

Response to the Defra consultation on enforcement of animal health and welfare offences

Who we are

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driver in animal abuse and cruelty crimes. This should therefore be reflected in the type of punishment that is chosen to ensure that it acts as a significant and effective deterrent. The activities

The introduction of penalties should therefore only be considered once those issues have been appropriately addressed.

10. Any obligations and penalties for pet keepers would have to be backed up by an enforcement regime which would likely be disproportionately costly. We would also stress that, should such a regime be introduced, vets should not be given any enforcement responsibilities as part of it. Such responsibilities would have the potential to seriously undermine the vet-owner relationship. This crucial relationship is based on trust and confidentiality and if compromised, could act as a disincentive to accessing veterinary advice and care, ultimately impeding the profession's primary responsibility to protect animal health and welfare.
11. The proliferation of databases has also made it more challenging for owners to keep track of the database their pet is registered with. We therefore do not believe that the necessary supervisory and enforcement regime for databases is currently in place to introduce a legal requirement for pet owners to keep their records updated. BVA would support a requirement for databases to highlight the benefits of keeping your details updated on their websites. Posters for display in veterinary practices and other relevant locations like pet shops, could also be produced to highlight the benefits.

Q7. Should penalty notices be an available enforcement tool to deal with current and potential livestock identification related offences?

Answer: Yes

12. We are supportive of the use of penalty notices in livestock identification related offences in general. However, it is important to consider the potential impact on public health resulting from non-compliance with livestock identification regulations and whether penalty notices provide an effective deterrent or whether prosecution is the more appropriate enforcement measure. We rely on livestock being identifiable in order to control disease outbreaks swiftly and effectively. It can have very serious repercussions if livestock is not identifiable during a major disease outbreak and result in a significantly increased threat to public health and safety. An example of such an incident would be the 2001 Foot and Mouth Disease outbreak where there were significant delays in action being taken³.

Q8. Should penalty notices be an available enforcement tool to deal with current and potential equine identification related offences?

Answer: Yes

13. We support the use of penalty notices for equine identification related offences, once the Equine Identification legislation in England is updated. The Central Equine Database (CED) already enables horse owners to update their details via a single database. However, until the new legislation is implemented enforcement of breaches of equine identification requirements could prove challenging in practice. There are

³ There was no legal requirement for individual identification of sheep: <https://www.nao.org.uk/wp-content/uploads/2002/06/0102939.pdf>. The lack of identification and traceability of infected animals was also highlighted as a problem in containing the disease in a report by the European Parliament: https://www.europarl.europa.eu/doceo/document/A-5-2002-0405_EN.html

