



Llywodraeth Cymru
Welsh Government

From: [redacted WG Official 1]

Cleared by: [redacted WG Official 2]

Date: 5 May 2022

MINISTERIAL ADVICE

For decision by: Lesley Griffiths MS, Minister for Rural Affairs and North Wales, and Trefnydd

Copied to: Eluned Morgan MS, Minister for Health and Social Services

Subject	Decision on whether to allow the home containment of non-compliant pets in Wales arriving with their Ukrainian refugee owners.
100 word summary	Refugees fleeing the war in Ukraine are bringing pets that do not meet current health requirements to enter the UK. Non-compliant pets entering Great Britain (GB) are required to be placed in official quarantine until compliance with pet entry health rules is achieved. Defra and Scottish Ministers have decided to forego the requirement for Ukrainian pets to complete quarantine in a fully approved facility, instead allowing home containment. This MA presents advice on the biosecurity risks this decision carries, and options for Wales.
Timing	High Priority. The Minister is asked to consider the advice and provide a decision by 06 May 2022, in light of the expected increase in arrivals from Ukraine and limited quarantine facilities.
Recommendation	The Minister is asked to: <ul style="list-style-type: none"> • [Note information on another matter not captured by this request][redacted: Not relevant to this decision] • Note Defra’s Quarantine Options paper and Decision Flowchart (Annexes 2 and 3 respectively) • Note the decision made by Defra to allow home containment for non-compliant Ukrainian pets • Note Public Health Wales’ advice (Annex 4) • Note OCVO’s veterinary advice (Annex 5) • Agree to maintain the current policy in relation to the requirement for Approved Rabies Quarantine Units and not allow home containment in Wales.
Decision report	This decision requires a Decision Report.

ADVICE

Background

1. Following the veterinary advice submitted 26 April 2022 (Annex 5), this MA provides the available options to deal with the crisis.
2. Starting with the baseline, pets traveling to the UK from an unlisted third country, such as Ukraine, are considered compliant with Regulation EU 576/2013 on the non-commercial movement of pet animals if they:
 - have been microchipped;
 - have a pet passport and animal health certificate;
 - have had tapeworm treatment;
 - have been vaccinated against rabies;
 - have successfully passed a blood test 30 days after rabies vaccination, and;
 - have completed a three month waiting period in the country of origin after the blood test ahead of travel.
3. Any pet, which is compliant with the requirements, can enter and circulate freely in Wales. Given the unplanned departure from Ukraine, it is expected that many pets arriving will not be compliant with the requirements above, and as result, as per the requirements of the PETS scheme for unlisted third countries, should be subject to a maximum four months quarantine period upon arrival.
4. This period includes a veterinary assessment, which will further inform actions needed to obtain compliance, and/or determine the time of official quarantine needed. These actions may include vaccinating animals for rabies, treating them for tapeworm, testing their rabies antibodies and undergo a wait period – this is essentially ensuring they become compliant with the entry requirements in paragraph 2.
5. The Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 (RIO) provides a general prohibition on the landing of animals in GB unless they qualify for the limited exemptions provided in article 4(2) or are licenced under article 4(3) of that Order. Powers are also provided in the RIO to deal with illegal landings. Local Authorities can issue a notice under article 13 to either re-export an animal or move it to authorised quarantine. The RIO also provides a power in article 14 to destroy animals landed in contravention of the Order.
6. The usual procedure for non-compliant animals is to have them quarantined at an Approved Quarantine Unit (AQU), as re-export or euthanasia are either unpractical or very severe measures.
7. Even with the new [redacted: name and location of approved quarantine facilities] as well as additional, smaller facilities being identified sporadically across England, the availability of quarantine spaces across Great Britain is highly unlikely to meet demand.
8. The position in Defra and in Scottish Government is that every effort should be made to ensure refugees wishing to come to UK are not stranded on the continent and to facilitate their arrival without undue delay.
9. Therefore, Defra and Scottish Ministers have decided, once quarantine spaces are exceeded to forego the official quarantining of pets from Ukraine in AQUs and instead agree to home containment in certain scenarios as detailed below.

10. Defra presented their approach to the Animal Disease Policy Group (ADPG) on 7 April 2022 (annexes 2 and 3)

Defra's proposal for triage of incoming pets (flowchart at annex 2)

11. Defra's approach is to use the ELISA blood test, together with the length of time since pets left Ukraine, as principal risks markers in their decision about releasing a pet into home containment.

12. There is much detail to Defra's approach but, the guiding principles are:

- a. If the animal left Ukraine more than 30 days ago and passed the ELISA upon arrival, it will be allowed to move directly to home containment where it will be kept for three months.
- b. If it left Ukraine less than 30 days prior, it will complete the 30 days waiting time in official quarantine before being tested and allowed to proceed to home containment.

13. The 30 days period for the blood test is used by Defra a major factor in assuring that risk of rabies is not high, since most infected animals will show clinical signs within those 30 days. However, the science shows there is really no minimum or maximum incubation period for rabies.

14. Most cases will be clinical between 1-3 months after exposure. Some incubation periods could be rapid (days) whilst others have been reported to last years. The scientific advice indicates that around 95% of infections will be clinical at 33 days post infection.

15. The problem with Defra's approach is, **if** an animals is incubating rabies, there would still be a 5% (probably more) chance of the disease not being detected during the initial 30 days quarantine.

16. It is worth noting, with Defra's proposal, there is no reduction in the total waiting period of 3 months after a successful blood test. The wait period is the most important risk mitigating factor for rabies, due to the possibly very long incubation.

17. However, spending 'quarantine' at a residential premises means that risky animals are not adequately separated from other animals and people. Only continuous veterinary observation during a three month waiting period during which animals cannot escape or infect other animals or humans through being kept in approved quarantine, can provide sufficient assurance.

Defra's approach to home containment (annex 3)

18. Powers to authorise premises for purposes of quarantine are provided in article 9 of RIO. In order to receive a licence authorising a private home for the purposes of quarantine, owners would need to comply with certain conditions (such as not allowing animals to leave the residential premises), and observing hygiene such as dealing with excrement, along with advice from Health authorities.

19. Defra and Scottish Government have deviated from the policy, agreed across GB, on the requirements applicable to AQUs in order to permit home containment. There are various issues we see with that approach.
20. This has already proven prone to risk with the case of '[redacted: name of pet], a dog licensed by mistake by APHA and was moved into a home in North Wales on 01 May. Following a visit by an APHA field vet requested by Welsh Government, it was clear that even the soft home isolation conditions set by Defra would likely not be met as, for instance, the dog did not have access to a private garden.
21. The dog was said to be vaccinated against rabies; however, APHA's inspection revealed the dog was not microchipped. This fact creates more uncertainty with respect to any of the guarantees initially provided to the APHA. [redacted: not relevant – location of the animal]
22. In order to adopt a policy of home containment in Wales, significantly more stringent measures than those proposed by Defra would be required. The measure would need to be in line with our current approach to public health protection standards for this purpose.
23. Additionally, home containment would not be applicable for refugees under the Super Sponsor Scheme run by Welsh Government, since the housing conditions available are unsuitable for pets (regardless of their compliance with rabies entry rules), and this scheme is covering approximately half of all the refugees coming to Wales.
24. There are two other key issues with the home containment approach adopted by Defra, analysed below:
 - a. Firstly, article 9 of the RIO requires that *no premises shall be used for the detention and isolation in quarantine of an animal to which this order applies unless they have been authorised for use for the purpose by a licence granted by the Minister.*

Each residency used for home containment would need to be licenced by the Minister (i.e. by APHA, in practice) and subject to any terms and conditions specified in the licence. It would be probably impossible for residencies to comply with the policy requirements applicable to official AQUs.

These requirements are stringent and essentially about ensuring animals cannot contact with other animals or people, and cannot escape. Quarantine in a typical home setting would not provide sufficient assurances.
 - b. Secondly, the Minister must be *satisfied that the premises to which it relates are under the supervision of a veterinary surgeon (...) who has been authorised in writing by him to act in that behalf*

Defra's approach relies on a regular phone call from a temporarily appointed superintended veterinarian. Home containment, unlike official quarantine, does not benefit from permanent veterinary supervision. There is a risk lay persons responsible for the animal will not possess the knowledge and experience to correctly identify early signs of rabies and may dismiss them as resulting from changes to the pet's environment.

Each veterinarian would have to be authorised by the Minister, through APHA. In order to meet the criteria to act as an authorised veterinary supervisor for the purpose of this particular situation, there are requirements that need to be met with respect to training, training which has been made available by APHA.

Following confirmation that the appropriate training was successfully completed, APHA will issue a letter confirming approval as a veterinary supervisor to deliver this work.

Following approval, APHA will make contact with the vet, checking their availability to act as the veterinary supervisor for any Ukrainian pet animal contained at home in their delivery area, with a letter of appointment being sent by APHA once availability is confirmed.

There is a wider shortage of veterinary surgeons and a number of private veterinarians scoped by Defra to undertake home containment supervision have already expressed reluctance in being accountable, considering they would not visit these animals, but would rather make decisions based on what is being relayed to them over the phone by the pet owners.

Quarantine Capacity

25. The new [redacted: name and location of approved quarantine facility] is operational since 29 April 2022 with 5 spaces for dogs becoming available initially, with an additional 29 spaces expected to become available from 23 May. This will not be enough for the expected dogs of refugees coming to Wales (not least for the whole of GB) and cannot handle cats.
26. As of 5 May 2022, there are 171 AQUs spaces for dogs and 174 for cats and other small animals across GB. There are, however, currently only 11 spaces remaining for dogs, and 8 spaces for cats.
27. Quarantine capacity is being seen as a GB-wide resource and spaces are allocated by the Animal and Plant Health Agency (APHA) on a first come – first served basis irrespective of refugee destination. It would not be morally defensible to reserve the [redacted: S.43] facility for pets of refugees heading to Wales only.
28. Defra and APHA have been working to identify additional options for AQUs across GB. This has involved approaching boarding kennels, rescue charities and cross-government facilities to find facilities which are both willing and suitable to become an AQU.

29. We have been also using our networks to investigate possible existing facilities that could be converted to AQUs (if they met a set of minimum requirements to protect humans and animals). We have engaged with those looking after estates in Welsh Government, local authorities, police and the army. We have also considered private kennels and catteries.
30. None of these options has yet proved viable for various reasons, but Monmouthshire County Council is still investigating the possibility of erecting new facilities. Major issues to consider are speed of delivery, minimum standards, location, funding and staffing. Further advice will be given on this matter if it becomes a possibility.
31. UK Government is not considering other options, such as not allowing non-compliant Ukrainian pets to enter England until AQUs can accommodate them, for humanitarian reasons.
32. Defra are seeking a response from the Welsh Government on whether Wales will adopt the same approach to non-compliant animals from Ukraine once quarantine spaces are exceeded. Due to potential significant animal and public health implications, the following risks should be considered to inform our decision.

Assessment of Wales' options

A. Adopt to Defra's proposition for home containment

Benefits

- Insufficient quarantine spaces will no longer be an issue;
- Ukrainian refugees and their pets would obtain a licence sooner, which would avoid them being stranded on the continent (if they were waiting for a quarantine space);
- Positive media messaging regarding Wales accommodating animals from Ukraine.

Disadvantages

- Significant incursion risk for rabies and other diseases not currently present in the UK, with major potential impact on our human and animal population;
- England's position on home containment is unclear. For example, it requires the animal to be kept indoors at all times and away from any other people/children or pets which would be difficult to police and unlikely to be followed by many host families;
- It is impossible to ascertain how many of the pet owners will comply with the requirements and to what extent;
- We know APHA does not have the resource to make veterinary home visits and are seeking interest from private vets, who will need to be trained and will be likely to undertake the task on temporary appointment only without having the required qualifications;

- The industry and other countries may question the double standard regarding biosecurity and quarantine requirements;
- An outbreak of rabies in a private home may lead to significant public angst, media coverage and criticism. As pets would be housed in the homes of those who have offered to accommodate refugees, hesitancy to offer up accommodation to persons with pets or decisions to release pets which have arrived from Ukraine cannot be ruled out;

B. Require quarantine in AQUs for all pets going to Welsh homes i.e. the status quo:

Benefits:

- Assurance that pets are kept in approved facilities with 24hr veterinary supervision;
- Pets would only be released once full compliance with the PETS scheme is achieved, mitigating the risks of rabies and additional diseases incursion;
- Strong message to industry that Wales stands firmly in compliance with the import controls regulations;

Disadvantages:

- Pets entering Wales illegally would have to be identified and moved to quarantine, re-export or euthanasia.
- Any of these enforcement options, as well as refugees not coming into Wales because they do not tolerate separations from their pets, would likely attract negative focus from media and social media against the government.
- There may soon be no quarantine available across GB to accommodate these pets, which means that the only options would be to re-export them, *de facto* refusal of some refugees to enter Wales, or euthanasia.
- If the Welsh Government demand approved quarantine for all non-compliant Ukrainian pets coming into Wales it will put additional pressure on England's and Scotland's spaces. This could cause friction at both a policy and political level, especially if England felt Wales was unnecessarily taking spaces in England due to policy divergence;
- It is likely any quarantine costs would need to be met by the Welsh Government. Further advice on this will be provided.
- APHA operations, such as licensing and movements, are currently undertaken on an England & Wales level. Any divergence would require additional communication and guidance regarding operational delivery, which would create additional difficulty across an open border;

Recommended option

There is a very low risk of a Ukrainian pet arriving into Wales with rabies, however, OCVO considers the likelihood to be too high for such a serious disease.

Given the associated risks and perceived difficulty in monitoring or regulating home containment, officials are minded to agree the advice from the Chief Veterinary Officer for Wales in not recommending home containment for rabies quarantine purposes.

We therefore recommend Option B: that you agree to maintain the current policy requirements for Approved Quarantine Units (AQUs).

The position on quarantine spaces is fast-moving. Whilst the new [redacted: S.43] and will be able to accommodate up to 34 dogs in a few weeks, this may quickly be overwhelmed if there is an influx of refugees and their pets in the coming weeks (and it does not provide spaces for cats). As such, officials have asked APHA to be kept informed of quarantine spaces and may revisit this advice if the demand for approved quarantine spaces rises significantly.

The use of the ELISA test (MA/LG/1350/22) and the restriction of commercial imports of pets from Ukraine and 3 of its neighbouring countries (MA/LG/1485/22) helps to mitigate the pressure on AQUs.

The 'platinum' Ministerial control group have been informed of the situation on Ukrainian pets and will be kept updated.

Legal Powers and Advice

[redacted: S.42]

Communications

Any decision taken will be sensitively communicated to ensure all relevant parties are aware of the position for Wales. No direct announcements of any decision will be made, but officials will ensure delivery partners are correctly instructed. This will include the APHA team which process licences and also the Wales Welcome centre, to ensure that refugees are given the correct advice to assist them. This will ensure any potential divergence between Wales and other administrations is recognised.