

Animal Welfare

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The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice)

I congratulate my hon. Friend the Member for Tiverton and Honiton (Neil Parish) on securing this debate on a matter that affects so many of us, and thank him for his Select Committee reports into animal welfare in England that we are debating today.

Last month my Department published proposals to overhaul the laws on a number of animal-related licensing schemes, such as the regulations on pet vending, animal boarding, riding schools and dog breeding. The main aim of our proposed changes is to improve animal welfare and to make the licensing schemes easier to enforce.

I want to begin by talking about the issue of dog breeding, which a number of Members have raised. As my hon. Friend will recall from the time when I was on the Environment, Food and Rural Affairs Committee, I have long argued that we should reduce the threshold before which people have to be licensed by the local authority to breed dogs. I have argued that for some six months, and it is a pleasure to remain in a position in DEFRA for long enough to actually see through something I have argued for so long. Included, therefore, in our proposals is that anyone breeding and selling more than two litters in a 12-month period will need to be licensed by their local authority. This will have the effect of increasing substantially the number of dog breeders needing to be licensed by about 5,000 per year.

We have also, crucially, proposed that statutory conditions will be applied to all licensed establishments. In relation to dog breeding, that will mean that basic standards taken from the model licence conditions and guidance for dog breeding establishments 2014, published by the Chartered Institute of Environmental Health, will be applied directly to all licensed breeders.

We had in our consultation initially proposed that there could be an exemption from requiring a licence for breeders who signed up to United Kingdom Accreditation Service-accredited schemes. The Committee and others expressed concerns about going that far, so we listened and have modified that proposal to enable local authorities to recognise risk and to recognise people who sign up to accreditation schemes without removing entirely the need for a licence.

On the question of a ban on selling dogs by third parties, which a number of hon. Members have raised, I understand the desire to try and help potential buyers realise

that puppies should be seen with their mothers before they are purchased. Indeed, DEFRA makes such a recommendation. However, I think the specific proposal for an outright ban on all third-party sales is more problematic.

First, we have to consider who would enforce it and how they would do so. Local authorities have to balance their local priorities, and trying to establish whether a particular online advertiser of puppies is located in their area would require the commitment of considerable resources. As I have said, we have already increased the burden on local authorities by taking the number of people required to be licensed from 600 to some 5,000. The demand for dogs is also such that in our view there is a significant risk that an outright ban on third-party sales would simply drive the market underground.

We have therefore decided to address the problem in a different way, through a tougher approach to licensing provisions and to enforcement of the provisions in the Pet Animals Act 1951. First, we are placing beyond any doubt that online commercial sellers need to have a licence. It is not a pet shop licence; it is now a licence for animal sellers, and we will make that absolutely clear in revisions to the licensing conditions. Secondly, as with dog breeders, we propose that statutory conditions should be applied to all licensed pet sellers, whether online or a shop. These will again be based on the Chartered Institute of Environmental Health model conditions for pet vending licensing of 2013. Thirdly, we have also made it clear that, as a condition of having such a licence, if breeders advertise online they will in future need to state their licence number. That will be particularly important in helping with enforcement. I believe that these steps to strengthen the licensing regime currently set out under the 1951 Act go a long way towards addressing the concerns raised.

A number of hon. Members, including the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), raised the issue of puppies being brought through ports. I know there are concerns about the import of puppies for sale, and this is an area where we take action. It is a condition of approval that the transport company checks 100% of all those pets declared to them for compliance with the current EU pet travel scheme. Stringent penalties are in place for those who breach the law by smuggling pet animals or using false documentation.

The Animal and Plant Health Agency has been conducting random audit checks on pet animals arriving in Great Britain. Since December 2015, the agency has been working with Kent County Council, Dover police and the Dogs Trust to identify underage dogs, and in that time, 489 puppies have been seized and placed in quarantine kennels. The majority of them were judged to be younger than the age given on their passports. We have taken action, through our chief veterinary officer, to escalate our concerns to the

authorities in the relevant countries from which the dogs came. We take this issue very seriously.

I shall turn now to the crucial part of the debate: the issue of maximum penalties for animal welfare offences. The hon. Member for Redcar (Anna Turley) gave the House some touching examples of cases that she had seen in her constituency. I know that she and my hon. Friend the Member for Torbay (Kevin Foster) have both recently introduced private Members' Bills to address this question, and the hon. Lady expressed her frustration at the Whips having objected to her Bill. I can tell her that she joins a large and illustrious club of hon. Members who have faced such a fate—myself included, some years ago—so she should not take it personally.

This is fundamentally a matter for the Ministry of Justice, but my Department obviously works closely with the Ministry. At present, the maximum penalty for such offences is six months' imprisonment and/or an unlimited fine. The unlimited fine was raised from £20,000 only in 2015. In addition, offenders can be disqualified not only from owning an animal but from having influence over the way in which an animal is kept, for as long as the court sees fit. This is an important point because it covers not only owning an animal but issues such as arranging transport.

My noble Friend Lord Gardiner is in regular contact with the Ministry of Justice to discuss the question of maximum sentences. Current sentencing practice for such offences does not suggest that the courts are finding their sentencing powers inadequate. That is to say that changing the maximum sentence would not make a difference if the courts consider a lower sentence appropriate. However, the Sentencing Council has recently reviewed the magistrates court sentencing guidelines, including those relating to animal cruelty. The revised guidance, which is published on the Sentencing Council's website and which will be effective from May, will allow magistrates more flexibility when imposing penalties towards the upper end of the scale. In addition, I will ensure that hon. Members' representations for a change in the legislation to allow for higher maximum penalties are relayed to colleagues in Government.

I want to turn now to some of the other points that have been raised in the debate. My hon. Friend the Member for Tiverton and Honiton raised the question of an animal abuse register. I know that the police are considering how they can improve access to the register that they already have. The police national computer provides a searchable single source of locally held police operational information, and there is existing functionality for a police officer to apply a person marker, which can also deal with this issue. My hon. Friend also raised the question of enforcement. We are in discussions with the National Companion Animal Focus Group to try to develop standards of competency and to raise all local authorities to the level of the best.

My hon. Friend the Member for Southend West (Sir David Amess) raised the issue of the Pet Advertising Advisory Group. I would like to pay tribute to the six website groups—Gumtree, Pets4Homes, ePupz, Preloved, Viva Street and the Hut Group—that have signed up to this. In many cases, those organisations automatically email guidance on keeping pets to people who make a particular search. Organisations including Gumtree immediately take down adverts posted by people who are making repeat sales and high volume sales. It is through working with such organisations that I believe we can make good progress.

My right hon. Friend the Member for Chipping Barnet (Mrs Villiers) and the hon. Member for North Ayrshire and Arran (Patricia Gibson) raised the issue of farm animal welfare, which I know we have covered before. As I have explained, we have a manifesto commitment to reflect farm animal welfare in our future farm policy. My hon. Friends the Members for Taunton Deane (Rebecca Pow) and for Plymouth, Sutton and Devonport (Oliver Colvile) talked about education. We are, through our consultation, planning to introduce a requirement for pet sellers to give guidance to people on certain pets, particularly exotic pets. Guidance relating to pet animals also exists in the current school curriculum.