



Animal Sentience Committee: Animal Welfare (Import of Dogs, Cats and Ferrets) Private Members Bill

Background

The [latest government data](#) show that the number of non-commercial movements of companion animals rose from 100,000 in 2011 to over 320,000 in 2023. As the numbers increase, so does the risk of fraudulent activity in the form of illegal smuggling and trading.

The Animal Welfare (Import of Dogs, Cats and Ferrets) Private Members Bill aims to provide better safeguards for these animals, addressing the legitimate concerns of many members of the public and animal welfare organisations. It will give the government powers to ban the import of puppies and kittens under 6 months, and dogs and cats who are mutilated or heavily pregnant. The bill sets out that a dog or cat has been 'mutilated' if they have undergone a procedure which involves interference with sensitive tissues or bone structure, other than for the purpose of medical treatment.

This pays regard to the welfare concerns associated with transporting vulnerable animals, who are especially at risk of discomfort, distress and disease. For example, it could help reduce the risk of importing debilitating and distressing diseases which are not currently endemic to the UK, in cases where there is an increased risk of transmission associated with pregnancy and abortion. The [British Veterinary Association has commented](#) that preventing puppies and heavily pregnant bitches from entering the UK will help to reduce the risk of diseases, such as Brucella canis, from being accidentally imported. The bill will also prevent the import of animals who have been mutilated in ways that are unacceptable and illegal in the UK because of the animal welfare and ethical issues that arise, such as dogs with cropped ears or declawed cats.

By focusing on the non-commercial movement of dogs, cats and ferrets, the bill also aims to close loopholes that enable commercial imports of animals to be passed off as companion animals travelling with their owners (often with lower welfare standards). For example, limits are set on the numbers of animals permitted to travel in a vehicle, and the movement of dogs, cats and ferrets must be within 5 days of their owners.

The bill grants powers to introduce secondary legislation which may confer powers of inspection and enforcement. There are also maximum penalties that may be imposed for contravening the regulations, to act as a deterrent.

ASC analysis

This draft of the bill has paid regard to the health and welfare of dogs and cats, by providing powers to prevent the import of vulnerable animals, and of animals who have been unacceptably mutilated. This will benefit animal welfare by preventing the above animals from experiencing the stress of transport and its after-effects, preventing sick animals from passing on diseases following their arrival, and tackling the 'normalisation' of mutilated animals. The bill has also endeavoured to close loopholes that would have enabled dogs, cats and ferrets to be fraudulently transported non-commercially. However, much will depend on effective implementation and enforcement including feasible, humane contingency plans to deal with animals who are seized or abandoned.

Both border surveillance and enforcement will need to be adequate, or the law will have little or no effect. If animals are abandoned at the border, they will need to be accommodated and cared for, and possibly rehomed. We note that Clause 1 (7) includes powers to make regulations which may require a specified person to meet the costs of detaining a dog, cat or ferret, and will also enable government to make regulations to enable ownership of a dog, cat or ferret to be transferred in specified circumstances. However, the welfare impact of prolonged kennelling, while attempts are made to retrieve boarding costs or find a new home, is a potential welfare issue within this bill.

There will also need to be appropriate regulations around checking imported animals, in addition to the provisions in the bill regarding seizing and detaining 'non-compliant' animals, such as those suspected of being illegally smuggled. All of this will clearly require adequate funding and resources.

Discussion with Defra

The ASC met with Defra to discuss:

- the scope of the bill
- what steps had been taken to identify and eliminate any legal technicalities, or ambiguities, that might undermine it
- whether the secondary legislation will include adequate monitoring, surveillance and enforcement which will be properly funded

The committee was satisfied that there was a carefully considered evidence base, and practical basis, for the numbers of animals permitted to be transported and for the stages of pregnancy and development for dogs and cats cited in the bill. There will also be the flexibility to introduce further regulations to close any 'loopholes' that may become evident.

Regarding the effectiveness and impact of the bill, data on dog, cat and ferret non-commercial and commercial movements are collected by the Animal and Plant

Health Agency ([APHA](#)). APHA and carriers will be able to collect data on non-compliances relating to the measures introduced by the bill (meaning both changes to non-commercial movement rules and the three specific prohibitions for low welfare movements). This will allow the government to monitor the effectiveness, and impact, of the measures. Defra also has good communication channels with pet checkers and APHA portal staff at entry points to the UK, who are an important source of intelligence. Data on all offences under the bill, such as attempting to import a dog with cropped ears, will be officially recorded.

The bodies responsible for enforcement of the non-commercial and commercial pet movement rules will continue to be APHA and Local Authorities. The bill gives the government powers to make transitional provisions, which would allow for enforcement agencies, businesses and the public to prepare for the measures that will be introduced by this bill. Using the powers in the bill, the government will be working with enforcement bodies to introduce regulations which will set out clear processes regarding the seizure and detention of 'non-compliant' animals. There is also a 'New Burden Assessment Process' which can be used to ensure that relevant bodies are able to implement requirements from central Government. In line with this New Burden doctrine, which is implemented across government, Defra will be working with enforcement agencies to assess any funding and resource impacts of the bill.

Conclusion

On the basis of our examination of the bill, and the above discussion with Defra, the ASC considers that the Animal Welfare (Import of Dogs, Cats and Ferrets) Private Members Bill, as it stands, pays due regard to the ways in which the policy might have an adverse effect on the welfare needs of sentient animals affected. We are satisfied that there has been, and continues to be, strategic thinking around the bill's resourcing and monitoring. If enacted and enforced as intended, there should be positive animal welfare outcomes.