breeding dogs.

A ban on the third-party sale of puppies will have a positive impact on breeding dogs, ensuring their visibility and enabling the public to act on best practice advice to view the puppy with the mum where the puppy was born.

In addition, illegal, unlicensed puppy farmers and puppy smugglers currently use licensed third-parties to sell their puppies, making it possible for them to operate under the radar and without the health and welfare of breeding dogs and puppies able to be monitored by local authorities. Regulating commercial third-party puppy selling is ineffective in preventing illegal puppy farming and puppy smuggling and a third-party ban on puppy selling is therefore necessary for the protection of dogs, puppies and the public as well as in the prevention of criminal activity.

There are no welfare advantages in selling puppies through commercial dealers. This practice only ensures breeding dogs are kept hidden from the public. As well as welfare concerns for animals, third-party sales create additional risks for public health and safety.

Puppy sales direct from reputable breeder or reputable rescue centre protects all parties through greater transparency and accountability. A ban on dealing in puppies for profit can only raise health and welfare standards for breeding dogs and puppies as well as providing greatly needed public protection.

The implementation of Lucy's Law in Wales is also vital if we are to address the damage that has been done to the reputation of Wales, which continues to be acknowledged as the puppy farming hub of the United Kingdom.

Principal Petitioner: [C.A.R.I.A.D.](#)

## Background

The Welsh Government [has committed](#) to launching a 12 week consultation on banning third-party puppy and kitten sales on 22 February 2019. In August 2018 the Secretary of State for Environment, Food and Rural Affairs, Michael Gove, [announced](#) that a ban on third-party puppy and kitten sales will be introduced in England. The UK Government is currently analysing the responses to its recent consultation: [Banning commercial third-party sales of puppies and kittens in England](#). This briefing provides a background to the issues.

### Lucy's law

'[Lucy's law](#)' is the term adopted for a ban on the sale of puppies by pet shops and other third-party commercial dealers. This ban would mean that pet shops, pet dealers and other outlets and licensed sellers of puppies would be unable to sell these pets **unless they themselves have bred them**. This campaign is based on animal welfare grounds; a ban would prevent the removal of puppies for sale from their mother and the rest of the litter at a young age. The campaign also argues that third-party sales create additional risks for consumers and public health and safety (see petition text above). The campaign has been named Lucy's law after the rescue Cavalier King Charles spaniel called Lucy, who was heavily bred at a puppy farm with little regard for her welfare.

A ban goes beyond the Welsh and UK Government's current licencing regulations (which are detailed below).

In November 2016 the House of Commons Environment, Food and Rural Affairs (EFRA) Committee [published a report](#) into the welfare of domestic pets, which included a recommendation to ban third-party sales of puppies:

We recommend that the Government ban third party sales of dogs. Dogs should only be available from licensed, regulated breeders or approved rehoming organisations.

The [UK Government rejected](#) the recommendation in January 2017, referring to lack of clarity over enforcement and stating it supported "robust licensing" as an alternative solution. It stated that:

Given the demand for dogs there is a risk that a ban on third party sales would drive some sales underground, and welfare charities are already concerned about the number of good breeders. We note that a number of established welfare charities with experience and knowledge of the sector have advised against a ban on third party sales. We consider that such a ban has the potential to increase unlicensed breeding in addition to a rise in the sale and irresponsible distribution of puppies, and may be detrimental to our welfare objectives.

The UK Government subsequently introduced regulations, [The Animal Welfare \(Licensing of Activities Involving Animals\) \(England\) Regulations 2018](#), using powers under the *Animal Welfare Act 2006*. The regulations came into force in October 2018. They include a licensing regime for third-party puppy sales, not a ban.

In terms of a ban, on 14 December 2017, an [early day motion](#) was tabled in the House of Commons on Lucy's Law which gained 89 signatures.

In February 2018 Michael Gove [launched a call for evidence](#) on a third-party puppy sales ban. The consultation was England-only and received just over 300 responses. Around 70% of responses provided arguments in favour of a ban and less than 10% provided arguments against. Concerns were raised about third-party sales such as lack of socialisation, increased risk of disease and increased behavioural issues. Evidence was provided on the effect a ban would have on the pet industry and whether such a ban would improve animal welfare. There was also a view that the new licensing regulations should be allowed to bed in before additional action is taken. A number of organisations suggested that third-party sellers might seek to present themselves as rehoming charities in order to escape the ban.

In March 2018, the [Lucy's Law UK e-petition was launched](#) entitled 'Ban the sale of puppies by pet shops and all commercial 3rd party dealers'.

On 21 August Michael Gove [announced](#) that a ban on third-party puppy and kitten sales in England will be introduced to help drive up animal welfare standards. He said

A ban on third party sales will ensure the nation's much-loved pets get the right start in life. I pay tribute to the Lucy's Law campaign, spearheaded by Pup Aid, C.A.R.I.A.D., and Canine Action UK, who

have fought tirelessly for this step. People who have a complete disregard for pet welfare will no longer be able to profit from this miserable trade.

On 22 August the Department of Environment, Food and Rural Affairs (DEFRA) [published a consultation](#) on plans to introduce a ban on commercial third-party sales of puppies and kittens<sup>1</sup> in England. The consultation responses are being analysed.

## Welsh Government action

### Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014

Animal welfare is devolved to Wales. The Welsh Government introduced [Animal Welfare \(Breeding of Dogs\) \(Wales\) Regulations 2014](#) with an aim to improve the standards of dog breeding in Wales. The Regulations came into force on 30 April 2015. The 2014 Regulations replace the [Breeding of Dogs Act 1973](#) in Wales and introduced stricter welfare criteria for dog breeding. The 2014 Regulations:

- require the licensing of breeders who keep three or more breeding bitches and either breed, sell, supply or advertise breeding or puppies for sale from their premises;
- introduce stricter welfare standards for breeding establishments;
- require breeders to adopt socialisation, enhancement and enrichment programmes for their animals; and
- create a minimum staff to adult dog ratio.

There are specific Model Licensing Conditions (MLCs) that have been developed by local government for use in Wales. The MLCs define the physical care required for breeding bitches and puppies and introduce new requirements around [socialisation](#) and [environmental enrichment](#), designed to help ensure that puppies are better prepared for life in a family setting.

### On-going concerns around dog breeding

Several animal welfare charities are concerned that the current regulations do not go far enough to protect the health and welfare of dogs and therefore advocate a ban. Some examples are the [RSPCA](#), [Kennel Club](#), [Dogs Trust](#), [Battersea Dogs and Cats Home](#), and [Mayhew rehoming centre](#).

### Welsh Government consultation on a ban

At the RSPCA Gala Dinner on 5 November 2018 the then Cabinet Secretary for Energy, Planning and Rural Affairs (now Minister for Environment, Energy and Rural Affairs), Lesley Griffiths,

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<sup>1</sup> Cat breeding, unlike dog breeding, is not currently regulated.

[announced](#) that a consultation will be launched in the New Year (2019) into the impact of banning the third-party sales of puppies and kittens.

The following week, on 13 November 2018, Lesley Griffiths made a [statement on animal welfare](#) in Plenary in which she re-iterated this commitment:

a number of colleagues have raised the issue of Lucy's law with me over the last few months. It is essential we address the root cause of any welfare concerns in changes to legislation. Last week, I announced we are undertaking a consultation early in the new year on this important issue.

## National Assembly for Wales action

Lesley Griffiths was questioned on Lucy's law [in a Climate Change, Environment and Rural Affairs \(CCERA\) Committee meeting on 4 October 2018](#). She said:

In relation to Lucy's law...I think we've seen far too much of that horrific practice. So, we've already introduced a number of animal welfare measures, and you referred to—. We've done it before England. I think they've caught us up in lots of respects. So, what I've asked officials to do is to look at this. I think there's a really robust campaign around Lucy's law, and I think it's something that I would want to do.

Christianne Glossop, Welsh Government's Chief Veterinary Officer, went on to say:

...it's about making sure we have our own rules that dovetail in with England so that we don't create this kind of perverse imbalance, and I think that's about working together. So, we're working very closely with our colleagues, in fact across the whole of the UK, because we know that puppies don't just come across the England-Wales border; we get puppies from Ireland and puppies from Scotland as well.

On 12 December 2018 there was a [short debate in Plenary](#) on Lucy's law. Andrew RT Davies, AM, highlighted the scale of poor animal welfare seen in dog breeding in Wales:

Regrettably, Wales is now renowned as a hotspot for some of these despicable practices, with a significant number of puppy farms situated in the counties of Carmarthenshire and Ceredigion. In fact, rural south-west Wales has the biggest concentration in the whole of the United Kingdom of commercial dog breeders, and it is a sadly widely known fact that it has been churning out puppies in terrible conditions.

He went on to say:

The enforcement of a ban is backed by numerous animal groups, such as the Dogs Trust and Cats Protection, and should prove far easier and far cheaper than a licensing system that is strangled with bureaucracy and a lack of resource.

Lesley Griffiths responded to the debate:

Nothing stops the movement of pets bred in Wales into other parts of the UK and vice versa. So, if we only looked at one step in the chain, I think it would really be a lost opportunity to make a very lasting and effective change. We must also ensure the welfare of animals at breeding establishments is not compromised as a result of any well-intended changes. The consultation process is absolutely key to this, and I don't want to pre-empt its outcome by discussing any detail of that today. The consultation

will seek views and ask for evidence to help us paint a full picture of the supply chain of puppies and kittens, where in the chain there are welfare concerns, and also how a change in policy or legislation could address those concerns.

... I don't want to discount any options available to us, and I've made it very clear I'm committed to addressing the concerns associated with third party sales. I absolutely stand by this and I can say today the 12-week consultation will be launched on 22 February...

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.