

Questionnaire

Country: UK

The Country is: EU Member State

Author of the Questionnaire: Greta Inglis

Note:

Question	Article	Note
I. DATA AND DOCUMENTS		
What is the number of companion animals and/or stray animals in your country? Do you have any other data (e. g. rate of companion animals per inhabitant)?		A report suggested the UK cat population is around 10 million owned cats and that while the number of stray cats is not well studied, suggestions of over one million have been made ¹ .
Does the country have a specific animal welfare legislation?	9(2)	Yes. The UK has the Animal Welfare Act 2006 which places a duty of care on owners and stipulates that they must take the necessary steps to provide for the following five welfare needs, namely: (a) its need for a suitable environment, (b) its need for a suitable diet, (c) its need to be able to exhibit normal behaviour patterns, (d) any need it has to be housed with, or apart from, other animals, and (e) its need to be protected from pain, suffering, injury and disease.
Which other laws and ordinances refer to animal welfare?		Pet Animals Act 1951 – This act protects the welfare of animals sold as pets, requiring any person keeping a pet shop to hold a license. To do so, the council must be satisfied that the animals are kept in suitable and clean conditions, that they are provided with appropriate food and drink and that they are protected from fire and disease. Licensed premises may be inspected at any reasonable time. Animal Boarding Establishments Act 1963 – Establishments that board animals must be licensed by the council, including a private dwelling. The Local council will take into account whether the animals are well fed, exercised and protected from fire and disease.

¹ Cats Protection, [no date], *The Veterinary Guide*, available online at: http://www.cats.org.uk/uploads/documents/Info_for_Vets/CP_Veterinary_Guide_web.pdf, last accessed on 05.07.2017.

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<p>Are there any specific regulations concerning dogs/cats within the law?</p>		<p>Cats in the UK are afforded the right to roam. They are not listed at livestock in the Animals Act 1971, which imposes a duty on the owners of dogs and livestock to control their animals. Owners do have a duty to ensure their animals are not a nuisance, listed under the Environmental Protection Act 1990, Section 79: 1 (F): 'any animal kept in such a place or manner as to be prejudicial to health or a nuisance'.</p>
<p>Is there a list of banned or dangerous animals?</p>		<p>Yes. The Dangerous Dogs Act 1991 (amended 1997) bans the Pit Bull Terrier, Japanese Tosa, Dogo Argentino and Fila Brasileiro breeds, as well as dogs that are deemed to have characteristics that match the Pit Bull type. This is evaluated by an inspector.</p>
<p>II. GOVERNANCE</p>		
<p><i>BASIC ETHICAL CONCEPT IN THE POLITICAL SYSTEM</i></p>		
<p>What is the basic ethical concept in your political system concerning animal welfare?</p>		<p>Not known.</p>
<p>Is the animal welfare act based on animal welfare as the principle value of the legislation?</p>		<p>Yes. The Animal Welfare Act 2006 contains the general laws relating to animal welfare and makes it an offence to cause unnecessary suffering to any animal.</p>

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Do animals have a right to life?	18	<p>Animals in the UK do not have an absolute right to life.</p> <p>The Animal Welfare Act 2006 distinguishes between causing an animal unnecessary suffering, which leads to their death, and is punishable by law, and the killing of animals in distress.</p> <p>Animal Welfare Act 2006, Section 18 (Animals in Distress):</p> <p>If an inspector or a constable reasonably believes that a protected animal is suffering, he may take, or arrange for the taking of, such steps as appear to him to be immediately necessary to alleviate the animal's suffering.</p> <p>(2) Subsection (1) does not authorise destruction of an animal.</p> <p>(3) If a veterinary surgeon certifies that the condition of a protected animal is such that it should in its own interests be destroyed, an inspector or a constable may—</p> <p>(a) destroy the animal where it is or take it to another place and destroy it there, or</p> <p>(b) arrange for the doing of any of the things mentioned in paragraph (a).</p> <p>(4) An inspector or a constable may act under subsection (3) without the certificate of a veterinary surgeon if it appears to him—</p> <p>(a) that the condition of the animal is such that there is no reasonable alternative to destroying it, and</p> <p>(b) that the need for action is such that it is not reasonably practicable to wait for a veterinary surgeon.</p>
Which reasonable causes have to be met for an official permission to kill a healthy animal?	149	<p>The Criminal Damage Act of 1971 may allow for the killing of a cat if the cat was chasing game that was owned, as section 5(4) provides a lawful excuse in cases where the defendant kills the animal to protect his right or interest in property².</p>
CONSTITUTION		
Is animal welfare part of the constitution?		There is no written constitution in the UK.

ANIMAL WELFARE IN PARLIAMENT

² Nurse, Angus, Dr. & Ryland Diane, 2012. *Cats and the Law: A Report for International Cat Care*, available online at: http://eprints.lincoln.ac.uk/12674/1/_ddat02_staffhome_jpartridge_Research%20Report%20Cats%20and%20the%20Law%20%20November%202013.pdf, last accessed on 05.07.2017.

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Is there an animal welfare committee in the parliament?		There is an Environment, Food and Rural Affairs Committee and Sub Committee which consider aspects of animal health and welfare.
ANIMAL WELFARE IN GOVERNMENT		
Are there any official animal welfare bodies in the government? (e. g. Ombudsman, Commissioner)		Not known.
Which ministry/ministries is/are responsible for animal welfare?		The Animal Plant and Health Agency (APHA) is an executive agency of the Department for Environment, Food and Rural Affairs (DEFRA).
ANIMAL WELFARE IN AUTHORITIES		
How is the status of competent authorities for animal welfare legislation and are they/is it linked to a ministry and which ministry is it?		DEFRA is the main body. For example, in cases of the protection of animals during transportation, DEFRA may decide whether to grant, suspend or cancel transporter authorization (gov.co.uk). The Royal Society for the Protection of Cruelty to Animals (RSPCA) also has the power to prosecute cases of animal cruelty.
ANIMAL WELFARE STRATEGY, BIRTH CONTROL AND SCHOOL PROGRAMMES		
Does the country have a national animal welfare strategy?		Not known. It would appear the last national animal welfare strategy was published under the 2001-2005 government.
Is there an obligation for the government to do and publish an annual or biannual animal welfare report?		Not known.
Are there legal or administrative measures which provide birth control of animals?		No.
Are there (mandatory) school programmes on animal welfare?		No.
III. DOGS/CATS IN LEGISLATION		

DEFINITIONS

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<p>Does the law or another enactment include a definition of animals as “sentient beings”?</p>	<p>The Animal Welfare Act 2006 (for England and Wales), the Animal Health and Welfare Act (Scotland) 2006 and the Welfare of Animals Act (Northern Ireland) 2011 do recognize all vertebrates as sentient, even though this term is not explicitly defined.</p> <p>In the Animal Welfare Act 2006 (for England and Wales), the term ‘sentient’ is not defined, however the Act is applicable to ‘[...] a vertebrate other than man’ (Section 1, subsection 1) and may be extended to include vertebrates or animals in earlier stages of development in cases where:</p> <p>‘[...] the appropriate national authority is satisfied, on the basis of scientific evidence, that animals of the kind concerned are capable of experiencing pain or suffering’ (Section 1, subsection 4).</p> <p>There are therefore references to suffering as including physical and mental states (section 1), as well as an animals’ needs to exhibit normal behaviour (section 9). In addition, the explanatory notes state: ‘The Act will apply only to vertebrate animals, as these are currently the only demonstrably sentient animal’ .</p> <p>The same provisions are made in the Animals Act (Northern Ireland) 2011 and the Animal Health and Welfare (Scotland) Act ³.</p>
<p>Are animals defined as goods (object/chattel)?</p>	<p>The Theft Act 1968 considers animals as property.</p> <p>Under the Act, property is defined in Section 4 (1) as ‘[...] money and all other property, real or personal, including things in action and other intangible property’, subsequently classifying personal property as ‘moveable items’.</p> <p>Section 4, subsection 4 defines animals as property:</p> <p>‘Wild animals, tamed or untamed, shall be regarded as property’.</p>
<p>Does the law include definitions of companion animals, abandoned animals and/or stray animals?</p>	<p>No.</p>

ETHICAL CONSIDERATION OF DOGS IN THE LEGISLATION

³ World Animal Protection, [no date], *United Kingdom: Recognising Animal Protection*, available online at: <http://api.worldanimalprotection.org/country/united-kingdom>, last accessed on 05.07.2017.

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Can an animal be treated like an asset (e. g. in insolvency, confiscation, divorce, separation)?		Not known. However, an animal is considered as a moveable good under UK law.
May an animal be used as an evidence in a court procedure?		An animal may be used in courts as evidence in cases relating to poor welfare ⁴ .
Is winning of a bet or any other gain from an action which causes pain and/or suffering of an animal punishable?	8	This is referred to in the Animal Act 2006 with regards to fighting with animals. A person commits an offence according to Section 8 (1) subsection E if that person: 'Makes or accepts a bet on the outcome of an animal fight or on the likelihood of anything occurring or not occurring in the course of an animal fight'. The Act does not detail injuries sustained through racing with horses or with dogs.
May an animal be obtained as a prize?		Yes, as long as the person receiving the prize is over 16 years of age, as per the Animal Welfare Act 2006.
IDENTIFICATION AND REGISTRATION		
Is identification and registration of animals mandatory and where are they registered and what is registered? What about costs?		The microchipping and registration of cats is not compulsory.
BREEDING		
Are there any clauses on breeders and is there a national register for breeders?		There are laws governing the breeding and sale of pets (Pet Animals Act 1951) but there is not specific legislation for the breeding of cats, and this is currently unregulated ⁵ .
Does the law proscribe the minimum care obligations for animals at breeders?		Yes.
Is breeding of defects punishable?		Not known.

⁴No Author, 2013. *Animal Welfare Legislation: Protecting Pets*, available online at: <https://www.gov.uk/guidance/animal-welfare-legislation-protecting-pets>, last accessed on 03.07.2017.

⁵Cats Protection, 2015. *Manifesto For Cats*, available online at: http://www.cats.org.uk/uploads/documents/Manifesto_for_Cats.pdf, last accessed on 04.07.2017.

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Does the law provide for limitations on animals mutilations? (e. g. tail docking, ear cropping, devocalization, declawing, obligation to use anaesthesia.)	5(3)	Under the Animal Welfare Act 2006, Section 5(3) an offense is committed if a procedure is carried out which '[...] involves interference with the sensitive tissues or bone structure of the animal, otherwise than for the purpose of its medical treatment'. Tail docking is also prohibited under section 6 of the Act, unless this is carried out for medical reasons, or in cases where the dog is a certified working dog and the procedure was carried out before 5 days of age.
Which reasonable causes have to be met for an official permission to kill a healthy animal by a breeder?		Not known.
TRANSPORT, TRAVEL, SELL OF DOGS (TRADE)		
Is withholding of food and/or water from the animal(s) during a long transport punishable?	2	This Welfare of Animals (Transport) England Order 2006 was introduced following the Council Regulation (EC) No 1/2005 and as per Section 2 on the General Conditions of Transport, stipulates that; 'dogs and cats being transported must be fed at intervals of not more than 24 hours and given water at intervals of not more than eight hours'.
Must a companion animal be quarantined upon arriving in your country?		If an animal is being transported into the UK from the EU and complies with the pet travel scheme requirements, it does not need to be quarantined. If the animal is coming from an EU or third country and does not comply, it may be quarantined.
Is it allowed to sell dogs/cats at a pet shop?		The Pet Animals Act 1951 requires that pet shops that sell animals are registered with local authorities who will licence and inspect the premises.
Is there a ban on markets, shows, exhibitions or other events where one can buy an animal?		No.
Is there an age-limit for children to buy an animal?		The age limit is 16 years.

KEEPING AND LIMITS OF KEEPING

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Does the law proscribe the minimum care obligations for animals at keepers?		Yes. The UK has the Animal Welfare Act 2006 which places a duty of care on owners and stipulates that they must take the necessary steps to provide for the following five welfare needs, namely: (a) its need for a suitable environment, (b) its need for a suitable diet, (c) its need to be able to exhibit normal behaviour patterns, (d) any need it has to be housed with, or apart from, other animals, and (e) its need to be protected from pain, suffering, injury and disease (Animal Welfare Act, 2006).
Is there a special regulation which rules keeping of companion animals?		The Animal Welfare Act 2006 and the Pet Animals Act 1951.
Is there a list of banned or dangerous animals?		The Dangerous Dogs Act 1991 (amended 1997) bans the Pit Bull Terrier, Japanese Tosa, Dogo Argentino and Fila Brasileiro breeds.
May a landlord forbid a renter to keep an animal?		Yes.
May neighbours file complain against an owner, e. g. if he/she does not inhibit his/her animal from (ceaseless) noises?		Yes, under the Environmental Protection Act 1990, where the animal is a nuisance.
Which reasonable causes have to be met for an official permission to kill a healthy animal by a private person?		Not known.
Is a private owner obliged to pay tax for his/her companion animal?		No.
KILLING		
Which reasonable causes have to be met for an official permission to kill a healthy animal (also to get products of animal origin, e. g. for animal testing purposes or food supply)?		This varies depending on the use of the animal.

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Can animals be kept in shelters indefinitely? If not, is there specific time frame (for a vet) to kill an animal kept in a shelter?		The legal requirements are not known in the case of cats. The Cats Protection policy is that cats are held for 14 days prior to rehoming or non-urgent euthanasia ⁶ .
ABUSE OF ANIMALS		
Does the law address cruelty to animals? If so, does it provide for sanctions?		<p>The law does address cruelty to animals and provide sanctions. The following are sanctioned with up to 51 weeks imprisonment or a fine not exceeding £20,000:</p> <ul style="list-style-type: none"> - Causing unnecessary suffering - Mutilation - Tail docking - Administration of poison - Using animals in fights <p>Failure to uphold a duty of welfare and care and incorrect licencing and registration practices may also be sanctioned. Other sanctions include deprivation of ownership of the animal and disqualification from dealing with animals.</p>
Does the law ban organized fights of animals?		Yes, see above.
Is sexual abuse of animals punishable?		Not known.
Is maltreatment and/or suffering of animals perceived as a criminal offense? If so, what sanctions are foreseen?		See above.
UN-OWNED ANIMALS, SHELTERS, ABANDONED ANIMALS		
Are there regulations on lost/found animals?		See above.
Who is owner of an abandoned animal?		The local authorities.
May a private person establish an animal shelter?		Yes.

⁶ Cats Protection, [no date], The Veterinary Guide, available online at: http://www.cats.org.uk/uploads/documents/Info_for_Vets/CP_Veterinary_Guide_web.pdf, last accessed on 27.06.2017.

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Can animals be kept in shelters indefinitely? If not, is there specific time frame (for a vet) to kill an animal kept in a shelter?		Animals can be kept indefinitely but euthanasia is also legally permitted according to the stipulations outlined above.
Is local community financing activities of collecting of abandoned and lost animals?		Not known.
Must a finder of a stray and/or abandoned animal report the finding to a competent authority?		Yes.
Are there possibilities to adopt an abandoned animal?		Yes.
Are there legal or administrative measures which provide birth control of stray animals?		Not known.
VETERINARIANS		
Is negligence (of a vet or a veterinary assistant) punishable?		Not known.
Does the law provide for limitations on animals mutilations? (e. g. tail docking, ear cropping, devocalization, declawing, obligation to use anaesthesia.)		Yes, see above.
Which reasonable causes have to be met for an official permission to kill a healthy animal by a veterinarian?		Not known.
POLICY OF BIRTH CONTROL FOR OWNED AND UN-OWNED ANIMALS		
Are there legal or administrative measures which provide birth control of animals?		Not known.
IV. ENFORCEMENT		
List of case studies and / or relevant court decisions.		Not known.

V. PRACTICAL INFORMATION

Questionnaire

List of veterinary organisations in your country.		The following link provides details of all veterinary surgeons and practices accredited by the Royal College of Veterinary Surgeons: https://www.rcvs.org.uk/find-a-vet/ Please also see The British Veterinary Association: https://www.bva.co.uk/
List of animal welfare organisations in your country.		Please follow the link for a list of animal welfare organisations in the UK: https://www.britishservices.co.uk/animalwelfare.htm
What about travelling with dogs?		Up to a maximum of two cats per passenger on British trains, contained in a pet carrier.
What about dogs in hotels?		Not known.

References:

Cats Protection, [no date], The Veterinary Guide, available online at:

http://www.cats.org.uk/uploads/documents/Info_for_Vets/CP_Veterinary_Guide_web.pdf, last accessed on 27.06.2017.

Feechan, Rachel, 2016. Stray Dogs Survey 2016, available online at: <https://www.dogstrust.org.uk/news-events/news/stray%20dogs%202016%20summary%20report%20-%20gfk%20social%20research.pdf>, last accessed on 05.07.2017.

No Author, 2013. Animal Welfare Legislation: Protecting Pets, available online at: <https://www.gov.uk/guidance/animal-welfare-legislation-protecting-pets>, last accessed on 03.07.2017.

Nurse, Angus, Dr. & Ryland Diane, 2012. Cats and the Law: A Report for International Cat Care, available online at:

http://eprints.lincoln.ac.uk/12674/1/_ddat02_staffhome_jpartridge_Research%20Report%20Cats%20and%20the%20Law%2020%20November%202013.pdf, last accessed on 05.07.2017.

RSPCA, 2017. Facts and Figures, available online at: <https://media.rspca.org.uk/media/facts>, last accessed on 05.07.2017.

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RVC, [no date], Infographics: Demographic Information on UK Pets, available online at: <http://www.rvc.ac.uk/vetcompass/learn-zone/infographics/uk>, last accessed on 03.07.2017.

The Kennel Club, [no date], Information Guide: Do you know dog law? Available online at: <https://www.thekennelclub.org.uk/media/8277/law.pdf>, last accessed on 03.07.2017.

World Animal Protection, [no date], United Kingdom: Recognising Animal Protection, available online at: <http://api.worldanimalprotection.org/country/united-kingdom>, last accessed on 05.07.2017.