**Response to Welsh Government Consultation ‘Licencing of Animal Welfare Establishments, Activities and Exhibits’**

**Question 1. Do you agree that Animal Welfare Establishments (animal sanctuaries and animal rescue and rehabilitation centres) should be subject to licencing?**

Yes

**If yes, please provide your reasoning in the box below:**

This response is offered on behalf of Dr Sarah Singh and Professor Marie Fox, School of Law, University of Liverpool. We are legal academics and trustees of North West English Springer Spaniel Rescue, a breed specific dog rescue based in the North West of England. Our ongoing project, **‘**Legal Governance of Dog Rescues: Addressing Post-Pandemic Challenges in a Period of Austerity’ (funded by Research England and ESRC Impact Acceleration Funding) explores whether legal regulation of rescue can improve animal welfare standards.

The responses and recommendations below draw on our preliminary analysis of our qualitative data involving interviews (n.16 rescues) and focus groups (n. 24 rescues) with small – medium sized rescues across the devolved nations of the UK. This response also draws on data from a workshop held with stakeholders including representatives from DEFRA, regulatory bodies such as the Kennel Club, large national rescues (Battersea, RSPCA, Dogs Trust etc) as well as a handful of smaller ones and specialist lawyers, vets and academics (<https://socialandlegalstudies.wordpress.com/tag/socio-legal-studies/>). Following that workshop, we have been awarded additional funding to conduct further research into this area, working alongside Battersea, the Kennel Club and A-LAW. Having mapped different approaches across all four devolved nations of the UK we have more recently been awarded further funding to look specifically at regulatory reform in Northern Ireland (regulationofrescue.co.uk)

While our participants were generally positive about soft regulatory measures such as membership of the Association of Dogs and Cats Homes or adherence to the Welsh Code of Practice, the lack of take up of voluntary codes suggests that a more robust regulatory approach is needed. Our data suggests that, generally, there is an appetite in the sector for regulation, largely fuelled by the desire to safeguard the welfare of animals coming into rescue. Rescues did however voice concerns about the increased burden that more bureaucracy may place on smaller, volunteer led organisations, particularly given the ongoing crisis in UK rescue in the wake of the covid-19 pandemic and ongoing cost-of-living crisis.

We ultimately agree that the shift towards licencing of rescues (including organisations with their own premises as well as those who engage in rehoming) is necessary for the following reasons:

1. To ensure the welfare of animals in/entering rescue:

In setting minimal welfare standards licencing holds rescues accountable for the welfare of animals in their care, closing a big gap in existing welfare provisions (most notably under the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021). While the focus tends to be on the physical environment, regulation also has the potential to increase the standardisation of policies around critical welfare issues, for example, euthanasia, neutering etc.

1. Information generated by a duty to report would allow for the identification of sector-wide trends, encouraging earlier welfare-orientated policy interventions.
2. To allow members of the public wishing to surrender or adopt animals to discern reputable rescues.
3. To ensure that those wishing to make charitable donations/legacies can discern reputable rescues thus bolstering public faith in charitable giving to animal welfare establishments.

**Based on the Scottish experience and our data we do, however, have the following suggestions:**

Definition of organisations subject to licencing regime:

The consultation document suggests that these proposals are oriented to organisations with physical premises. However, we would suggest that any licencing regime should apply to any organisation which engages in the rehoming of animals. We recommend that when defining organisations which will be subject to this licencing regime, the Welsh Government should adopt a definition based on activity, as proposed by Animal Welfare Network of Wales (Animal Welfare Network Wales Code of Best Practice for animal welfare establishments, p.2 (https://www.gov.wales/sites/default/files/publications/2020-09/animal-welfare-establishments-code-of-best-practice.pdf)). In our view this would be preferable to following Scotland’s approach which is based on size of operation (i.e. number of animals assisted per year). We also agree with Battersea’s suggestion of adding the caveat of being ‘not for profit’, to help distinguish between commercial and non-commercial operations.

The Scottish regulations make a distinction between an animal welfare establishment (schedule 5) and those organisations which, while not having premises, engage in rehoming activities (schedule 4). This requires organisations that rehome to be responsible for collecting a dog who the owner wishes to return within 10 days of rehoming. We suggest that, while well intentioned, this both fails to address the complexities and welfare implications of importing rescue dogs from outside of the UK and increases the burden on smaller volunteer led rescues to collect animals. There should be an option for adopters to return animals themselves. We would suggest that the Senedd attempt a more nuanced approach to ensuring that rescues which import dogs from outside of the UK have appropriate UK based ‘back up’, should the dog need to return to rescue for any reason.

The definition of what it means to ‘rescue’ as opposed to simply ‘rehome’ also risks exacerbating the problem identified in the consultation document concerning animals not being matched to new homes, resulting in their return or abandonment. While we agree that matching animals to homes is to be encouraged, many large national organisations would not necessarily fulfil this criterion. Therefore, we would suggest that this would be better framed as good practice in guidance which would accompany any statutory licencing scheme.

Training of Staff & Volunteers

Where an AWE employs staff, staff should have an appropriate level of training including appropriate first aid training. The level of qualifications/relevant experience should be set in line with sector standards (ascertained in discussion with industry bodies) and should be equivalent across all comparable, animal facing services.

Enforcement /Inspection of premises:

Our data suggests that a key challenge to regulating dog rescues is accommodating diversity in practice. For example, bigger organisations own premises and employ staff, many organisations contract third parties including commercial kennels, while others favour foster-based, or even home-to-home models. Even where minimal welfare standards exist, these often privilege easily measurable aspects such as physical environment (e.g., dictating specific kennel dimensions).

We therefore advise a degree of flexibility be taken in the enforcement of any licencing regime. it is crucial that they are implemented by well-trained enforcers/officers, who are well versed in animal welfare and can ensure that a holistic approach is taken to assessing the suitability in the environment. For example, understanding nuances such as that some dogs may prefer to be kennelled with another dog even if this does make dimensions per dog smaller than would otherwise be preferable (for e.g. bonded pairs, greyhounds from tracks and dogs seized from puppy farms). Failure to recognise what good welfare practice looks like in smaller, less resourced rescues risks closing those organisations down, potentially exacerbating the current crisis in UK dog rescue.

To ensure that rescues are not held to a higher standard than organisations boarding animals commercially/for profit, specific requirements regarding physical environments such as kennels and catteries would need to be reflected in an amendment to the Animal Boarding Establishments Act 1963 to bring this in-line with the Scottish and English boarding equivalents (i.e.  [The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 No. 486](https://www.legislation.gov.uk/uksi/2018/486/contents/made)) Given the role commercial kennels, catteries etc. often play in animal rescue, it would be advisable to have all these regulations contained in one Act.

Welsh participants in our interviews were generally positive about the shared regulatory services between councils, including the ‘Animal Licencing in Wales’ group. We therefore suggest that while the paper-based application process can be administered by individual local authorities, inspections should be undertaken by ‘Animal Licencing Wales’ so that inspectors have adequate animal welfare expertise. Moreover, a centralised approach to inspection will ensure more consistency across companion animal services as the same inspectors will attend boarding kennels, breeders etc.

If, as proposed in the consultation document, Wales instead follows the Scottish approach of appointing local authority staff to inspect premises, we recommend that local authorities are encouraged to engage in training (from the larger Welsh rescues or national bodies such as RSPCA) before they are entrusted with additional responsibilities in respect of animal welfare regulations. Local authority staff will also need training on the operation/ambit of the proposed regulations, so that they can advise those who potentially need to be registered or licensed under them. Effective enforcement will require that local authorities are given additional resources. While there is symbolic value in legislating to improve the welfare of companion animals, in practice animal welfare law which is ‘on the books’ but not enforced can be the worst of all worlds. E.g., it can give those with little consideration for animal welfare just enough knowledge to maintain a veneer of legitimacy/professionalism and may therefore encourage misplaced public confidence.

Enforcement of this licencing scheme needs to go hand in hand with greater enforcement of Lucy’s Law. Our Welsh interviewees indicated that once cruelty is detected they are generally satisfied with prosecution rates, outcomes etc, however enforcement is often lacking not least as some areas do not have dog wardens/dog wardens are shared across large areas. Enforcement against unlicensed breeders is vital to easing the burden on rescues.

Resources

All rescue organisation agreed that greater access to resources (including training) must precede any shift towards statutory regulation, this will help ensure that reforms realise the aim of driving up welfare across this already vulnerable sector. It is suggested that the Senedd might consider funding the larger, sector leading rescues in Wales to provide training and mentoring to smaller organisations. This would facilitate networking/mentoring opportunities within the Welsh rescue sector.

The Welsh voluntary code of practice (https://www.gov.wales/sites/default/files/publications/2020-09/animal-welfare-establishments-code-of-best-practice.pdf) is exemplary in giving examples of good governance, for example euthanasia policies etc. We would recommend that these online resources are enhanced further and are disseminated as widely as possible in advance of a regulatory regime. This would ease the bureaucratic burden on smaller, less professionalised rescues which, while maintaining high animal welfare standards may struggle to produce the ‘well-constructed business plans’ mentioned in page 22 of the consultation. We would encourage engagement with/signposting to resources such as Battersea Academy, which provides short courses on a range of issues including ‘hands on’ animal-facing advice around handling, enrichment in kennels etc to good governance, advice how to write fundraising strategies etc. Good governance should include the taking out of insurance (public liability and trustee indemnity where appropriate). Rescues across the UK are finding it increasingly difficult (and expensive) to secure public liability insurance. The policy conditions required by insurers has also increased increasing the burden on rescues, particularly those who take dogs who may have a bite record. We would encourage the Welsh government to engage with insurers on this matter.

The Senedd (via local authorities) may also wish to consider targeted support for rescues with local authority contracts. While rescues across the UK are currently in crisis (following the unprecedented number of companion animals being surrendered or abandoned following the resumption of post-covid working patterns coupled with the cost of living crisis) this is perhaps being felt most acutely by those organisations; not least as having no control over their intake means they are disproportionately impacted by both the XL bully ban and the veterinary costs associated with dogs seized due to illegal breeding and/or cruelty.

We would also suggest that the Welsh Government consider implementing further legislative changes to reduce the period that dogs seized by the police have to be held before legal ownership passes to the rescue and they can legally be rehomed. This would help reduce ‘kennel blocking’ amongst rescues who take large numbers of dogs seized in animal welfare raids.

Sensitivities around data collected following a duty to report**:**

We encourage a duty to report, since, at present, animals coming into rescue are something of a data blind spot, leaving a gap in knowledge around trends in companion animals more generally. Inadequate data hinders timely policy interventions to secure animal welfare. However, careful thought needs to be given to the dissemination and/or communication of data gathered because of mandatory reporting. For example, while we would encourage transparency around aspects such as euthanasia rates which are central to animal welfare, it is to be anticipated that organisations with local authority contracts will have higher euthanasia rates than rescues who have more control over their intake. This is exacerbated by some organisations indicating an increase in end-of-life dogs being abandoned in parts of Wales, thus requiring immediate euthanasia to end suffering. The hastily implemented XL ban will also disproportionately impact the euthanasia rates of general rescue and/or those with local authority contracts as rescues can no longer legally rehome these dogs.

Communication

While the Scottish regulations were enacted following high-profile media campaigns there seems to have been little by way of communication regarding the new regime; either to rescues who are now subject to these regulations (who it is accepted are hard to reach precisely because they are at present unregistered), or the general public, to influence behaviours around surrender, adoption, volunteering and charitable giving. For licencing to work in Wales there will need to be campaigns across a range of media platforms. Public awareness campaigns around regulation of rescue and ‘the puppy farm next door’ go hand in hand with educating the general public about how to responsibly buy or adopt companion animals.

**Question 2**

**Do you agree that Animal Activities (human engagement services, doggy daycare, dog walking, home boarding, livery services etc) should be subject to licencing?**

Yes

**If you answer yes to the question, we would ask you to provide your reasoning in the box provided.**

**(Animal Activities include: Pet care facilities, pet day care, pet sitting, dog walking, home boarding, pet play parks, pet grooming etc).**

Yes, we agree with this proposal to licence all of the following activities (pet care, pet day-care, pet sitting, dog walking, home boarding, play parks and grooming). We believe this proposal would address a remaining gap in animal welfare legislation in Wales. It complements the aims of other proposed reforms in this consultation, which similarly aim to improve the welfare of companion animals.

Dog walking businesses, pet daycare and pet care facilities are important in terms of animal welfare (particularly given the resumption of pre- covid-19 work patterns) and there has been a huge increase in demand for such services.

The level of training for staff across these services should be equivalent to those governing related sectors (such as commercial boarding) to ensure consistency. In practice there is also likely be significant cross-over in staffing across these sectors.

**Pet care facilities Inc. day-care, pet sitting, home boarding, play parks etc:**

A licencing regime for day-care, home boarding, pet sitting and play parks should specify maximum numbers of animals within a certain area and appropriate staff to animal ratios. We would recommend that staff attain some minimal level of training, including appropriate first aid training. As with boarding kennels and catteries, licensing must require services to have robust health and safety procedures, including fire evacuation plans and must be adequately insured. All providers should have policies in place outlining how the five freedoms under the Animal Welfare Act (2006) are ensured for animals in their care.

**Dog Walkers:**

We agree that is sensible to stipulate on the licence a maximum number of dogs who can be walked at one time. This is to ensure the welfare of the dogs being walked and the general wellbeing of members of the public and other dogs being exercised in that area. As a starting point, bodies such as the RSPCA advise that professional dog walkers walk no more than 4 dogs together. Many insurance companies dictate an upper limit of 6. We suggest 4 is a preferable maximum to ensure dog walkers properly engage with the dogs in their care. This is in line with some local authorities in England, e.g. <https://www.manchester.gov.uk/info/432/dogs_and_problem_dogs/8414/dog_control_public_space_protection_orders>

We would suggest that it would be helpful to provide examples of a standard term agreement between dog walking businesses and the clients. This could usefully include information about issues such as the following: where the dog will be walked and for how long, how many dogs will be walked at one time, what breeds the dog walker has experience of, whether the dog walker is insured, what their cancellation policy is, and what happens if a dog walker is ill or unable to come at a scheduled day, whether client references are available etc.

For examples of factors to consider see:

<https://www.dogstrust.org.uk/dog-advice/life-with-your-dog/outdoors/find-dog-walker>

<https://dogwalkerdirectory>.co.uk/blogpost/what-to-look-for-when-choosing-a-dog-walker-for-your-dog/

<https://www.akc.org/expert-advice/health/finding-a-dog-walker/>

The other potential consequence is that a statutory licensing regime may result in some dog walkers going out of business or increasing costs. As a result, owners may leave dogs for longer without exercise, or have to rely on unregulated informal mechanisms, including online platforms such as ‘BorrowMyDoggy.com’ which are based on members of the public walking one another’s dogs but not for payment. This also raises the question of whether there should be an attempt to regulate such informal schemes in some way.

**Pet groomers:**

We broadly agree with the proposal to introduce a licencing regime to regulate pet groomers, as for some breeds regular grooming is critical to their health and welfare. There is an increasing trend in demand for dogs and cats with extreme physical characteristics, including hairless dogs or extra fluffy breeds which require specialist care to maintain basic welfare. Specialist knowledge is required to care for brachycephalic breeds since they are particularly vulnerable to conditions such as eczema or dermatitis in skin folds around sensitive areas, such as eyes.

It is also important not only for their physical wellbeing but also their socialisation that grooming is a positive experience and that they are handled appropriately.

Again, however, while agreeing that a licencing regime is desirable, we have reservations about the capacity of local authorities to process applications, inspect vehicles and premises and, vitally, to act against those businesses which continue to operate without a licence.

### . Since part of the rationale for licensing dog groomers is the expansion in this sector, it would be sensible to include cat grooming in particular. This is a likely area for future growth as industry bodies report a current shortage (see, e.g., Anon (2022) ‘Cat Grooming: National Shortage and why owners should be on board with coat care’ *Total Grooming Magazine* pp. 22-26 (available at <https://issuu.com/cimonline/docs/tgm_may_2022_-_lr/s/15707091> and <https://www.futuremarketinsights.com/reports/pet-grooming-market#:~:text=According%20to%20the%20latest%20forecast,recorded%20from%202018%20to%202022>).

Appropriate grooming is critical to many long-haired dogs, cats and rabbits who, if not groomed become matted and may require sedation by vets before being shaved. While bodies such as the iPET network (quoted in the articles cited above) have been encouraging dog groomers to expand into cat grooming due to a UK-wide shortage of cat groomers, inspectors will have to be satisfied that a groomer will accommodate the needs of each species and ensure adequate separation, to keep stress to a minimum and ensure the safety of animals in their care.

Industry bodies are best placed to advise as to the qualifications. We suggest that all groomers have undertaken training in canine/feline first aid.

**Livery Services**

In light of other proposals, we agree with licencing liveries, as this will address a gap in the existing legal framework to ensure animal welfare in Wales, however it should be noted we have no expertise in relation to horses.

Having also engaged with Scotland’s proposals around licencing of liveries we recommend that this regime applies to all livery services irrespective of number of horses in their care. First, this is because the needs of horses are complex. Second, creating a two-tier system - for example, requiring registration of livery services caring for up to 3 horses and licencing of those with 4 or more horses may inadvertently give the public (i.e., consumers) the impression that larger liveries provide better care. Moreover, if this proposed licencing scheme followed the same format of the licencing regime proposed for dog breeders there is a risk that smaller liveries on the register will not be subject to a welfare inspection but will still receive an apparently official endorsement (registration). This risks giving low welfare liveries a veneer of legitimacy. Conversely, if horse owners perceive licenced liveries as the ‘gold standard’, this may privilege the larger operations. We particularly endorse the accountability aims encoded in the consultation, as we welcome measures which expedite the rehoming of horses who have been abandoned at liveries.

Presumably this proposal could lead to the closure of those liveries which do not meet welfare standards. This may have an impact on horse rescues, which have already been impacted by the covid-19 pandemic and ongoing cost of living crisis as noted in a joint report undertaken by the National Equine Welfare Council & ADCH (‘Impact of Covid-19 on Equine Rescue Organisations’). We suggest liaising with the National Equine Welfare Council as well as the RSPCA, since they are best placed to advise as to the risk of more horses coming into animal welfare establishments and the capacity of third sector organisations to cope. To this end we support the collaborative aim that liveries and animal welfare establishments work together, particularly since data suggests that many equine rescues continue to struggle following the impact that covid has had on fundraising and rehoming (see Murray B (2020) ‘’Grave concerns’ as full effects of coronavirus expects to hit horse welfare this winter’ *Horse & Hound,* 24th July (https://www.horseandhound.co.uk/news/grave-concerns-as-full-effects-of-coronavirus-expected-to-hit-horse-welfare-this-winter-720454)

**Human-animal encounters (including pet therapy):**

**Human-animal encounters**

Given the crisis in UK rescue we would recommend a very stringent approach to licencing activities which instrumentalise animals who are likely to suffer and then be abandoned. If ‘services’ such as puppy yoga, are to be licenced we advise that as for the services discussed above these should have adequate insurance, both public liability but also veterinary insurance for all animals. Those running these services should be held to the same account as rescues; they should need to have a business plan (which includes how they cater to the five freedoms in the course of their business, both when animals are ‘working’ and at rest), and animal welfare policies around welfare issues such as neutering and euthanasia. Staff should be appropriately trained to handle the animals and be trained in first aid. Premises should be inspected as with other equivalent services; both where the animals ‘work’ and where they are kept when at rest.

**Enforcement of a licencing regime for these services:**

Participants were very positive about the shared regulatory services between councils, including the ‘Animal Licencing in Wales’ group. It is therefore suggested that while the paper-based application process can be administered by individual local authorities, inspections are all undertaken by the Animal Licencing in Wales Group so that inspectors have adequate level animal welfare expertise. Moreover, a centralised approach to inspection will ensure more consistency across companion animal services as the same inspectors will attend boarding kennels, breeders etc.

If it is decided instead to appoint local authority staff to inspect premises we suggest that those local authority officers who will be expected to inspect premises are trained in animal welfare as outlined in our response to question 1.

**We would suggest that the Welsh government also includes animal behaviourists in new regulations:**

We suggest that ‘behaviourists’ be included in any new regime; a legal definition would help drive up animal welfare. At present the fact that anyone can hold themselves out as a behaviourist has a detrimental impact on dogs who may be subject to aversive methods. Also, owners often pay excessive sums of money to someone with little/ no qualifications or experience (particularly given the variable quality of online courses). Including behaviourists and or trainers would also close a loophole in the proposals whereby a behaviourist who boards animals as part of their training may evade licencing requirements as highlighted in the consultation document. Regulating behaviourists would also help drive up welfare standards in rescues as many smaller organisations rely on the services of self-employed behaviourists.

**Question 3. Do you agree that a licensing scheme be introduced to strengthen existing legislation re animal exhibits i.e. people who take animals to parties such as reptiles, birds of prey centres or other travelling and static animal exhibits?**

Yes.

**If you answer yes to the question, we would ask you to provide your reasoning in the box provided.**

Yes, we agree with licencing these activities to provide a coherent and comprehensive approach to animal welfare across Wales. Those who instrumentalise animals for profit should not be subject to less regulatory oversight than non-profit organisations who rescue and rehabilitate animals who are the by-product of these industries.

**Question 4. Do you agree that whether owners and/or keepers or trainers of racing dogs (including greyhounds) should be subject to licensing?**

No.

**If yes provide reasoning in the box below.**

In our view, the existence of a single operational track in Wales makes this is an ideal time for Wales to take the lead on phasing out greyhound racing, and ultimately, we believe it should be banned for the reasons outlined in our response to question 5.

If a phased ban is not supported then the licencing regime suggested would represent an improvement on the current position in Wales where, unlike England, no specific regulation applies. However, ultimately, and as we have noted elsewhere in this consultation, as things currently stand, and as the review of the English regulations’ highlights (as outlined below), local authorities do not have the capacity or expertise to enforce existing animal welfare legislation.

**Question 5 We are aware of significant public interest in the welfare of racing greyhounds. Further to the question of the licencing of owners, keepers or trainers of racing dogs, we seek evidence to justify or negate consideration of a phased ban in future.**

There is clear evidence that the popularity of the greyhound industry is declining throughout the UK. A significant number of tracks have closed since 2010 (see e.g., DEFRA, Consultation on the initial findings of the Review of the Welfare of Racing Greyhound Regulations 2010, November 2015) and this process has been exacerbated by the Covid-19 pandemic. Social attitude surveys and government petitions consistently indicate that the public no longer supports this industry (as reflected in Hope Rescue’s 2023 petition achieving 35,101 signatures (<https://petitions.senedd.wales/petitions/244932>). In our view it has no place in contemporary society given its impact on dog welfare and animal rescues. While England has not consulted on the issues since 2015, it is high on the political agenda in Scotland who consulted on this matter in September 2023 and currently have an open consultation.

Considerable support exists for a phased Ban, as recommended by Hope Rescue, Greyhound Rescue Wales as well as larger, UK-wide organisations such as the RSPCA, Dogs Trust, Blue Cross etc. ope rescue, Greyoudn Rescue Wales RSPCA, Battersea Based on the strength of public petitions on this issue, the Welsh Government accepted a Senedd (Welsh Parliament) committee report that recommended phasing out greyhound racing in Wales. This was based on findings documented in the Petitions Committee report ‘The Final Bend’ in December 2022 (<https://senedd.wales/media/leyh4d3l/cr-ld15555-e.pdf>). At present greyhounds racing at the Valley track are subject to less protections that those racing over the border in England; The very reason cited for not following suit and introducing greater protection for racing greyhounds in Wales was because of the expectation that this was to be phased out.

The Covid-19 pandemic led to closure of many tracks throughout the UK. However, experience from England shows that recently some have reopened e.g., the track in Oxford reopened in summer 2022 having closed in 2012. At present, valley stadium is Wales’s only remaining active track. If tracks reopen a ban will become much harder to implement. Moreover, the future of this track is at a pivotal point; there is a risk that, if as proposed, GBGB do take over this track this may result in more races taking place (GBGB have proposed to increase meets from once a week to four times a week). A higher number of races will mean a higher number of dogs being trafficked from RoI.

More races mean more dogs racing and therefore more injuries. Moreover, while GBGB have professed to update their standards, it is significant that the Society of Greyhound veterinarians (a branch of the British Veterinary Association) has raised concerns over the GBGB kennel inspection policies. In particular they highlight the lack of ‘desire to introduce minimum standards for the selection and training of inspecting vets’ Society of Greyhound Veterinarians (2011) ‘Newsletter: Summer Edition’ (http://tinyurl.com/pcnu38f).

Licensing an activity (either directly or by licencing owners/trainers) serves to legitimise it. In addition to this general point, evidence from England points to significant problems with the licensing regime introduced there in 2010. The ’Final Bend’ report (https://senedd.wales/media/leyh4d3l/cr-ld15555-e.pdf ) documents a lack of adherence to existing legislation - e.g. regarding the transport of animals and consequent welfare concerns over the transport of dogs to and from meets. In a 2015 DEFRA consultation, a significant majority of respondents disagreed that the enforcement of welfare standards required by the Regulations was satisfactory at either GBGB regulated tracks or local authority licensed tracks? (As regards the former only16.5% of respondents took the view that the standards were adequately enforced; in the case of the latter only 11.5% of respondents agreed that standards were adequately enforced). Common responses regarding GBGB enforcement were that while some respondents saw enforcement as effective (as tracks were inspected more often, by knowledgeable inspectors, with UKAS providing independent oversight), others highlighted a lack of transparency in the sport, and suggested that standards set in the Regulations did not go far enough. In relation to independent tracks a general concern was that local authorities did not know enough about greyhound racing to be effective enforcers of the Regulations.

One consequence of the current unregulated position is a lack of data and thus of oversight. Such data as does exist suggests that across the UK over 2000 greyhounds died and nearly 18000 injuries were recorded between 2018-2021. This does not account for industry ‘wastage’ – i.e. puppies born and treated as a biproduct of the industry who, a one of our interview participants noted, are often killed inhumanely and buried in mass graves.

Of those dogs who survive or escape injury, research indicates that the welfare of dogs is poor; In line with findings reported in *The Final Bend*, observations from the Scottish Animal Welfare Commission (SAWC) observations at the one remaining Scottish track, Thornton, noted that a number of dogs who attended meets had bald patches which suggested rubbing against kennel bars either at the track or while being transported (Scottish Animal Welfare Commission Report on the welfare of greyhounds used for racing in Scotland’ February 2023 (<https://www.parliament.scot/-/media/files/committees/rural-affairs-and-islands-committee/correspondence/2023/report-on-the-welfare-of-greyhounds-used-for-racing-in-scotland-sawc-february-2023.pdf>).

Beyond the impact on individual dogs, the impact on animal welfare establishments should be considered. As we have already documented in our response to question one, Animal Welfare Establishments across the UK are currently in crisis following the acquisition of dogs during the pandemic who were subsequently surrendered due to the resumption of onsite working coupled with the cost-of-living crisis. The racing industry is a significant additional burden on Welsh rescues, with an estimated two thirds of racing greyhounds entering Animal Welfare Establishments (Petitions Committee report, *The Final Bend*, December 2022 <https://senedd.wales/media/leyh4d3l/cr-ld15555-e.pdf>). Notwithstanding national lockdowns over 2020-2021, between April 2018 and March 2022 Hope Rescue alone took 200 surplus greyhounds, 40 of whom were injured thus exacerbating the intolerable burden on rescues in Wales.

We would also encourage ministers to engage with Welsh general and breed specific rescues regarding how they can be best supported to assist with and manage rehoming processes (e.g. Greyhound Rescue Wales) and with other key stakeholders, such as the Greyhound Forum, which can offer evidence-based input. Anecdotally we have been told that while there is a willingness amongst Welsh rescues to work with trainers and tracks to facilitate the rehoming of racing dogs. It was also noted that while this didn’t drive up welfare standards across the sector as envisioned, the AWNW Welsh voluntary code of practice on the welfare of racing greyhounds (https://www.gov.wales/welfare-racing-greyhounds-voluntary-code-practice) did improve the relationship between greyhound organisations in Wales; rescues working together will be critical to rehoming all dogs following a ban.

Contrary to claims that many racing greyhounds live as companion animals between races, GAL report that the majority of dogs who have been involved in racing (whether kept in a kennel or home) enter their care in poor health; underweight, infested with fleas and worms, with dental problems and with no veterinary records (Scottish Animal Welfare Commission Report on the welfare of greyhounds used for racing in Scotland’ February 2023 https://www.parliament.scot/-/media/files/committees/rural-affairs-and-islands-committee/correspondence/2023/report-on-the-welfare-of-greyhounds-used-for-racing-in-scotland-sawc-february-2023.pdf). The lack of socialisation of racing dogs may also result in behavioural issues, which typically make the dogs harder for general rescues to rehome, increasing the burden on breed specific rescues.

**Question 6: We would value your view on the effects that any of the proposed changes 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 could positive effects be increased, or negative effects be mitigated?**

We have no expertise to advise regarding this but cannot foresee any detrimental impact.

**Question 7. Please also explain how you believe any of these changes could be formulated or changed so as to have positive effects or increased positive effect on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

We have no expertise to advise re the above.

**Question 8. We have outlined the issues we are considering with regard to licencing of animal establishments, activities and exhibits and considering future regulation of dog racing and have asked you to give specific answers to our questions above. If you have any further comments you would like to make on these issues, please enter in the text box below:**

We would encourage you to follow Scotland’s example (Scottish Government consultation of Licencing of Activities involving Animals, deadline 26th September 2023) and include canine fertility clinics in what is clearly intended to be a comprehensive review of services pertaining to animal welfare in Wales.

We suggest that these clinics be banned in Wales. In our view these clinics do not offer any desirable or necessary services. Since licencing any activity serves to legitimise it, to licence canine fertility clinics would entail acceptance that they have a place in Welsh society. While genetic screening and artificial insemination may be desirable in a relatively small number of cases (e.g. to promote the welfare of a certain breeding line), this is not what these clinics are doing. Rather they are breeding brachycephalic dogs with numerous physical characteristics which are detrimental to their health and wellbeing (Packer R, O'Neill D, Fletcher F, Farnworth M. (2019) ‘Great expectations, inconvenient truths, and the paradoxes of the dog-owner relationship for owners of brachycephalic dogs’. *PLoS One*, Jul 19;14(7)). Therefore, in our view genuine screening services should be offered only as part of mainstream veterinary practice and be strictly monitored by the RCVS.

However, it needs to be acknowledged that there is a crisis in the UK veterinary profession. There is a chronic shortage of vets attributable to the increase in pet ownership and heavier caseloads. Brexit and the legacy of the Covid 19 pandemic (see Webb A (2022) Staff shortages leave vet sector facing ticking time bomb’ *Vet Times,* 10th October<https://www.vettimes.co.uk/news/staff-shortages-leave-vet-sector-facing-ticking-time-bomb/>. Meanwhile there are reports that vets are leaving the profession due to stress and abuse (Coldwell W (2022) ‘Relentless Calls and Constant Abuse: Why Britain’s Vets are in Crisis’ The Observer, 23rd February (https://www.theguardian.com/lifeandstyle/2022/feb/13/we-are-exhausted-and-burntout-vets-in-crisis)). All these factors are barriers to accessing vet services, making it likely that, if cheaper options are available at these fertility clinics, disreputable breeders will resort to them.

We believe that it is highly unlikely that the most of these clinics would change their practices to comply with the requirements set out in these proposals. In this regard we would note that it is probable that many owners of bitches used in these clinics are either unlicensed or in breach of their licence conditions, thereby exposing shortcomings in the existing enforcement of licencing of breeders. We are therefore pessimistic about the efficacy of any proposed licensing system for such clinics. Our concerns are compounded by the fact that, there are documented links between these clinics and criminal activity. Not only do some break the law in carrying out procedures that can only be lawfully performed by vets or using unlicensed medicines, but reportedly some ‘clinics’ offer procedures which go beyond fertility related services e.g., undertaking dangerous ‘cherry eye’ surgeries. (See evidence submitted to EFRA Committee Inquiry: Pet Welfare and Abuse consultation response, April 2023 by APDAWG et al.(https://committees.parliament.uk/writtenevidence/120222/pdf/)).

Reported links to criminal activity (as discussed in more detail in written evidence submitted by All-party Parliamentary Dog Advisory Welfare Group (APDAWG), British Veterinary Association (BVA), Focus on Animal Law (FOAL), Hope Rescue Centre, Jordan Shelley, animal welfare campaigner, Naturewatch Foundation, Scottish SPCA, UK Centre for Animal Law (Alaw) to EFRA Committee Inquiry: Pet Welfare and Abuse consultation response, April 2023. (https://committees.parliament.uk/writtenevidence/120222/pdf/)) and risks that licensing will legitimate these services is likely to make a licencing scheme more complex and more difficult to enforce than an outright ban. We also note that in the expert written evidence cited above it was recommended that ‘Artificial insemination and semen preservation/collection should not be used to overcome dogs’ physical inabilities to reproduce due to innate health issues, or to breed from dogs who are otherwise unsuitable for breeding due to their health, welfare or temperament’ and that ‘Artificial insemination should only be carried out by or on the advice of a registered veterinarian’. This expert recommendation reinforces our belief that a complete ban is the most appropriate and workable response to these clinics and should therefore need to be included to ensure that that this review of animal welfare is as comprehensive as possible.

We would also observe that several issues highlighted in this consultation including greyhound tracks or cat café’s etc raise the question of whether animal welfare needs to be a more dominant consideration in local authority planning permission decisions; around both new premises and any proposed alterations to existing premises.