

Our Ref: TB/JSM



Animal Welfare Team
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SENT BY EMAIL ONLY TO: AnimalWelfare.Consultations@defra.gsi.gov.uk

5 April 2018

Dear Sirs

Re: A ban on electronic training collars for cats and dogs in England

The Countryside Alliance works for everyone who loves the countryside and the rural way of life. Our aim is to protect and promote life in the countryside and to help it thrive. With over 100,000 members and supporters we are the only organisation working across a broad range of rural issues.

We welcome the opportunity to provide comments on the proposed ban on the use of electric collars for cats and dogs in England.

We understand that it is the intention of the Government to “make it an offence to use an e-collar, or even to put one on a cat or dog, or be in charge of a cat or dog that it wearing one”. We understand that Defra is seeking views ahead of introducing regulations under the Animal Welfare Act 2006, and updating the statutory Codes of Practice for the Welfare of Cats and of Dogs, which will be used to introduce a ban in England.

Considering the scope of this consultation, we will focus our response on concerns about the introduction of a ban in England, and the necessity to include exemptions including for electric collars used in boundary fence systems.

The introduction of a ban in England

The Countryside Alliance believes that electric collars should not be used for routine training of dogs. There may, however, be occasions where used properly and as a last resort they can prevent serious problems, such as sheep worrying, which could otherwise necessitate the destruction of a dog.

There is already protection against misuse of electric collars under existing legislation in England. The use of electric collars for cats and dogs is subject to the requirements of the Animal Welfare Act 2006, and there are separate statutory Codes of Practice in place for the Welfare of Cats and of Dogs. Defra has recently updated the Code of Practice for the Welfare of Dogs and strengthened the form of wording on the use of negative training methods. The draft Code, which is currently before Parliament, makes it clear that anyone who uses training techniques that include physical punishment may risk being prosecuted under the Animal Welfare Act 2006 for causing unnecessary suffering to an animal.

It is disappointing that the consultation document, reinforced by comments made by the Secretary of State, makes it clear that the Government is intending to introduce an outright ban on electric collars in England without proper consideration of other options. Moves to outlaw electric collars should involve consideration of alternatives to an outright ban such as further regulation, a licensing system, or statutory controls on the quality and specification of the devices available. One option could be devices only being available under supervision and/or after training from a licensed or regulated practitioner. These proposals are not included in the consultation document but we hope that Defra will consider them before introducing regulations.

It is also disappointing that the consultation document pre-empts and dismisses the argument that electric collars can be a useful device in cases of last resort, where a dog could cause serious harm to itself, other animals, or people. The use of electric collars can bring benefits to animals that might otherwise have led very restricted lives, or for which euthanasia would have been a likely or only option. This includes specific types of dogs, including some working dog breeds, which have a very strong instinct to chase other animals and which may not respond to other training methods.

The Government seems to have misunderstood the concept of 'cruelty' in its proposals. Cruelty is the infliction of unnecessary suffering and the Countryside Alliance supports all legislation aimed at tackling it. In many cases, however, it is entirely acceptable to inflict necessary suffering on an animal for its own good, or for the good of society. For instance, neutering a dog or cat can cause a great deal of suffering, as well as restricting the natural behaviour of the animal, but it is rightly deemed necessary. It may be that a small degree of suffering inflicted by an electric collar is equally deemed necessary as it may save livestock and prevent the euthanasia of a dog.

The proposals in the consultation document ignore the findings of the Scottish Government consultation into electronic training aids in Scotland which found that "respondents were relatively evenly divided between those supportive of electronic training aids and those opposed to their use" (p. 49). The consultation findings, which were published in June 2016, highlighted a significant amount of anecdotal evidence which showed "there is no evidence that animals suffer when electronic training aids are used correctly" (p. 50). Following the consultation, the Scottish Government announced plans to issue guidance which highlights the welfare effects of electric collars and clarifies what offences may apply in relation to their use.

Moves to ban electric collars in England should be a last resort and Defra must consider the implications of removing these training devices from dog trainers in all circumstances.

Boundary fence systems

Any ban on electric collars in England should exclude boundary fence systems. The use of these systems allows animals more freedom and greater safety when being kept outdoors, particularly near busy roads or other dangers.

Whilst the consultation document acknowledges the difference between electric collars used for training purposes and those used as part of boundary fence systems, the proposals do not distinguish between them, and the current scope of the ban would include electric collars used for both purposes.

A ban on the use of such boundary fence systems would set a precedent which would have much wider consequences. Electronic boundary fence systems are already being used for cattle and ponies including many involved in 'conservation grazing' projects by organisations including the National Trust and Wildlife Trusts. There is no evidence that electric collars used in boundary fence systems are 'cruel' when used for cats and dogs, but not when used for cattle or ponies. Equally, there is no principle behind arguments that the infliction of an electric shock to an animal via electronic boundary fence systems is 'cruel', but that the infliction of the same level of electric shock through a traditional electric fence is not. A ban on the use of electric collars and boundary fencing systems as contained in the current proposals would therefore have far reaching consequences.

A study into boundary fence systems by animal welfare researchers at the University of Lincoln, published in 2016, found no evidence of long-term welfare problems in cats wearing electric collars as part of boundary fence systems. The last Defra research commissioned into electric collars, published in 2014, did not examine boundary fence systems and it is unclear whether Defra has considered the latest research from the University of Lincoln in formulating the current proposals. A number of animal welfare professionals have expressed support for electric collars used in boundary fence systems, and we hope that Defra will engage with these professionals in developing the current proposals.

Most people who use electronic boundary fence systems do so because of the experience of having their cat or dog involved in a road traffic accident. If these systems are banned under the current proposals then pet owners will have to choose between confining their cat or dog inside, or continuing to use these systems illegally. Enforcing such a ban would put un-necessary pressure on police and

local authorities without any evidence to justify a ban either on the grounds of animal welfare or public interest.

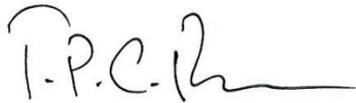
The consultation document highlights the legislation passed in Wales in 2010 as an example of how a ban could be introduced in England. It is worth noting that the ban on electric collars used in boundary fences was added as an amendment to the Welsh legislation at the end of its passage through the Welsh Assembly and there have been repeated attempts to remove it ever since. We strongly advise the Government to learn the lessons from Wales, and ensure any regulations contain an exemption for electric collars used in boundary fence systems.

Recommendations

- i) Consideration of the needs of working dog owners, which may involve the creation of an ad hoc working group to develop the detail of the proposals ahead of any regulations being introduced.**
- ii) Introduction of a licensing system for electric collars to recognise the importance of these devices in cases of last resort.**
- iii) Inclusion of an exemption in any regulations for electric collars used in boundary fence systems to recognise the importance of these systems for responsible pet owners, the precedent such a ban would set for livestock systems, and the lack of evidence to justify their inclusion in any ban.**

If you require any further information from the Countryside Alliance, or would like to discuss our submission, then please do not hesitate to contact me.

Yours sincerely



Tim Bonner

Chief Executive

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