

Petition P-05-915: Call for better enforcement of puppy farms in Wales

Y Pwyllgor Deisebau | 19 Tachwedd 2019
Petitions Committee | 19 November 2019

Petition Number: [P-05-915](#)

Petition title: Call for better enforcement of puppy farms in Wales

Text of petition: Following on from the disturbing footage of puppy farms in Wales we need to see greater enforcement of the licensing of puppy farms carried out by local councils in Wales.

Recommendations:

- Closing puppy farms that do not meet the required criteria
- Prosecuting puppy farms that put animal welfare in danger
- Greater transparency on regulated visits - there should be public records like those published by the Food Standards Agency on the hygiene ratings of restaurants. The public should be able to review the inspection records.

1. Background

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

The Welsh Government introduced *Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014* ('2014 Regulations') in an aim to improve the standards of dog breeding. The Regulations came into force on 30 April 2015. The 2014 Regulations replaced 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 have been examples of [prosecutions](#) where breeders have continued to breed and sell puppies without a licence.

Enforcement of the regulations is undertaken by local authorities. In April 2018, the Welsh Government published [Dog breeding establishments: guidance for local authorities](#). The guidance is for local authorities to ensure that the needs of a dog, as set out under Section 9 of the *Animal Welfare Act 2006*, are met, i.e. to include:

- (a) its need for a suitable environment;
- (b) its need for a suitable diet;
- (c) its need to be able to exhibit normal behaviour patterns;
- (d) any need it has to be housed with, or apart from, other animals; and
- (e) its need to be protected from pain, suffering, injury and disease.

There are specific Model Licensing Conditions (MLCs) that have been developed by local authorities for use in Wales with regards to the 2014 Regulations. 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.

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

RSPCA Cymru's [Delivering for a decade: 10 years of the Animal Welfare Act in Wales: 2007-2017 \(PDF 1.37MB\)](#) (page 16) outlines RSPCA's continued concerns around dog breeding, particularly around staff to dog ratios. It sets out a recommendation:

While a positive step forward, the minimum one staff member to 20 breeding bitches ratio threatens to undermine the purpose of the regulations. Sadly, this

ratio excludes puppies. Given that one breeding bitch could have a litter of up to 10 puppies, RSPCA Cymru fears this ratio will provide a legal safeguard to a situation whereby one attendant faces the prospect of caring for more than 200 dogs and puppies at once – allowing little over 120 seconds to provide for each animal in a working day. RSPCA Cymru has long argued that any minimum staffing ratio should take into account puppies, studs and bitches.

Respondents to the Welsh Government's consultation [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 regulation of puppy farms following a [BBC documentary](#) which highlighted welfare issues in some breeding establishments.

Banning third party sales of puppies and kittens

Currently, puppies and kittens can either be purchased directly from a breeder, via a third party seller, or from a rescue/rehoming centre.

[There have been calls](#) (e.g. the 'Lucy's law campaign) for a third party sales ban which would mean that pet shops, pet dealers and other outlets and licensed sellers of puppies and kittens would be unable to sell these pets unless they had bred them themselves. The rationale is that this would prevent the removal of puppies and kittens for sale from their mother and the rest of the litter at a young age.

The issue is complex and the [UK Government has previously opposed the ban](#) (2016), stating that it has the potential to increase unlicensed breeding and could result in a rise in the sale and irresponsible distribution of puppies. However, in December 2018 the [UK Government confirmed](#) it will be banning third party sales of puppies and kittens in England.

A [Research Service blog post](#) provides further information.

2. Welsh Government action

The Welsh Government published a consultation in February 2019; [Third Party Sales of Puppies and Kittens](#). Whilst many supported the ban in Wales, some called for a more robust licensing system to make breeders and sellers 'more visible and traceable'.

On 18 July 2019, [the Minister for Environment, Energy and Rural Affairs](#) ('The Minister') committed to introducing a ban on the third party sale of puppies and kittens. She also put forward her intention to revisit the 2014 Regulations to improve welfare conditions at breeding establishments ahead of the ban.

Following the aforementioned BBC documentary, the Minister made a statement on 9 October 2019 setting out further urgent action to regulate the industry ahead of the ban:

I have written to the Wales Animal Health and Welfare Framework Group to accept their offer of help and request an urgent and immediate review of our dog breeding regulations. The review will include full consideration of any current barriers to enforcement and how impartial veterinary advice is provided during the licensing and inspection process.

I have written to all Local Authority CEOs to raise concerns and invite relevant representatives to a meeting with the Chief Veterinary Officer for Wales to discuss the licensing process, enforcement and barriers to it.

The Chief Veterinary Officer for Wales immediately referred the BBC programme to the Royal College of Veterinary Surgeons.

Officials are developing a campaign aimed at members of the public who may be considering purchasing a puppy highlighting the importance of sourcing responsibly.

The Minister's letter to the Committee states that:

The Welsh Government will continue to work with key stakeholders, including Local Authorities and the other Administrations to ensure we introduce changes which will have a lasting impact on the welfare standards of dogs and cats bred in Wales.

3. National Assembly for Wales action

The Petitions Committee has recently considered the petition P-05-856 Ban the sale of puppies by pet shops and all commercial 3rd party dealers in Wales.

The issue of dog breeding has been the subject of discussion in Plenary several times in recent years. This has included calls for the Welsh Government to ban the third party sales of puppies and kittens and to review the 2014 Regulations.

These issues were discussed in Plenary most recently on 9 October 2019 when the Minister set out her strategy which included more urgent action (detailed above). She was asked for the expected timelines around the safeguards. The Minister said (emphasis added):

In relation to the actions I've taken following the [BBC] documentary, obviously that is urgent, and we will do that over the next month or so. Certainly, **the**

group will look at the breeding regulations for me very quickly—I would hope by the end of the year.

In relation to the Lucy's law consultation, I didn't want to get any unintended consequences from that, but, again, I've asked the CVO [Chief Veterinary Officer] to look at when we can bring that in much quicker than we'd anticipated due to all the other ongoing work we've got, particularly in relation to Brexit. I am aware that the CVO's office is particularly stretched. **So, in relation to a timeline for Lucy's law, I think I will have to write to the Member, but I would hope certainly by the spring.**

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.