



Joint BVA, BSAVA and BVZS response to the Defra consultation on primates as pets in England

5 February 2021

Who we are

- 1) The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With over 18,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We therefore

the welfare of privately kept non-human primates, and the Dangerous Wild Animals Act 1976 should be consistent, and set out evidence-based, high standards for the welfare of primate species.

9) Definition of primates and scope of proposals

The consultation document sets out that these proposals relate to non-human primates and ‘any member of the biological order Primates; this includes all the species commonly referred to as lemurs, monkeys and apes.’

- 10)** As these proposals are refined further and legislation is drafted, more detail should be included as to the taxa and family of primates that are in scope. In particular, we would suggest all members of the Order Primates, as per the [Handbook of the Mammals of the World Vol 3](#), is referred to. We would suggest that specifically mentioning ‘Order’ is essential and listing species is avoided as these can change on a frequent basis. In addition, we would suggest this element of the new regulations is reviewed regularly to ensure it continues to capture intended primates.

11) Effective enforcement

The proposed measures may have the unintended consequence of driving primate ownership ‘underground’, particularly amongst those owners who would not meet the proposed standards or pass the proposed inspections. This may result in a negative health and welfare impact for the primates concerned, with animals being kept in sub-optimal conditions long-term and keepers not seeking veterinary advice and care for fear of being reported. In addition, if inspections costs are high, it might result in increased levels of non-compliance by primate keepers or owners. It is therefore essential that local autBT/F3 27(a)27(s)-28(s)-28()43(t)-15(h)27(e)27 for are ofessentimate ke-18.95.2 reW

- 36) We support the proposal that Local Authorities would have discretion as to the length of a licence, with the maximum length of a licence limited to four years for those providing the highest welfare standards for their primates. A matrix risk assessment similar to that currently in place for other species covered by The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 should be used to determine the length of the licence within this four-year period. Our support of this element would be dependent on an annual inspection as outlined in the consultation document.

Q13. Do you agree that anyone subject to the new prohibition must register their primate with their Local Authority?

- 37) If appropriate rehoming capacity is not available (see Q16), we would support a transitional registration scheme enforced by local authorities, recognising that it may not be possible to safely rehome all those primates currently kept as pets who would be subject to the ban. Local Authorities should maintain a database of registered primate keepers along with any inspections carried out. Registration by primate keepers should be by means of a simple online process. If an owner has more than one primate, all 7(y)-28()-15(l)-12(o)27(c)-28(a)27(l)-12()4 Tm0 g0 G[m] 4()-153(A)20(u)27alti15(h)6h

45. On admission to membership of the RCVS, and in exchange for the right to practise veterinary surgery in the UK, every veterinary surgeon makes a declaration:

*" I PROMISE AND SOLEMNLY DECLARE that I will pursue the work of my profession with integrity and accept my responsibilities to the public, my clients, the profession and the Royal College of Veterinary Surgeons, and that, ABOVE ALL, my constant endeavour will be to ensure the health and welfare of animals committed to my care."*⁵

46. 'ABOVE ALL' is understood to convey that veterinary surgeons must put the welfare of animals

as each case will be different, it is essential that vets are allowed to exercise their own professional judgement in these situations in order to safeguard animal welfare and public safety.

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but have appropriate experience and competence in primate health and welfare.

Q19. Do you agree that the keepers of primates not subject to the new required to register their primate with a veterinary practice?

69) We support this proposal. It is essential that primates who are not subject to either a 'specialist primate keepers' licence or a zoo licence (for example those who are 'transitional registered keepers') should also be registered with a vet who has appropriate facilities, skills and experience, and is competent to care for their primate-specific needs.

Q20. Do you agree that the keepers of primates not subject to the new required to have their primates examined by a vet at least once a year, with confirmation of that examination and its findings provided to the Local Authority?

70) Transitional registered keepers should be required to receive an annual veterinary inspection and welfare assessment, as opposed to examination. Physical examination of primates may cause additional stress and have a negative welfare impact. In addition, assessing the primate in its enclosure will allow the vet to provide a more holistic assessment of the animal's health and welfare *in situ* to the local authority.

71) Animals should have a written health plan developed with their nominated primate experienced vet.

Qs 22-25 Penalties and enforcement

72) In terms of the penalties and sanctions, we would suggest these should be appropriate and proportionate to the offence and should act as a clear deterrent for individuals who are non-compliant with the relevant legislation.

Q26. Do you think a new power of entry should be introduced to allow Local Authorities to enter a property, with a warrant, where they reasonably believe an unlicensed primate is being kept without having been registered with the Local Authority?

73) We support the introduction of powers to ensure that Local Authorities can effectively investigate suspicions that an unlicensed primate is being kept illegally, such powers are crucial in ensuring compliance with the proposed ban.

Q27. Should the requirement for a warrant to enter a property, where a Local Authority reasonably believes an unlicensed primate is being kept without having been registered, be limited to residential premises?

74) No, we consider any additional powers granted to Local Authorities should apply to all private premises.

Q30. Do you have any comments on any potential unintended consequences that could arise as a result of any of the measures proposed in this consultation?

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primates concerned, with animals being kept in sub-optimal conditions long-term and keepers not seeking veterinary advice and care for fear of being reported. In addition, if inspections costs are high, it might result in increased levels of non-compliance by primate keepers or owners.

76) Whether primate keepers are registered by the local authority or centrally, it is essential that