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Llywodraeth Cymru  
Welsh Government

Welsh Government  
Consultation – summary of response

A Ban on Third Party Sales of Puppies and Kittens

5 October 2020

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

## The Consultation Exercise

### Background Information

Currently, puppies and kittens can either be purchased directly from a breeder (licensed or unlicensed depending on the number of breeding bitches at the premises), via a third party seller, or from a rescue/rehoming centre. There are no national records of the number of puppies and kittens sold via third parties.

Commercial third party sellers are those who are licensed pet sellers: In Wales they will hold a licence under the Pet Animals Act 1951.

Commercial third party sales may be associated with poorer welfare conditions for the animal compared to buying direct from the breeder. For example, the introduction to several unfamiliar environments and likelihood of multiple journeys may contribute to an increased risk of disease and lack of socialisation and habituation.

There are a number of ways someone can buy a puppy or a kitten from a legal source;

1. From a licensed breeder (those with at least 3 breeding bitches)
2. From an unlicensed breeder (those with less than three breeding bitches or those breeding cats)
3. From a third party seller (someone who has not bred the puppy or kitten themselves)
4. From a sanctuary/rescue/rehoming centre

The emotional draw to purchase a puppy or a kitten is sometimes the over-riding reason people succumb to purchasing an animal from someone they know they should not. Their primary reason for doing so seems to be the welfare of the animal and those selling the puppy or kitten does play on this.

Optimising welfare standards across the whole industry is vital to the Welsh Government. A key aspect of the proposed new legislation is to promote responsible breeding and ensure puppies and kittens are bred in suitable conditions. Enrichment and proper socialisation of breeding these animals plays an essential role in ensuring a balanced family pet. The majority of licensed breeders recognise the importance of the conditions placed on them and strive to meet those conditions and where possible go beyond this with additional investment.

The proposals being considered will entail changing licensing arrangements for the sale of pet animals including puppies and kittens and will also lead to the ban on the sales of puppies and kittens below 6 months old. Any ban introduced on its own cannot tackle all the problems associated with puppy trading. The proposed ban would be one part of the body of work associated with improvements in welfare standards at dog breeding establishments and tackling barriers to enforcement.

Breeding cats and dogs is a legitimate business and whilst most breeders ensure the welfare of their animals are met, there are some that are falling short of the standards required. If Welsh Government is to make a difference in Wales we want to ensure there are no loopholes to be exploited by the unscrupulous so the responses received are really valuable in shaping our next steps.

## **Public Consultation**

The 8 week consultation on A Ban of Third Party Sales of Puppies and Kittens was launched on 22 June 2020 and closed on 17 August 2020. The consultation was published on the Welsh Government website and publicised on various social media platforms.

We were also keen to seek the views of children and young people in Wales. Children in Wales hosted our Children and Young People's Consultation through their website and we received 59 responses. The full report can be viewed at Annex B.

Both consultations looked at the positives and negatives effects that a proposed ban would have on commercial third party sellers of puppies and kittens.

## **Consultation Questions**

The respondents were asked to consider 9 questions as listed below.

## **Responses to the Consultation**

There were 226 responses to the consultation. The organisations which responded are listed at Annex A.

## Question 1:

### Do you agree with a ban on the commercial third party sales of puppies and kittens?

97% of respondents agreed with a ban on commercial third party sales of puppies and kittens. The majority of responses expressed concerns with the welfare of the puppies and kittens being bred in unsuitable environments.

- “The primary motive for sale by third parties is primarily for profit, not animal welfare.” (Anonymous)
- “Cats Protection is supportive if a ban on the commercial third part sales of puppies and kittens in Wales, provided loopholes in similar legislation in England are reviewed and addressed by a ban introduced by Welsh Government. There also needs to be effective enforcement.”

A ban on commercial third party sales of kittens could therefore help to address the following welfare concerns around kittens in a pet shop environment or that of a dealer:

- **Socialisation is vital to ensure that kittens will become well-adjusted pets.**  
Exposing domestic kittens to a variety of positive experiences including the common sights, sounds, smells and textures they are likely to encounter in a home will allow them to cope with the home environment and in the long term they are far less likely to experience high levels of stress or develop behavioural problems as an adult. Often kittens in pet shops or kept in poor conditions by dealers do not get the right type of exposure to people, other animals, sounds etc. during their critical socialisation period which means they make fearful pets.
- **Kittens are at greater risk of contracting infectious disease than adult cats.**  
Disease control is often not optimal in pet shops or dealers premises and litters of kittens may be mixed which increases the risk of infectious diseases such as feline herpesvirus, feline calicivirus and feline parvovirus being prevalent.
- **Kittens may be handled by a greater number of unfamiliar people and in an uncontrolled way which can be stressful for the kittens.**
- **Pet shops and dealers can encourage irresponsible breeding of cats** as some advertise that they buy kittens. This can encourage people to breed kittens in order to supply pet shops and dealers and receive remuneration.” (Cats Protection)
- “The enormous weight of evidence, gathered over many years supports the urgent need for a ban on third party selling in Wales, while arguments against a ban are unsubstantiated. Further research is unnecessary, as it will only corroborate the need for a ban while needlessly delaying its implementation, causing unacceptable ongoing welfare harm.” (CARIAD, Canine Action UK and Pup Aid)

RSPCA Cymru mirrored these comments in respect of welfare concerns:

- “As stated in previous responses, the RSPCA believes that banning third party sales, with robust enforcement, has the potential to offer benefits to securing better welfare standards for puppies and kittens bred in Wales. Any measure that simplifies the breeding/selling/acquiring a pet process, raises awareness and allows members of the

public to better understand and navigate what is or isn't legal, enables them to make conscious decisions that are better informed. This also supplements the regulatory and enforcement process as consumers become more aware of the correct way to acquire a pet in such manner as to better protect that animal's welfare. By permitting licenced breeders to only sell direct to the public, it may improve transparency at breeding premises and reduce the need for multiple journeys of puppies and kittens. As highlighted in our May 2019 consultation response<sup>1</sup> on this issue, there are a number of potential welfare issues associated with commercial third party sellers of puppies which it can be assumed have to the potential to be addressed via the proposed ban.”  
(RSPCA)

Similar views were raised by many of our respondents:

- “Yes I agree on a ban of puppies and kittens as people are breeding for monetary gains with no thought of the health implications for the puppies/kittens as they don't health check the parents.” (Jacquelyn Jachontow)
- “Battersea is supportive of a ban on commercial third party sales of puppies and kittens. If properly enforced, it could potentially stop one key route to market for low welfare, high volume breeders (commonly termed, puppy farmers) who put profit ahead of the welfare of the animal in their care. They do not want to bring customers to the puppy farm, as they know many will be put off by the awful conditions in which breeding bitches and their puppies are often kept. It is in their commercial interest to keep the actual breeding premises out of sight – and it is therefore in the interest of welfare to make this chain as transparent as possible; which means eliminating this network of third party sellers.”  
(Battersea Dogs & Cats Home)
- “Yes I agree with a ban to prevent unscrupulous traders masquerading as rescue centres selling what are intensively farmed (puppy farming) animals for profit.”  
(Anonymous)
- “The Kennel Club has called for a ban on third party puppy sales for a number of years and strongly agrees with the principle. It is impossible to attain appropriate welfare standards for puppies sold through third parties. The existing legal third party sales framework facilitates the sale of puppies bred in the UK puppy farms and the legal and illegal trade of imported puppies.

It is therefore against Kennel Club rules to sell Kennel Club registered puppies through commercial third parties, however, we have no jurisdiction over puppies not registered with the Kennel Club (approximately 60%). For these reasons, we would strongly welcome the proposed ban on the third party sale of puppies in Wales.

Compromises to the puppy welfare are inherent to the third party sale of puppies. Even if carried out to the optimum standards possible, this sales route exposes puppies to significant additional stress early in life. In a transaction from breeder direct to a new lifelong owner, the adjustment from the environment in which the puppies were bred, being with their littermates and mum, to their new 'forever home' can be a stressful time for a puppy. Introducing unnecessary additional changes for puppies at a young age can only increase stress and confusion for the puppy. Conducting the sale of puppies

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<sup>1</sup> <http://www.politicalanimal.org.uk/wp-content/uploads/2020/01/Welsh-Government-Third-Party-Sales-Consultation-RSPCA-Response-May-2019-2.pdf>

away from the location at which the puppies are bred and reared reduces the transparency in the system and facilitates horrific breeding practices.” (Kennel Club)

In addition to the welfare of the puppies and kittens, other factors were also evidenced by our respondents such as Local Authorities, Licensing & Registration, Imports, Pet Travel Scheme, removing the animal from its mother, puppy farmers and accountability.

Here are a selection of the many responses we received covering this:

- “All breeders being licensed or registered and having a license or registration number (even if the breeder has only had one litter). Licensing should apply to those breeders producing more than a minimum number of litters per year and would include inspection of premises etc. Those breeding beneath this threshold would be required to register the litter (even if it was an accidental matting) through e.g. a simple online portal that would generate them a registration number. A registration/license number would enable traceability and could be shown on online adverts etc. Without ensuring that all breeders are either licensed or registered, some disreputable breeders would be able to operate below the licensing threshold and local authorities would not be aware of their activities or be able to inspect them. This could be accompanied by the straightforward digital solution of a public facing online portal that enables purchasers to check the registration status of breeders. Whilst mostly applicable to breeding at this time, the same could be applied to cat breeding too providing standardisation across these two major species for prospective pet owners.” (PDSA)
- “Many local authorities have seen significant cuts to their funding over recent years. The lack of resources is also a real problem with the local authorities being unable to proactively investigate unlicensed sellers. A quarter of local authorities in Wales carried out no investigations at all in 2015, which allows welfare concerns in licensed establishments to go unchallenged<sup>2</sup>. This is concerning considering Wales had the highest density of registered breeders in Great Britain at the time with 179, with 81 in Carmarthenshire and 41 in Ceredigion<sup>3</sup>.

As part of the preliminary work of introducing any new legislation, we would like to see the Welsh Government continue to work with local government to gain a better understanding of the challenges over-stretched local authorities currently face when carrying out investigatory work into suspected animal welfare offences and the resources needed to ensure compliance.” (CAWGW)

- “It has been suggested that people may be able to circumvent a ban on the commercial the [sic] party sale of puppies and kittens by importing pets from abroad. Pets can be imported to England and other parts of the UK via the Pet Travel Pet Scheme and the Balai. However a ban on the commercial third party sales of puppies and kittens in Wales would apply to imported animals. This is because only those people who had bred animals would be allowed to conclude the sale in Wales. As a result, third party sellers will be prevented from selling imported animals within Wales.” (David Cowdrey IFAW)

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<sup>2</sup> <https://www.bluecross.org.uk/sites/default/files/downloads/Unpicking%20the%20Knots%20report.pdf>

<sup>3</sup> <http://www.bdch.org.uk/files/Licensed-Dog-Breeding-in-Great-Britain-report.pdf>

- 21% of survey respondents saw neither the Mum or Dad at the time of purchase. This raises the possibility that these puppies were in fact sold by dealers rather than the breeders. If breeders had to also show Mum with the puppies then this would be an improvement. It should be noted our survey did show that that 51% did see Mum or Mum and Dad. However, several respondents didn't think the dog presented by the breeders as Mum actually was the Mum, so again these could have been third party dealers with a stooge Mum and/or Dad." (Hope Rescue)
- "In many cases these puppies have been taken away from their mother too soon, this means that the puppy is not getting the good bacteria needed to combat dog health issues. The dealers in many cases have not taken the animal to the vets for its necessary vaccinations, so the new owners is probably faced with huge vets bills. This is so wrong." (Anonymous)
- "I absolutely believe that third party selling of dogs and cats, MUST be banned, puppy farming is rife, and their trading is aided by these third parties, it enables puppy farming to carry out its appalling treatment of brood bitches behind the scenes and fool people into thinking that these puppies are coming from a reliable source. I believe that if someone wants a puppy they should make the effort to find a REPUTABLE breeder and be prepared to be vetted by that breeder. Puppy farming MUST STOP and the only way that will happen is if the government and councils BAN THIRD PARTY SELLING!" (Anonymous)
- "I have seen first-hand the appalling state of dogs used for breeding on puppy farms. There must be more accountability." (Anonymous)
- "Puppies and kittens don't need to be sold through third parties. If everyone breeding puppies had a licence or had to register their activities then any follow up required could be managed." (Anonymous)
- "Yes, absolutely. I have seen first-hand the appalling state of dogs used for breeding on puppy farms. There must be more accountability." (Anonymous)

3% of respondents disagreed with a ban on commercial third party sales of puppies and kittens:

- "The 1951 Act is comprehensive in terms of the requirements on pet shop owners to keep animals in "appropriate" conditions." (Anonymous)
- "Bans on commercial third party sales have done nothing to improve animal welfare wherever they have been introduced. Worse, they6 [sic] have worked to lower animal welfare standards. England has banned third party sales of puppies and kittens. People now have to travel many miles in order to see a puppy or kitten. They don't want to do this so they order one online. Some find dealers in Wales to supply their new pet. Others order from Eastern Europe or elsewhere." (The Self Help Group for Farmers, Pet Owners and Others experiencing difficulties with the RSPCA)

## Question 2:

### Do you think that a ban should apply to any other animals sold in pet shops?

83% of respondents agreed that a ban should apply to other animals that are sold in pet shops. Various species were mentioned such as rabbits, fish, exotic animals and birds.

- “Yes, millions of rabbits are bred each year for children to have and then discarded a few weeks or months later because the child got bored, same for hamsters and any other animal found in pet shops. This is the reality of what goes on and why we need to stop over producing animals and therefore reduce the number of animals we kill because the demand is less than the amount we produce. Also many pet shops give out incorrect information. You just have to look at the cages and hutches in the pet shops to see that what they sell is unsuitable for the animals that they are sold for.” (Anonymous)
- “Many exotic pets end up being dumped when their owners realise they need looking after.” (Anonymous)
- “In Wales, 47% of households own at least one pet, with dogs and cats making up the larger proportion of pet trade species at 62% and 39% retrospectively<sup>4</sup>. While dogs and cats are therefore likely traded in greater numbers, there is a strong argument that all pets require the same protection and indeed Animal Welfare Act does not seek to differentiate in its protections which extend to all animals under the care of man. It is also notes that Scotland is considering including rabbits within a proposed ban on third party sales, and given that the Welsh Government was the first to seek to improve the protection offered in law for the rabbits through the introduction of a unique code of practice in 2009. The RSPCA would urge the Welsh Government to consider mirroring this extension and indeed encompassing all pet animals which need protection from unscrupulous breeders and traders.” (RSPCA)
- “There is an urgent need for the Government to review and update the Pet Animals Act 1951 to reflect the large scale and increasing sale of animals over the internet. There needs to be greater clarity as to the criteria that must be met in order for premises to be licensed under the act.” (Blue Cross)
- “Yes no animal should be sold in a shop. The stress this causes is unimaginable. Having kids hitting the glass, bright lights glaring on them when they need to sleep (hamsters etc) and too much noise.” (Linda Thompson)
- “Pets require commitment, care and investment and therefore becoming a pet owner should be more rigorously vetted as to how a pet can be cared for appropriately. Pet shops do not currently do this.” (Anonymous)
- “Yes. The ban on third party sales should include at least puppies, kittens and rabbits with the option of extending it to other species of companion animal where evidence supports such a measure. The ban should also apply to animals of all ages. This would ensure there are no loopholes that would allow commercial breeders to hang on to animals until they are over the age threshold before selling them through third party vendors. If such a loophole were left open, it would serve only to prolong the suffering of

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<sup>4</sup> <https://gov.wales/sites/default/files/statistics-and-research/2019-03/national-survey-wales-pet-welfare-2014-15.pdf>



dogs, cats and other animals in breeding facilities. Applying the ban to animals of all ages would also increase the ease of enforcement by removing any ambiguity that may surround the age of an individual animal.” (People for the Ethical Treatment of Animals Foundation)

In respect of question 2, 8% of respondents to said no to a ban on any other animals being sold in pet shops. Some of the responses mention the ban should only be kept for puppies and kittens and should not affect any other animal being sold.

- “Having consulted Institute of Licensing members, suggestions are that the priority should be puppies and kittens, but that consideration could be given to all animal sales as welfare and transportation issues will apply to all animals, while separation issues are more keenly linked to puppies. In Scotland, the consultation on animal licensing included rabbits, although this was not strictly in the context of third party sales.” (The Institute of Licensing)
- “I don’t believe animals such as fish or small animals (hamsters, guinea pigs etc) make breeders anywhere near the money that dogs and some cats do, so I believe animals such as these are suitable for pet shops providing they can guarantee they are bred correctly.” (Tania Allen)
- “This change in legislation should apply to puppies and kittens under six months of age only and should not be expanded out at this time. IFAW would also strongly recommend replicating the current ban which has been introduced in England to create parity and ease on implementation. IFAW thinks that the current legislation should be confined to kittens and puppies because of the complex socialisation needs of puppies and kittens compared to other companion animals. It will also prevent delays to the introduction of the legislation and adding additional animals would start to make the legislation too complex to implement.” (David Cowdrey IFAW)
- “In a commercial setting where you know what you’re getting, for example purchasing an animal from pets at home, no. The problems arise with private sales where the origin of the animal can be masked.” (Lauren Matthews)
- “In the first instance, Four Paws UK is of the opinion that this should be adopted urgently for both puppies and kittens and should be extended to other species in the future. Many animals are taken from the wild, kept and traded in unhygienic and cruel methods, which may then pose a risk to human health. Lack of traceability of any pet sold via a third party could potentially lead to similar welfare, consumer protection and public health issues as for the trade in puppies and kittens. Offering sentient beings in pet shops leads to impulse purchasing similar to the purchasing of puppies and kittens, which in the end often leads to either abandonment or relinquishment of the animals to shelter. Small mammals such as rabbits, guinea pigs, rats, mice, hamsters and others are offered in pet shops when they are very young – the age when they can be sold best.” (Four Paws UK)

The final 9% of respondents to question 2 were unsure on a ban of other animals being sold in pet shops. This is because some of the organisations who responded only deal with puppies and/or kittens so felt like they couldn’t comment, or they didn’t have a view at this current time.

### Question 3:

#### **Are there any measures which could be introduced, other than a ban, which could address the welfare problems associated with commercial third party sellers?**

64% respondents to question 3 answered yes to other measures which could be introduced in Wales other than a ban and the responses ranged from help from local authorities and independent bodies, ban on imports and exports, stricter measures with regulations, adequate enforcement and CCTV for breeders.

- “The regulations should be stricter and properly enforced with more regular inspections. There should be mandatory requirements for proper living accommodation, exercise and socialisation of breeding animals in puppy farms and regular health checks. This should be paid for by much larger fees for licensed so the industry is paying for the service and not the councils.” (Anonymous)
- “For most organisations, licensing with a full inspection by a Local Authority would be appropriate. However, for the smallest organisations handling only a few animals per year a system of Local Authority registration would be more appropriate than full licensing. This would ensure the Local Authority is aware of who is caring for animals and telling the public that they are acting as a welfare organisation, while giving the opportunity to share best practice with them and encourage them where they can find advice and support in maintaining animal welfare.” (Battersea Dogs and Cats Home)
- “All imports/exports of animals for domestic pet purposes should be banned and the perpetrators heavily fined or jailed.” (Sylvia Thompson)
- “I think CCTV should be in every puppy farm to make sure the animals that the breeders are making money from are looked after properly and given some sort of life.” (Jackie Bishop)
- “An online register of vetted breeders searchable by the public and where the public can enter/submit details on the puppies bought at that establishment to enable proper checks of puppies bred and sold.” (Anonymous)
- “Also the breeders should provide evidence of good veterinary care, not just handwritten illegal vet cards with a stamp on it, where they have administered the vaccines themselves (I have evidence of this).” (Julie Hargreaves)

Thresholds for breeding dogs and cats were also suggested in some responses. The Cats Protection evidenced this below:

- “In light of the range of health conditions for female cats attached to pregnancy and parturition it seems sensible for guidance within breeding regulations to state a maximum of number of litters within a lifetime. For cats a maximum of six litters in a lifetime seems to accord with academic research that the charity have reviewed. Also, the charity recommends that a queen should not be bred after 6 years of age as statistically there is a significant increase in health problems relating to being entire, from this age. However, a lifetime limit must be accompanied by suitable intervals between litters in order to safeguard the welfare of the breeding female. The charity suggests that no breeding female has more than three litters within a two year period. No more than one litter a year should be encouraged.” (Cats Protection)

As well as a ban some respondents felt we should develop campaigns which encourage a change of behaviour with the public and those who chose to buy a puppy or kitten:

- “We very much believe a ban should be supported by a campaign that understands and seeks to influence behaviour change. If it is to be effective it is necessary that the campaign is more than educational, with the focus on long term changes to how people buy a puppy. We do not believe an educational campaign will be sufficient in accomplishing this outcome, as has been seen with other similar campaigns, including encouraging buyers to buy responsibly, and urging them to always see the puppy with its mother. Defra has recently undertaken a consumer facing campaign to address the supply and demand and to educate the public about responsible purchasing of pets through their ‘petfishing’ campaign. Dogs Trust has likewise has run our own ‘dogfishing’ campaign to raise awareness of red flags when looking to buy a dog and what to do if you have concerns.” (Dogs Trust)

34% of respondents to question 3 disagreed and said that there were no other measures which could be introduced other than a ban that will address the welfare problems associated with commercial third party sellers. Some of the responses follow:

- “No too many loopholes would be found.” (Anonymous)
- “NO. It would appear that many of these “third party puppies” have been bought from unlicensed sources which would initially indicated a purely for financial gain approach to breeding.” (Robert Hay)
- “No. The law states that all puppies must be microchipped and registered to the breeder but even this does not happen as anyone is allowed to microchip and most give out cards that are passed on the to the new owner who is then the first person to register that puppy or kitten so only a veterinary surgeon should be allowed to microchip and puppies are registered to the breeder by the vet.” (Sandra Lovesey)
- “It needs to be a ban as otherwise the welfare problems with travel and cross infection would continue.” (Mandy Dumont)
- “None – strict ban must happen. If you implement anything other than a ban – who or what is going to enforce anything else if you bring it in? Given the time it has taken and god knows how many consultations you are going to have. It is animal abuse and it must end. The poor animals have suffered enough at the hands of monsters.” (Louise Smurthwaite)

The RSPCA also mirror these views:

- “The RSPCA does not believe that there are alternative ways to address the welfare concerns inherent within a system that permits third party sellers to trade in animals. However the ban on third party sales, which the RSPCA fully supports, is not the only measure needed in order to tackle the hugely significant problems within the wider production of puppies and kittens for market. In addition to ensuring any potential loopholes to a ban on third party sales are addressed, the RSPCA has detailed the many concerns we have regarding the breeding of animals as pets and these are

contained within our response to the previous consultation on this issue<sup>5</sup> as well as within the Animal Health & Welfare Framework Group's recent review of dog breeding<sup>6</sup>." (RSPCA)

- "No. We are uncertain why the Welsh Government needs to ask the same question that was asked in the previous consultation conducted a year ago. We reiterate the same response that we provided to that consultation and maintain that because this activity is intrinsically linked with welfare harm, there are no other measures other than a ban that would be successful. However, in the wider context we have always stated that a ban is the first steps towards improving the welfare of breeding dogs and puppies." (CARIAD)
- "No. DBRG notes the similarity between this question and Question 3 in the 2019 consultation. There have been no developments during the intervening period which have altered our view, therefore our response remains the same." (Dog Breeding Reform Group)
- "I think this has to be dealt with a total ban, anything less would give the unscrupulous breeders opportunities to sell their puppies and kittens." (Ann Louise Little)

2% of respondents were unsure if any other measures other than a ban could address welfare problems.

#### **Question 4:**

**Sanctuaries and rehoming centres are not legally defined but we will refer to them as animal welfare establishments for the purpose of this consultation. They charge a fee for the rehoming of animals in their care (but are exempt from current pet shop licensing because they are not commercial in nature). There is no legal requirement for checks to be undertaken and generally speaking, routine checks are not carried out by Local Authorities at these establishments.**

**Further, we have concerns that this may leave a loophole in the legislation to avoid a possible ban.**

#### **Do you think there should be closer scrutiny of animal welfare establishments in Wales?**

96% of respondents to question 4 agreed and expressed that there should be closer scrutiny of animal welfare establishments in Wales. The majority of the responses outline some of the issues that could be associated with animal welfare establishments:

- "Yes I think sanctuaries, rehoming centres and rescue centres should be classed as commercial third party sellers and therefore should be licensed. A lot of money is made with little or no checks." (Anonymous)
- "I think there should be greater scrutiny as long as it is dependent on adequate support (financial) the only other option would be to close down many smaller sanctuaries and

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<sup>5</sup> <http://www.politicalanimal.org.uk/wp-content/uploads/2020/01/Welsh-Government-Third-Party-Sales-Consultation-RSPCA-Response-May-2019-2.pdf>

<sup>6</sup> [www.gov.wales/sites/default/files/publications/2020-03/dog-breeding-review-of-animal-welfare-breeding-of-dogs-wales-regulations-2014.pdf](http://www.gov.wales/sites/default/files/publications/2020-03/dog-breeding-review-of-animal-welfare-breeding-of-dogs-wales-regulations-2014.pdf)

would lead to a rise in euthanising animals. Any concern about welfare should be checked. Most welfare operations require a higher level of commitment and standards from adopting families than breeders.” (Lindsay Brewis)

- “Whilst many rescue and rehoming organisations already achieve extremely high standards of welfare, we know that there are organisations and individuals operating as rescues who can sometimes become overwhelmed with animals and struggle to meet the welfare needs of the animals in their care. It is, therefore, extremely important that any licensing system is applied hand in hand with a system of inspection which ensures welfare standards are met and maintained. As a leading member of the Association of Dogs and Cats Homes (ADCH), we know that there is already a system in place with membership, standards and inspections which could play a major role in the establishment of any new licensing system. Blue Cross strongly urges the Welsh Government to develop specific standards for dog and cat rescue and rehoming organisations based on the ADCH minimum standards.<sup>7</sup> Wider consultation is also required to ensure the code of practice is fit for purpose for all AWEs, with engagement with wider stakeholders from across the sector, for example, wildlife rescues and sanctuaries.” (Blue Cross)
- “Yes I do, some rescue centres appear to act as a dumping grounds for dog breeders.” (Anonymous)
- “Absolutely they should be licensed and a fee paid for that licence annually. They should be subject to the same fines as breeders and every one of them, regardless of whether they are a registered charity or not MUST produce annual accounts to be displayed on council websites.” (Anonymous)
- “There have been several instances in recent years of unscrupulous breeders setting themselves up as a rehoming centre to cover up puppy farming operations. A Widely [sic] reported case in Republic of Ireland<sup>8</sup> and similarly in England, this year a seller classed themselves as a ‘rescue centre’ charging higher prices than the norm for a legitimate rehoming centre<sup>9</sup>.” (CAWGW)
- “IFAW believe that is the Welsh Government is to raise standards of animal welfare that rehoming centres should be legally defined should also be licensed and inspected. This will maintain high welfare standards and prevent some unscrupulous dealers classing their activities differently to escape inspection. The Welsh Government need to regulate rehoming organisations and sanctuaries, as under current rules anyone can set themselves up as one, providing a potentially easy future opportunity for devious puppy and kitten dealers to exploit this loophole. All reputable rehoming and rescue centres will have nothing to fear or hide and should welcome licensing and inspections as their top concern should be that of the animals in their care and maintaining the highest welfare standards.” (David Cowdrey – IFAW)
- “Yes there should be closer scrutiny of animal welfare establishments in Wales. Consideration should be given to the need for them to hold a licence to ensure that the welfare of the animals are taken into account and to ensure that routine checks are carried out by Local Authorities. The requirement to hold a licence would also help to avoid individuals exploiting the ‘loophole’ in the legislation and assist enforcement

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<sup>7</sup> <https://www.adch.org.uk/about-adch/minimum-welfare-operational-standards/>

<sup>8</sup> <https://www.irishmirror.ie/man-who-jailed-animal-cruelty-14044234>

<sup>9</sup> <https://www.mirror.co.uk/news/pet-store-inspectors-move-after-22170385>

bodies. It will also assist in ensuring that consistent animal welfare standards are applied across establishments.” (Torfaen County Borough Council)

- “Yes – again the responses in the previous consultation showed support for sanctuaries and rehoming centres to be required to be subject to stricter controls. Many establishments themselves would welcome controls, especially where genuine concerns are held over their ability to make ends meet. There is growing intelligence to show that often what starts out with very good intentions can easily become unimaginable and end up overwhelming individuals. By the time this comes to the attention of LA’s it is either too late or involves court or other action at considerable expense to the tax payer.” (Trading Standards Wales)
- “We therefore believe that it would be beneficial for animal welfare if there was closer scrutiny of animal welfare establishments in Wales, providing of course that we strike the right balance in terms of ensuring good animal welfare practices, but not deterring small, specialist rescues, such as specific breed rescues who typically rehome relatively small numbers of dogs but do valuable work on a voluntary basis.” (Kennel Club)

Only 2% of respondents to question 4 felt like there should be no scrutiny of welfare establishments in Wales.

- “Not at this present time. If there were a surge in newly emerging "rescues" that were actually farmers not complying with the law the public would quickly see this & not buy from them. Presently sanctuaries & rehoming centres are well known & well run. I don't see that changing.” (Anonymous)
- “The explanatory section of the consultation refers only to issues connected specifically with the sales of young puppies and kittens as a trading activity. No mention is made of rescues other than as a source from which to obtain a dog, or of any welfare issues connected with rescues. Potential issues and possible regulation of rescue/rehoming centres should be considered under a separate consultation to ensure the subject receives appropriate consideration.” (CARIAD)
- “No - the difficulty here could be the number of animals they taken on board. Sometimes there will be an influx which will be short term but necessary for the safety of animals that would otherwise be subject to death from the breeder. It is not unusual for a batch of 50 puppies/dogs to be rescued at the same time. Regulations would need to allow for this.” (Anonymous)

#### **Question 5:**

**Do you think sanctuaries/rehoming/rescue centres should be classed as a commercial third party seller in Wales and should be licensed?**

34% of respondents felt that sanctuaries, rehoming and rescue centres should be classed as third party sellers and should be licenced. We received no response from 3% of respondents.

- “Yes. For consistency and to avoid unscrupulous people finding loopholes.” (Carol Armstrong)

- “Yes, reputable organisations will not be afraid of scrutiny but charges for licences should be minimal.” (Anonymous)
- “Yes I think they should be classed as third party sellers and therefore should be licensed.” (Anonymous)
- “Yes I do. There is much evidence now that many welfare organisations are importing dogs and litters of puppies for the sole purpose of selling them on for profit. These organisations need to be regulated and become accountable.” (Linda Jenkins)
- “Yes, in order to comply with all statutory requirements they must be classed as commercial 3<sup>rd</sup> party sellers and licensed accordingly.” (Anonymous)
- “Yes. As noted above, sanctuaries and rehoming and rescue centres should be licensed in order to safeguard animals and prevent unscrupulous breeders and sellers from continuing to trade in animals by masquerading as rescue or rehoming centres – as they have done in other places that have implemented legislation aiming to end the intensive farming of companion animals. For example, following a ban on the sale of animals from puppy mills at pet shops in Chicago, a number of fake rescue organisations were set up, and stores claimed to have obtained the animals they were selling from these "rescues". Similarly, in the US state of Iowa, the introduction of a ban on puppy mills resulted in "puppy laundering", whereby sellers advertised dogs from puppy mills as rescued animals.” (People for the Ethical Treatment of Animals Foundation)
- “Yes – otherwise it leaves a potential gap in the legislation. Perhaps there should be a limit or even a ban on the importation of so-called rescues of animals from Spain, Italy or Greece. Far better to try and improve the animal welfare in those countries.” (Anonymous)
- “Yes, to ensure the welfare of the animals and to ensure consistency across Wales. This will allow Local Authorities to carry out routine checks and will help to identify any issues that may need addressing. Consideration could also be given to the implementation of minimum standards that would need to be adhered to if not licensed.” (Anonymous)
- “Yes. For those setting themselves up as smaller individual or local rehoming/rescue often are beyond the arm of legal requirements so whether long term established or minor local centres or individuals they need a licence to operate which can give them authentication and authority to act in the best interests of health & welfare of the animals which come into their care.” (Anonymous)
- “Yes. This will help prevent animals that are not able to be rehomed, due to their history, will be looked after. Anyone caring for animals should have a licence to cover them and the customer. Even though shelters charge adoption fees to rehome, there are not always background checks available for the animal’s new home. Some people have animal neglect history or bans, which are not always able to be seen by rehoming centres.” (Stephanie Hockly)

An equal number (34%) of respondents to question 5 felt that sanctuaries, rehoming and rescue centres should not be classed as a commercial third party seller.

- “I think the rehoming centres do a marvellous job and could do with some funding. They must all hold electronic records and possibly report to WG on a regular basis. We should

be able to trace the puppy from receipt at the centre to being rehomed - dates, details of the pup, details of the new owner - an end to end process should be put in place, so that we know exactly what happens in the lives of these puppies.” (Anonymous)

- “No they should not be classed as third party sellers. They are registered charities and the fees charged only recuperate the costs of the veterinary care they have already paid out to help these animals find their forever homes.” (Claire Tottle)
- “No. They should be licensed and inspected, but not classed as commercial third party sellers. Rescue and rehoming centres are helping to protect animal welfare when animals do not have an owner, rather than selling animals for a profit. While they may charge a rehoming fee, this is nominal and does not typically recoup the costs of caring for an animal in the period prior to rehoming. When any new regulation is introduced, there should be an appropriate lead in period to ensure that genuine rehoming / rescue centres are able to become compliant. Membership of organisations such as the Association of Dogs and Cats Homes could be utilised to assist with this through mechanisms such as their existing Minimum Welfare and Operational Standards.” (PDSA)
- “NO - they should not. Reason: The fee which is charged by animal welfare centres is NOT a sales fee but a contribution to the cost of care which the animal has received during the shelter stay. It is also a means to check how serious the intentions of a prospective pet owner are. As a vet nurse, I have volunteered for an RSPCA shelter and worked closely with organisations such as Cats Protection League and Dogs Trust; and I think that these Organisation care a lot about the future homes of their pets and make sure that their animals end up in loving, caring homes. Shelters of those big, well known organisations (RSPCA, Dogs Trust, Cats Protection League, Cinnamon Trust, etc) should be exempt from additional rules or checks and should not be classed as third party seller, simply because they are not - and classing them as such would eat up precious donation money which is urgently needed for the pet care in those shelters!” (Anonymous)
- “No. If rescue/rehoming centres were classed as a 3rd party commercial seller and were banned from rehoming animals there would be no option but to euthanise rescued animals. If such establishments were prevented from charging an adoption fee, income would be reduced and therefore fewer animals could be rescued, rehabilitated and rehomed. If rescue establishments were not able to charge for adopted animals, then they would no longer be in a position to reclaim VAT of services and goods purchased. Most importantly benefide rescue centres take ownership of the animals they take in. Therefore when adopting them out, for a fee or without a fee, they are not 3rd party sellers as they are the owner of those animals.” (Jean Rawlings)
- “No. It is not commercial, the rehousing of a pet is a necessity and not a luxury. The costs would be passed to adopters, who already pay a fee. There would also be the risk that extra workload meeting new standards and paperwork would decrease the time available for home checks.” (Anonymous)
- “No they do not SELL animals. They rehome or adopt animals via a process of interviews and home check. Checking thoroughly if homes are suitable for a particular animal.” (Anonymous)
- “No. Generally they use the income to save more animals but, again, not sure about trusting smaller organisations.” (Mike Toozer)



From the respondents who answered no there were some responses which indicated they would like to see them licensed and/or specialist regulations tailored to suit them:

- “Battersea suggests that any potential regulation of animal shelters utilises the Association of Dogs and Cats Home’s (ADCH) Minimum Welfare and Operational Standards<sup>18</sup> as a basis for the regulation of the standards of care rescue and rehoming centres should meet. This is the sole existing self-regulatory standard in operation across the sector and has achieved remarkable results in transforming the service delivered by ADCH members; backed by support and knowledge from ADCH itself. The Scottish Government has already consulted twice on proposals; and is preparing draft regulation which is based on the existing ADCH standard. In England, DEFRA is developing draft regulations based on this minimum standard; and was due to consult in March 2020, before the Covid-19 pandemic necessitated delay.” (Battersea Dogs and Cats Home)
- “No, rescue centres are not third party sellers. As has been discussed elsewhere in this document and previous, the RSPCA strongly believes that AWEs should be licensed. It is preferable that the form of licensing should be within standalone regulations designed specifically for AWEs and that look to incorporate the other problems understood to be a factor within the rescue sector as well as make statutory the Voluntary Code of Practice. Once this was achieved the legislation to ban third party sales can provide the appropriate exemption for legitimate, licensed AWEs. Failing that, or by way of an interim measure, the RSPCA would support the licensing of AWEs through the third party ban to ensure no loopholes are created.” (RSPCA)
- “Blue Cross strongly believes that sanctuaries/rehoming/rescue centres should not be classed as a commercial third-party seller in Wales. We would like to see bespoke legislation in place that recognises the differences in intent and practices between these organisations and for-profit businesses such as pet shops and dog breeding.

Rehoming and rescue centres are not for profit; Blue Cross charges a rehoming fee of £180 for an adult dog, £200 for a puppy and £70 for a cat. This fee does not cover the cost of the animal’s care. Some rehoming facilities do not charge a rehoming fee, but ask for a donation. Sanctuaries do not rehome the animals in their care and cover the lifetime cost of the animal so do not charge a rehoming fee. As a result of this, AWEs do not operate in the same model as other licensed businesses and it imperative that this is recognised in any future legislation. If legislation is created that doesn’t take these differences into account, it will make it easier for unscrupulous sellers to undermine any regulations by exploiting loopholes.

While we appreciate that the Welsh Government is eager to bring in a ban on third party sales, Blue Cross believes it is essential to look at the big picture and recognise the wider failings within current animal welfare legislation. We would like to see a consolidated piece of legislation that includes separate schedules on the various animal related activities, including AWEs. We believe that any new legislation will be most effective as part of a more comprehensive series of measures and would have serious concerns around its effectiveness if it is introduced as an amendment to the outdated Pet Animals Act 1951.” (Blue Cross)

- “Not unless regulations and welfare checks are in place with the animal’s wellbeing being paramount to the commercial gain of those operating these establishments.” (Anonymous)
- “No. CAWGW members strongly argue that AWEs should not be classed as commercial third party sellers. AWEs need independent regulations and a clear definition of the scope of AWE activities, the sector cannot be adequately regulated through classification as a commercial third party seller.” (CAWGW)

29% of respondents to question 5 would like to see them better managed and licensed:

- “Possibly, but in a two tier system initially but a lighter touch for established centres: they’ll be inundated with post-lockdown pups shortly and can’t handle extra work.” (Anonymous)
- “As long as it is properly managed. For instance, I used to live in Newport and NCC have only one animal welfare officer for the whole of the city. He is responsible for the checking of all businesses in the city that deal with animals, including kennelling and home boarding. This obviously is to raise money for the local authority but he has no time for anything else. This being the case, if it’s just to raise money and not for the best intentions of the animals in question then there is no point.” (Anonymous)
- “They should certainly be licenced, whether it is a new licence to cover charity organisations, council pounds etc rather than a commercial third party as the conditions and requirements / set up is likely to be very different. It will also address training for volunteers etc which should be essential.” (Anonymous)
- “These can serve a useful & welfare service but only if the centres are scrutinized which includes spot & unannounced checks. A centre that is below standard should be given 3 months to improve with monthly inspections during the improvement program. Shut down if still not up to standard.” (Gwyn Jones)
- “I think a license would help protect shelters and ensure that they are run properly but disagree with "third party seller" as they are often sold for a standard fee for example £200 whereas a breeder would have sold the same dog for £1500+.” (Anonymous)
- “I see no reason why they couldn't be checked and licenced, but at the cost of the local authorities that often use them as 'overflows' when their council rescue centres are full. Any additional charges to REPUTABLE sanctuaries/rehoming/rescue centres might exacerbate the situation further as the costs would make it difficult for them to continue.” (Anonymous)
- “I have rehomed rescue dogs on three occasions. I have paid a fee each time but it is nowhere near the cost of buying a puppy from a pet shop. My current dog had a fee levied of £100.00 plus any voluntary contribution I may wish to make. She would have cost at least £850.00 as a puppy. Commercial is perhaps not a relevant term. Could a specific category not be identified?” (Anonymous)

## Question 6:

We would like to know your views on the effects that a ban on commercial third party sales may have on people with protected characteristics as defined in the Equality Act 2010. These characteristics are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

92% of respondents answered this question and there was varied views if the above characteristics could affect a ban on third party sales of puppies and kittens. The majority of respondents didn't feel there was any effects. Here are some of the responses:

- "I think the effects would be that disabled people may be assured that any puppy they purchase would not have come from the hell-holes of puppy farms that Wales is now infamous for. With regard to sexual orientation or race or religion or gender reassignment then this is irrelevant. All the of the people in the above groups would be just like anyone else and grateful that they haven't bought a puppy from a puppy farm that is likely to get sick, causing them to have to spend money on huge vets fees only for their little puppy to die anyway, as so many do from these places." (Anonymous)
- "I do not believe there will be any effects. The third party sale of an animal has no pact [sic] on a persons special category data as defined above. With exception of maybe service animals being provided which should fall under an exemption." (Lauren Matthews)
- "I really don't see how any of these protected characteristics in the Equality Act would be affected. Aside from individual who need guide/service animals. Breeders of these animals should have to adhere to strict legislation too. It's should all be done for the cause not the money and with animal welfare at the forefront of all efforts." (Anonymous)
- "None. The effects are on the dogs. All of these groups, if able to buy a dog and care for it, are able to buy a dog from a responsible breeder." (Locke's Dogs, Dog Welfare Alliance, ICAN: International Companion Animal Network)
- "Older people would find it harder to buy unsuitable animals. Many times pets are handed in because the 70 or older person bought a pup or a cat & either passed away or, found the pup too much to handle. Recently there is an elderly person I know that bought a boisterous pup of a large dog type that was very unsuitable & now the gentlement [sic] is in hospital with a broken hip because the dog pulled to hard & the man fell. In this instance it would reduce the cost on the NHS. For those with disabilities if they chose to adopt, rescues will ensure the animal is suitable for them. Some disabilities such as autism etc can be stressful for the animal & some animals are not

able to cope well. It is awful to see someone that has bonded with an animal have that animal taken away because the animal finds it stressful & develops behaviour issues. For all other characteristics the effects would be the same as anyone else.”  
(Anonymous)

### **Question 7:**

**We would like to know your views on whether the ban on commercial third party sales could offer any opportunities to reverse the decline of biodiversity in Wales, in line with the Wales Nature Recovery Plan.**

**What effects do you think there would be?**

82% of respondents answered this question. However, most of the responses were no comment or they were left blank. Some of the responses are set out below:

- “Hopefully some of the large scale breeders would go out of business and their damage to the environment with the disposal of waste etc would stop.” (Locke's Dogs, Dog Welfare Alliance, ICAN: International Companion Animal Network)
- “If it led to fewer unwanted/abandoned carnivorous animals it may reduce the predation of wildlife as cats can decimate the populations of birds and small mammals.” (PDSA)
- “We have no specific comments but believe any effects would be positive.” (Four Paws UK)
- “Legislative bans that encourage more and/or longer journeys inevitably also encourage more pollution which goes on to have a detrimental effect on biodiversity and the environment. If that legislation also encourages people to travel abroad in order to purchase puppies or kittens, or it encourages mass movements of puppies and kittens from countries that allow breeding and third party sales and Wales and/or the rest of the UK then the pollution caused is quite likely to enter Welsh airspace with the wind and add to the detrimental effects on biodiversity and the environment. Biodiversity will only be damaged, possibly irreparably, if imported animals bring in diseases which escape into the wild.” (Caerphilly County Borough Council)
- “It may make a positive difference. More people having to think twice and make more of an effort before buying a dog, and particularly cat, instead of just following an impulse, can only be good. Having cats neutered instead of cashing in on kitten sales could seriously reduce cat numbers and with it unnecessary mass murder of native wildlife by felines. In dogs faeces and urine, disturbance from roaming etc have a direct impact on the environment (eg adding nutrients). Fewer dogs owned by more responsible people who aim to minimise this impact would be positive for the environment.” (Caroline Hutchinson)
- “Cats and ferrets can adversely affect the biodiversity of an area. Parlor [sic] breeders whether commercial or otherwise can lead to the over population of cats. Therefore the essential thing is to reduce the number of cats by insisting on neutering all cats. To protect biodiversity, it would be better to make provision for unwanted pets such as terrapins to be handed in rather than being released into the environment.” (Anonymous)
- “As far as I am aware the tightening of legislation for selling of animals would have a positive effect on nature - caring for all animals whether domesticated or wild.”

(Anonymous)

- “Any moves to save animals from being over bred and neglected, are positive. Our animal charities and centers [sic] do not get enough support. Any government funding would allow centers [sic] to provide more jobs for locals and help keep them running. We have an extremely large number of unwanted and neglected animals in Wales alone. Changing breeding laws and commercial resale, will certainly help keep the population of animals awaiting rehoming under control. Animal centers [sic] are right to charge a fee, but they should be a code of conduct that they must follow in line with any new guidelines that will be introduced. Over time, this should help control the population of stray animals.” (Robin Morgan)

#### **Question 8:**

**We would like to know your views on the effects that banning third party sales of puppies and kittens would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.**

**What effects do you think there would be? How positive effects could be increased, or negative effects might be mitigated?**

**Please also explain how you believe a change in policy could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

85% of respondents answered question 8. Respondents felt that the banning of third party sales in Wales would have no effect on the Welsh language.

- “Due to being made more aware of what is going on in these animal breeding farms the Welsh are becoming ashamed of their heritage. England has managed to bring the policy through quickly resulting in animals being handed into rescues however, with the Welsh still not making this policy & with COVID 19 resulting in thousands more animals being bred due to increased demand it makes us hypocritical when we say we are a nation of animal lovers because we cannot be. People that love animals cannot tolerate mistreatment of animals yet we do. I am currently learning Welsh but I am so ashamed that puppy farming etc has been allowed to carry on the way it has & continue to do so in Wales that I am now ashamed of my country, of my language & everything that is Welsh. By banning animal breeding farming, reducing the number of animals that can be bred each year to well below demand to encourage people to adopt & properly licensing rescues, make it illegal for anyone without a licence to sell any animal even if it's an accidental litter will make Wales proud again.” (Andrew Bateman)
- “Hopefully buying from point of origin will increase local sales therefore improving the use of Welsh.” (Anonymous)
- “I see no connection.” (Anonymous)
- “It would have no effect at all.” (Anonymous)

- “I can't see that the ban would have any negative effect on the Welsh language. There could be a choice to have any papers given with the pup or kitten in Welsh and or English. There is no detriment effect on the language at the moment so it can only be a good thing for people who want to have the Welsh language included in their purchase if the seller is willing to do so. Not everyone living or born in Wales uses the Welsh language in their everyday life as they haven't been brought up using Welsh as a first or second language.” (Leigh-Catherine Salway – Eiticat. Finishing School for Felines)

#### Question 9:

**We have asked a number of specific questions. If you have any related issues which we have not asked or have any comments please use this space to report them.**

54% of respondents answered question 9. However, the majority did not have any further comments other than they would like to see the ban of third party sales put in place as soon as possible. Other evidence was displayed by animal welfare organisations:

- “For reasons previously outlined the RSPCA also wishes to see the ban extend to dogs and cats of all ages so that it is easier for members of the public - who are unlikely to be able to age a dog/puppy or cat/kitten themselves – to understand what is or isn't legitimate sale/transfer of ownership.
- Whilst the ban in England hasn't been in place for a sufficient period to comprehensively determine its strengths and weaknesses, its impact thus far is thought to have been low. During the time since its implementation, and largely attributable to the pandemic, more people at home full time have sought the companionship of a pet. Between 23 March and 19 July this year, the RSPCA's Find a Pet section of the website has 3,843,089 unique views compared to 1,768,131 in the same period the previous year, which is a rise of 17%. In addition, our fostering page has had 215,000 unique visits in the same period compared to 40,566 during the same period in 2019 which is a staggering 430% increase. It has also become a seller's market with demand, for dogs in particular, far outstripping supply, and thus prices have increased. The RSPCA is hearing cases of puppies changing hands regularly for figures well into the thousands, not hundreds<sup>10</sup>. May 2020 also saw the biggest drop in the transportation of animals under PETS<sup>11</sup>, which is clearly due to travel restrictions, but there was also one of the biggest increases in licenses issued for the commercial import of dogs during that same period of time<sup>12</sup> suggesting that dealers have essentially continued with their business as usual, no doubt given by market that is offering much higher financial rewards. In turn these lucrative profits may also be fuelling the illegal trade<sup>13</sup>. (RSPCA)
- “This is a small but vital step in further supporting the welfare of all puppies and kittens and those animals used to illegally breed without meeting the required and expected standards of licensed breeders. A complete overhaul of the current regime and implementation of a new model is ultimately the easiest way of dealing with these ongoing problems that stretch beyond welfare and helps supported organised crime.” (Trading Standards Wales)

<sup>10</sup> [news.sky.com/story/coronavirus-fears-over-dog-smuggling-as-lockdown-puppy-prices-rise-by-up-to-89-12048005](https://news.sky.com/story/coronavirus-fears-over-dog-smuggling-as-lockdown-puppy-prices-rise-by-up-to-89-12048005)

<sup>11</sup> [www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2020-06-01/52516/](https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2020-06-01/52516/)

<sup>12</sup> [www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2020-06-01/52515/](https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2020-06-01/52515/)

<sup>13</sup> [www.inyourarea.co.uk/news/liverpool-mp-warns-on-danger-of-illegal-puppy-trade/amp/](https://www.inyourarea.co.uk/news/liverpool-mp-warns-on-danger-of-illegal-puppy-trade/amp/)

- “For the ban on third party sales to achieve its underlying aim i.e. improving the welfare of puppies and breeding dogs, a holistic approach to the puppy market must be taken. We must enable the puppy buying public to source responsibly bred puppies direct from breeders and/or bona fide AWEs. We know the majority of the existing third party trade in puppies is already illegal. We have to do more to help buyers identify appropriate places to source their puppies and therefore ensure a good supply of domestic puppies by encouraging responsible breeders to breed. There will always be a demand for puppies and the Government needs to ensure that responsible breeders are not put off breeding by unnecessarily burdensome red tape or financial implications of regulations.” (Kennel Club)
- **“Encouraging prepubertal (kitten) neutering:**  
As well as regulation of cat breeding mentioned earlier more needs to be done to encourage cat owners to neuter in order to reduce the problem of stray cats and unwanted kittens. Cats Protection runs the largest neutering programme in the world. The charity believes that getting your cat neutered before it can breed is an essential part of responsible cat ownership.

Cats Protection encourages the Welsh Government to promote neutering from four months to prevent unwanted litters. The Kitten Neutering Database (KiND) is an initiative of Cats Protection and respective members of the Cat Population Control Group (CPCG). The requirement to join the register is that a veterinary practice will neuter at four months or earlier (i.e. before cats reach puberty). Members of the public can use this database to find a practice that will neuter their cat at four months or earlier. <http://www.kind.cats.org.uk/> Furthermore, Cats Protection along with RSPCA, run a campaign which enables anyone on a low income throughout Wales to access financial support for neutering and microchipping. Cats Protection has a wealth of information and advice available online about pre-pubertal (early or kitten) neutering of cats here: <https://www.cats.org.uk/what-we-do/neutering>

### **Education:**

Cats Protection suggests that animal welfare, including how to care for cats responsibly, should be promoted to children through the national curriculum and learning in schools. Education about animal welfare could be part of the learning done in the pilot schools currently trialling the new curriculum. The charity has a network of seven dedicated volunteers in Wales who do currently go into schools to deliver an animal welfare education programme about cat care to children of all ages. Information detailing the resources the charity has specific to the Welsh curriculum can be found in the country curriculum table here: <https://education.cats.org.uk/media/1285/curriculum-references.pdf>

Our volunteer education programme has been well received. A link to our education online resources can be found here: <https://education.cats.org.uk/>

### **Microchipping:**

Cats Protection would also like to take this opportunity to renew our calls for compulsory microchipping of owned cats in Wales. The charity would urge the Welsh Government to take the lead on this issue and to announce a full Government consultation.” (Cats Protection)

- “In England, Lucy’s Law is an amendment to regulations for Selling Animals as Pets (Schedule 3) of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

While the amendment did not impact or alter any other aspect of the Regulations, we wish to highlight two important requirements included under the regulations for Breeding Dogs (Schedule 6) from 1st October 2018:

1.(1) (a) the licence holder must not offer for sale any dogs not bred by the licence holder.

This change prevents the practice of 'hybrid' selling, where breeders supplement sales by buying puppies from other external sources to sell in addition to those they have bred, and often mislead purchasers in the process.

1.(6) a puppy can only be shown to a prospective purchaser if it is together with its biological mother

This recognises the importance of being able to see a puppy in its birth environment and interacting with its mother; this consistent advice to purchasers is now enshrined in law.

These new requirements enforce a sales protocol which aligns with scientific evidence for good welfare and is consistent with established consumer advice. Restricting the circumstances under which puppies may be sold by breeders enables greater transparency and is of critical importance to help curtail some aspects of the third party trade. To be consistent with consumer advice and ensure parity with England, we strongly recommend that these or similar requirements are included when The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 are updated." (CARIAD)

- "Legislation/controls should be comparable in devolved regions and England to increase public understanding and awareness and to prevent loopholes, purchasers will travel long distances to obtain sought after breeds. The penalty needs to reflect the vast sums of money that is being made by this trade sector, a fact that has been recognised by Organised Criminal Gangs who have become increasingly involved in the puppy trade. The level of criminality, has now risen to levels which is beyond the investigative resources of many LA's. Any new legislation needs to be robust enough to cover those that fall out of scope and not create any loopholes." (Caerphilly County Borough Council)
- "In addition to the points made throughout this consultation, we urge the Welsh Government to amend the legislation on dog breeding and improve its implementation. Our key concerns centre around a lack of enforcement, unqualified inspectors, inadequacy of veterinary inspections and several specific points about the regulations themselves. Many of these issues were addressed within the recommendations made by the Wales Animal Health and Framework Group in its recent review of this legislation." (Dogs Trust)
- "Having been directly involved in the rescue of ex Puppy farm dogs and puppies for so many years the damage to these dogs both physically and emotionally is profound. All are affected to a great or lesser degree for the rest of their lives but most go on to have a wonderful life after adoption. Following a ban it is essential that the dogs who are no longer required are surrendered to experienced rescue for rehabilitation preferably in to foster homes and not a kennel environment. Steps must be taken to ensure the dogs are not sold on to other puppy farmers for further breeding." (Friends of the Animals)



## **Next Steps**

All comments on, and responses to the consultation have been fully reviewed and analysed. We have taken into account all the evidence received from the public, animal welfare organisations and our stakeholders and can confirm that a ban on commercial third party sales of puppies and kittens will now be brought forward before the end of the Senedd.

## **Annex A**

### **List of organisations which responded to the consultation**

ADCH (Association of Dogs and Cats Home)  
Battersea  
Blue Cross  
Caerphilly County Borough Council  
CARIAD  
Cats Protection  
CAWGW  
Dog Breeding Reform Group (DBRG)  
Dogs Trust  
Eticat Finishing School for Felines  
Four Paws UK  
Friends of the Animals Wales  
Hope Rescue  
IFAW  
Kennel Club  
Locke's Dogs Dog Welfare Alliance ICAN International Companion Animal Network  
PDSA  
People for the Ethical Treatment of Animals Foundation  
RSPCA  
The Institute of Licensing  
Torfaen County Borough Council  
Trading Standards Wales – Wales Animal Health and Welfare Panel  
Welsh Cavashon Club