

Proposal to permit tail docking of working Spaniels and Hunt Point Retrievers

Consultation Document

Consultation open – 10 February 2016 – 3 May 2016

February 2016

To Interested Parties
(List attached)

10 February 2016

Dear Sir/Madam

Consultation on “Proposal to permit tail docking of working Spaniels and Hunt Point Retrievers”.

You are invited to respond to the enclosed consultation document on a specific proposal to introduce legislation to permit the docking of Spaniel and Hunt Point Retriever puppies which are intended to be used as working dogs.

Full details regarding the purpose and scope of the consultation, and how to respond to it are contained in pages 3 to 6 of the consultation paper. To improve ease of analysis of the consultation response we would be grateful if, where possible, you could respond by way of the online survey facility hosted by Citizenspace. A link to the consultation survey on Citizenspace can be found on the Scottish Government website at:

<https://consult.scotland.gov.uk/animal-welfare/proposal-to-permit-tail-docking>

Other methods for responding are explained in the consultation paper.

Your consultation response is important to us so please note that the consultation will close on 3 May 2016. Any response received after this date is unlikely to be included in the consultation analysis.

As always with consultations, we need to know how you wish your response to be handled, and in particular, whether you are happy for your response to be made public. The Respondent Information Form should be completed by everyone providing a response to the consultation document. Further information concerning the Respondent Information Form and how your response will be handled can be found on pages 5 and 6 of the consultation paper.

If you have any queries about this consultation please contact Phil Burns by email:

TailDockingConsultation2016@gov.scot or by telephone: 0300 244 9240.

Enclosed with this letter are:

- The main Consultation Document
- The Respondent Information Form and consultation questionnaire (to be completed when sending a response)

Please feel free to forward copies of these consultation documents to anyone else that you think might have an interest in them.

We look forward to your response.

Yours faithfully

Animal Welfare Team
Scottish Government

List of interested parties

Animal Mutilation and Dog List of Consultees (Also includes private individuals, local authorities, and government departments.)

2 Sisters Food Group
Abercorn Veterinary Clinics
ABJ Consultancy Service
Academy Vet Centre
Acoura Certification
Action of Churches Together in Scotland
Air Cargo Advisory Services
Akita Club of Scotland
Alan Brown & Associates Veterinary Surgeons
Alaska Dog News
Albavet
Albyn Veterinary Centre
Allandale Animal Sanctuary
Allen & Matthews
Allers Farm Kennels
Alphavet
Angus College
Angus Dog Rescue
Animal & Plant Health Agency (Scotland)
Animal Aid
Animal Behaviour and Training Council
Animal Concern Advice Line
Animal Defenders International
Animal Health and Veterinary Laboratories Agency (Worcester)
Animal Health Trust
Animaline
Anti-Docking Alliance

Aquithie Boarding & Quarantine Kennels & Cattery
Argyll Adventure
Argyll Animal Aid
Armac Veterinary Group
Ashgrove Veterinary Centre Ltd
Associate Parliamentary Group for Animal Welfare
Association of Government Veterinarians (Wales)
Association of Scottish Police Superintendents (The)
Avenues Veterinary Centre (The)
Aviagen Ltd
Ayrshire Dog Agility Club
Bandeath Kennels
Banff & Aberdeenshire Rescue & Rehoming Kennels
Bard Vets Limited
Barony College
Basset Hound Club of Scotland (The)
Bearded Collie Club (The)
Beechwood Veterinary Centre
Bellevue Veterinary Group
Bernese Mountain Dog Club of Scotland
Biobest Laboratories Ltd
BirdsFirst
Blackfaced Sheep Breeders Association
Blackness Veterinary Surgery
Blantyre Boarding Kennels
Blue Cross (The)
Bluefaced Leicester Sheep Breeders' Association (The)
Bodleian Libraries of the University of Oxford

Borders Pet Rescue
 Born Free Foundation
 Boyce & Houston Ltd
 Bridge Veterinary Clinic
 British and Irish Association of Zoos and Aquariums
 British Association for Shooting and Conservation Scotland
 British Boxer Club
 British Deer Society (The)
 British Egg Industry Council
 British Equine Veterinary Association
 British Horse Society (Kenilworth)
 British Horse Society Scotland (Crieff)
 British Library's Legal Deposit Office
 British Meat Processors Association
 British Poultry Council
 British Rottweiler Association (The)
 British Small Animal Veterinary Association
 British Society for the Abolition of Cruel Methods of Identification of Equines
 British Trust for Ornithology (Scotland)
 British Veterinary Association
 British Veterinary Association (Scottish Branch)
 Broadleys Veterinary Hospital
 Bulldog Club of Scotland
 Bute & Cowal Vets
 Cairn Terrier Club (The)
 Cambridge University Library
 Canine Concern Scotland Trust
 Canine Concerns Dog Training & Behaviour
 Catflap
 Catholic Parliamentary Office
 Cats Protection (West Sussex)
 Central Scotland Pig Producers Association
 Central Scotland Smallholders Association
 Championvet.Com
 Charles River
 Charnwood Veterinary Centre
 Chartered Institute of Environmental Health
 Church of Scotland (The)
 Cocker Spaniel Breed Council (The)
 Collie Association (The)
 Collier & Brock
 Comann Each Eilean Ltd
 Comhairle nan Eilean Siar (Chief Executive)
 Companion Animal Welfare Council (The)
 Compassion in World Farming
 Conanvet Ltd.
 Condorrat Veterinary Surgery
 Convention of Scottish Local Authorities
 Council of Docked Breeds
 Cowal Dog Training Club
 Creature Feature Ltd
 Crossriggs Veterinary Clinic
 Cumnock & District Canine Club
 D & G Canine Rescue
 D S (Slaughterhouse) LTD
 Dalriada Veterinary Surgery
 Dandie Dinmont Terrier Club
 Department of Agriculture and Rural Development
 Dog Aid Society of Scotland (The)

Dog World Publications Ltd
 Dogs
 Dogs Trust (Glasgow)
 Dogs Trust (Leicester)
 Dogs Trust (London)
 Donald S. McGregor and Partners Ltd
 Donview Veterinary Centre
 Dryburgh Abbey Training Group
 Dryfe Veterinary Group (The)
 Dukes Veterinary Practice Ltd
 Dumfries and Galloway Canine Rescue Centre
 Dumyat Kennels
 Dunarg School for Dogs
 Dundas Veterinary Group
 Dunedin Veterinary Surgeons
 E & L Insurance Services
 East Lothian Dog Training Club
 Easter Ross Vets
 Easterhill Farm
 Edinburgh & District Riding Club
 Edinburgh Dog & Cat Home (The)
 Electronic Collar Manufacturers Association
 Elmwood College
 English Setter Society of Scotland
 English Springer Spaniel Club of Scotland
 Equine Grass Sickness Fund
 Eriskay Pony Mother Stud Book Society - Comann Each nan Eilean Ltd
 Ethical Voice for Animals
 European Studbook Foundation
 Exmoor Pony Society
 Family Farmers Association
 Farm Animal Welfare Committee
 Federation of Companion Animal Societies
 Fergusson, Alex, MSP
 Ferniehirst Mill Riding Centre
 Field Spaniel Society
 Finnie, John MSP
 Firth Veterinary Centre
 Flanders Veterinary Services
 Flett & Carmichael Veterinary Surgeons
 Food Standards Scotland
 Foreside Farms
 Fox Terrier Club of Scotland
 Galashiels & Border District Canine Society
 Game & Wildlife Conservation Trust (Scottish HQ)
 German Shepherd Dog Club of Scotland (The)
 Gibson, Kenneth MSP
 Give A Greyhound A Home
 Glenrath Farms Ltd
 Glenythan Vet Group
 Golden Retriever Club (The)
 Golden Retriever Club of Scotland
 Grahame, Christine MSP
 Grampian Country Chicken (Rearing) Ltd - Vion UK
 Grampian German Shepherd Dog Association
 Greenhead Farm
 Greyhound Awareness League
 Greyhound Board of Great Britain
 Griffon Bruxellois Breeders Association
 Guide Dogs for the Blind Association (Edinburgh)

Guide Dogs for the Blind Association
(Reading)
Haflinger Trekking Centre
Halal Monitoring Committee
Hanoverian Society in the UK
HBS Ring Ltd
Heads of Ayr Farm Park
Health & Safety Executive
Help Fife Animals
Help for Abandoned Animals Sanctuary
Help Or Rehabilitate Scottish Equines
Highland Canine Association
Highland Pony Society
Highland Trekking & Trail Riding
Highland Wildlife Park
Hound Association of Scotland
Hudghton, Ian MEP
Humanist Society Scotland
Hungarian Vizsla Club
Hungarian Wirehaired Vizsla Club of Great
Britain
Hy-Line UK Ltd
Inner Wolf Ltd - British Dog
Inshes Veterinary Centre
Institute of Biodiversity, Animal Health and
Comparative Medicine
International Fund for Animal Welfare
International Otter Survival Fund
International Sheepdog Society
Inverclyde Dog Training Club
Ivybank Veterinary Clinic
Johnston & Farrell
K R & P A Playle
Keele University

Kennel Club (The)
Kirk Dog Training Club
Labrador Rehoming Co-ordination Service
Ladies Kennel Association of Scotland
Laminitis Clinic (The)
Lamond Veterinary Clinic
League Against Cruel Sports
Library of Trinity College, Dublin (The)
Links Veterinary Group
Mancunian Boxer Club
Marine Conservation International
McKenzie & Co MsRCVS
McTaggart Veterinary Group
Meadows Veterinary Centre
Merlin Veterinary Group
MKM Sportshorse Stud
Moray Firth Ringcraft Club
Moredun Research Institute
Morven Veterinary Practice Ltd
Mossburn Community Farm
Mountains Animal Sanctuary
Mrs Murray's Home for Stray Dogs and
Cats
Muslim Council of Scotland
Nardini Rudder Veterinary Centre
National Animal Welfare Trust
National Dog Warden Association
(Scotland)
National Farmers Union of Scotland
National Gamekeepers' Organisation
National Library of Scotland (The)
National Library of Wales (The)
National Secular Society
National Sheep Association

Neapolitan Mastiff Club (The)
 Noble Foods Ltd
 Norfolk Terrier Club of Great Britain (The)
 North Highland College (The)
 North of Scotland British Veterinary Association Welfare Representative
 Northern Cavalier King Charles Spaniel Society
 Northern Newfoundland Dog Club (The)
 Oban Veterinary Surgeons
 O'Connor-Pierce Veterinary Surgeons
 Old Mill Veterinary Practice
 OneKind
 Orkney Carriage Driving Group
 Orkney Seal Rescue
 Ornamental Aquatic Trade Association Ltd
 Palacerigg Country Park
 Parkside Veterinary Group
 Parson Russell Terrier Club
 Parti-Coloured Cocker Spaniel Club (The)
 Pentland Hills Icelandics
 People And Dogs Society
 People4ponies Organisation (The)
 People's Dispensary for Sick Animals
 Perthshire Abandoned Dogs Society
 Pet Health Council
 Pets As Therapy
 Pictland Boxers
 Pig Veterinary Society
 Police Scotland
 Polish Lowland Sheepdog Club (The)
 Polmont Veterinary Clinic
 Puddledub Stud
 Reed, Brown & Cameron MSRCVS
 Rewarding Dogs
 Ringlink Scotland Ltd
 Royal College of Veterinary Surgeons
 Royal Environmental Health Institute of Scotland
 Royal Society for the Prevention of Cruelty to Animals (The)
 Royal Society for the Protection of Birds Scotland
 Royal Veterinary College (The)
 Ryan & Calder
 S B & Co
 Safe Paws
 Scientialis Ltd
 Scotland for Animals
 Scotland's Rural College (Research & Development)
 Scotland's Rural College (Veterinary Services)
 Scottish Association for Country Sports
 Scottish Beagle Club (The)
 Scottish Beef Association
 Scottish Beef Cattle Association
 Scottish Border Terrier Club
 Scottish Boxer Club
 Scottish Canine Consultative Council
 Scottish Centre For Animal Welfare Sciences
 Scottish Churches Parliamentary Office
 Scottish Conservatives & Unionist Party
 Scottish Council of Jewish Communities
 Scottish Countryside Alliance
 Scottish Egg Producer Retailers Association
 Scottish Enterprise
 Scottish Equestrian Association

Scottish Equine Breeders Association (Dingwall)
 Scottish Federation of Meat Traders
 Scottish Field Trials Association
 Scottish Gamekeepers Association
 Scottish Great Dane Club
 Scottish Green Party
 Scottish Hawk Board
 Scottish Islamic Foundation
 Scottish Kennel Club (Helensburgh)
 Scottish Kennel Club (Musselburgh)
 Scottish Labour Party
 Scottish Land and Estates
 Scottish Liberal Democrats
 Scottish National Party
 Scottish Parliament European & External Relations Committee
 Scottish Parliament Information Centre
 Scottish Parliament Rural Affairs, Climate Change Environment Committee
 Scottish Pig Keepers Association
 Scottish Pig Producers Ltd
 Scottish Police Federation
 Scottish Progressive German Shepherd Dog Group (The)
 Scottish Society for the Prevention of Cruelty to Animals
 Scottish SPCA Edinburgh & Lothian Animal Rescue & Rehoming Centre
 Scottish Staffordshire Bull Terrier Rescue
 Scottish Voice for Animals
 Scottish Youth Parliament
 Selkirk & District Canine Society
 Shetland Abattoir (The)
 Shetland Dog Club
 Shetland Pony Stud Book Society
 Shetland Sheep Society
 Shetland Vets
 Shieldbank Riding & Vaulting Club
 Shore Veterinary Centre Ltd
 Smooth Fox Terrier Association
 Society for Abandoned Animals (The)
 Society of Chief Officers of Trading Standards in Scotland
 Soft-Coated Wheaten Terrier Club of Great Britain
 St Clair Veterinary Group
 Stables Equine Practice (The)
 Stewartry Veterinary Centre (The)
 Stihler, Catherine MEP
 Strathbogie Veterinary Centre
 Strathclyde Emergencies Co-ordination Group
 Strathspey Veterinary Centre
 Struthers & Scott Veterinary Surgeons
 Swedish Vallhund Society
 Tay Valley Gundog Association
 Taylor Veterinary Practice Ltd
 Tayside, Lochee & District Canine Club
 Tombreck Farm
 Top Dog Training Devon
 Town & Country Veterinary Group
 United Kingdom Association of Pet Dog Trainers
 United Kingdom Horse Shoers Association
 United Kingdom Toydog Society
 Universities Federation for Animal Welfare
 University of Aberdeen (School of Law)
 University of Bristol (Animal Welfare)

University of Bristol (Farm Animal Science)
University of Bristol (Farm Animal Welfare)
University of Cambridge (Department of Veterinary Medicine)
University of Stirling (Department of Psychology)
Urquhart, Jean MSP
Valley Veterinary Group
Veterinary Centre (Portree)
Veterinary Centre (The), Glasgow
Veterinary Centre (The), Uddingston
Veterinary Deer Society
Vetwork UK
Vion UK Food Group
Viva!
Wallets Marts Castle Douglas Limited

Weimaraner Club of Great Britain
Weimaraner Club of Scotland
Wellsfield Farm / Livery / Riding Establishment
Welsh Corgi League (Scottish Secretary)
West Port Veterinary Clinic Ltd
Westwards Veterinary Practice
Wigtownshire Animal Welfare Association
Wild Futures
Windygates Stables
Wood Green Animal Shelters
Woodside Veterinary Group
World Horse Welfare
World Poultry Science Association United Kingdom Branch
World Society for the Protection of Animals

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PART 1 – ABOUT THIS CONSULTATION

Topic of this consultation

This consultation is seeking views on a specific proposal to introduce legislation to permit the docking of Spaniel and Hunt Point Retriever puppies which are intended to be used as working dogs.

Scope of this consultation

This consultation concerns the case that has been made to us for the introduction of a tightly defined exemption regime to allow vets in Scotland to exercise their professional judgement and dock Spaniel and Hunt Point Retriever puppies only, if they believe on the evidence presented to them that they are likely to be used for working in future and that the pain of docking is outweighed by the possible avoidance of more serious injuries later in life.

This consultation does not cover the docking of the tails of dogs other than working Spaniels and Hunt Point Retrievers. The docking of the tails of all other dogs will remain prohibited unless for the purpose of medical treatment.

Geographical extent

Animal welfare is a devolved matter and this consultation applies to the potential introduction of limited tail docking of certain working dogs in Scotland only. This matter is legislated upon separately in other parts of the UK and the appropriate administration should be approached for further information on the docking of dogs in that country.

Business and regulatory impact assessment

If legislation is introduced to permit the docking of the tails of working Spaniels and Hunt Point Retrievers there may be business implications for those involved in the commercial breeding of dogs. This consultation asks questions in relation to this to help prepare the necessary regulatory impact assessment if any change to the legislation is to be made.

Audience

Anyone may reply to this consultation. The Scottish Government would particularly like to hear from: breeders of working dogs; keepers of working dogs; veterinary surgeons; animal welfare organisations; and members of the general public.

Body responsible for this consultation

The Scottish Government's Animal Welfare Team is responsible for this consultation.

Duration

This consultation starts on 10 February 2016 and closes on 3 May 2016. This constitutes a full consultation period of 12 weeks.

How to make an enquiry

If you have any queries about this consultation please contact the Scottish Government Animal Welfare Team (0300-244-9240).

The Scottish Government Consultation Process

Consultation is an essential and important aspect of Scottish Government working methods. Given the wide-ranging areas of work of the Scottish Government, there are many varied types of consultation. However, in general, Scottish Government consultation exercises aim to provide opportunities for all those who wish to express their opinions on a proposed area of work to do so in ways which will inform and enhance that work.

The Scottish Government encourages consultation that is thorough, effective and appropriate to the issue under consideration and the nature of the target audience. Consultation exercises take account of a wide range of factors, and no two exercises are likely to be the same.

Typically Scottish Government consultations involve a written paper inviting answers to specific questions or more general views about the material presented. Written papers are distributed to organisations and individuals with an interest in the issue, and they are also placed on the Scottish Government web site enabling a wider audience to access the paper and submit their responses. Consultation exercises may also involve seeking views in a number of different ways, such as through public meetings, focus groups or questionnaire exercises.

All Scottish Government consultation papers and related publications (e.g. analysis of response reports) can be accessed at: Scottish Government consultations (<https://consult.scotland.gov.uk/>)

The views and suggestions detailed in consultation responses are analysed and used as part of the decision making process, along with a range of other available information and evidence. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

Final decisions on the issues under consideration will also take account of a range of other factors, including other available information and research evidence.

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation

exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

This consultation, and all other Scottish Government consultation exercises, can be viewed online on the consultation web pages of the Scottish Government website at <https://consult.scotland.gov.uk/> .

The Scottish Government has an email alert system for consultations, <http://register.scotland.gov.uk>. This system allows stakeholder individuals and organisations to register and receive a weekly email containing details of all new consultations (including web links). It complements, but in no way replaces SG distribution lists, and is designed to allow stakeholders to keep up to date with all SG consultation activity, and therefore be alerted at the earliest opportunity to those of most interest. We would encourage you to register.

Responding to this consultation paper

We are inviting responses to this consultation paper by **3rd May 2016**.

To improve ease of analysis of the consultation responses we would be grateful if, where possible, you could use the online survey facility hosted by Citizenspace, which can be accessed via <https://consult.scotland.gov.uk/animal-welfare/proposal-to-permit-tail-docking>. We recommend that you fully consider this Consultation Document and all the questions before sitting down to complete the online survey.

Alternatively, you may use the Consultation Questionnaire Word document supplied to provide your response electronically by sending it, **along with your completed Respondent Information Form** (see "Handling your Response" below) to: TailDockingConsultation2016@gov.scot

Handwritten responses will be accepted, although the previous methods are preferable. Again, you should use the Consultation Questionnaire provided as this will aid our analysis of the responses received. Please send your response, **along with your completed Respondent Information Form**, to:

Tail Docking of Working Dogs Consultation
Scottish Government Animal Welfare Team
P Spur
Saughton House
Broomhouse Drive
EH11 3XD

Please note that responses not using either the online Citizenspace survey or the Consultation Questionnaire Word document provided might not be considered in the analysis of this consultation.

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. If using the Consultation Questionnaire Word document rather than the online facility, please

complete and return the **Respondent Information Form** enclosed with this consultation paper as this will ensure that we treat your response appropriately. Similar questions will be asked by the online facility. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government are subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise. If appropriate, please explain why you need to keep details confidential. We will take your reasons into account if someone asks for this information under Freedom of Information legislation. However, because of the law, we cannot promise that we will always be able to keep those details confidential.

Next steps in the process

Where respondents have given permission for their response to be made public and after we have checked that they contain no potentially defamatory material, responses will be made available to the public (see the attached Respondent Information Form). We will make these available to the public on the Scottish Government consultation web pages as soon as possible.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision on whether to permit the docking of Spaniel and Hunt Point Retriever puppies which are intended to be used as working dogs. We aim to issue a report on this consultation process and, if appropriate, to lay legislation before the Scottish Parliament during 2017.

Comments and complaints

An opportunity to provide comments on your experience of the consultation is provided as part of the consultation questions. Alternatively you may also send any comments that you may have about how this consultation exercise has been conducted to the contact details in the 'Responding to this consultation' section.

PART 2 - BACKGROUND INFORMATION

Introduction

The process of tail docking involves the removal of part of a puppy's tail, generally without anaesthetic.

After much public debate, tail docking of all dogs was banned in Scotland in 2007 under the Animal Health and Welfare (Scotland) Act 2006. At the time, the Scottish Government stated that if in the future the ban compromised the overall welfare of working dogs then it would review the position.

Since then, field sports interests in Scotland have continued to campaign for exemptions from the ban for dogs used for shooting or pest control - they argue that the process of tail docking is less traumatic than having the tail injured and potentially amputated in later life.

Tail docking elsewhere in the United Kingdom

Tail docking is also banned elsewhere in the United Kingdom although, unlike in Scotland, in England, Wales and Northern Ireland there are exemptions for working dogs of certain breeds including Spaniels, Hunt Point Retrievers and terriers. Only veterinary surgeons are permitted to undertake this procedure, and carry it out when the puppy is between two and five days old. Many thousands of dogs have been legally docked since the exemptions were introduced and there appears to be a general acceptance of the position across a range of stakeholders.

To reduce the potential risk of dogs being docked for cosmetic reasons, the other UK administrations prohibit the showing of docked dogs (including any dogs docked for medical purposes) at dog shows where the public pay an admission fee.

The other administrations also considered it to be an important safeguard that vets be shown evidence that a puppy is intended for working purposes and to sign a certificate to that effect.

Research on Tail Injuries

The Scottish Government and Defra co-funded research by the University of Bristol and the Royal Veterinary College in 2009 on tail injuries in working dogs, but this did not provide sufficient information on the impact on un-docked working dogs to justify a change in policy.

In 2011, the Scottish Government commissioned further research by the University of Glasgow into the incidence of tail injuries in Scottish working dogs, specifically Spaniels, Hunt Point Retrievers and terriers, and the papers were published in the Veterinary Record on 23 April 2014. The research studies "Survey of tail injuries sustained by working gundogs and terriers in Scotland" and "The prevalence of tail injuries in working and non-working breed dogs visiting veterinary practices in Scotland" can be found at

<http://veterinaryrecord.bmj.com/content/early/2014/03/27/vr.102041> and <http://veterinaryrecord.bmj.com/content/early/2014/03/27/vr.102042> respectively. Full copies of the research studies will be made available, free of cost, during the consultation period at <https://consult.scotland.gov.uk/animal-welfare/proposal-to-permit-tail-docking>

One study looked at records of working breed tail injuries from veterinary practices in Scotland and showed that around 1% of dogs of all working breeds (including terriers and not necessarily actual working dogs) taken to a veterinary surgery were treated for a tail injury.

To prevent one tail injury that resulted in veterinary treatment to any pointer/setter, Spaniel or Hunt Point Retriever, between 81 and 135 puppies would hypothetically need to be docked. To prevent one such injury to any working dog of any breed (including terriers), 230 puppies would hypothetically need to be docked.

The other study was an internet survey of over 1000 owners of working dogs and found that:

- In one shooting season 57% of undocked Spaniels and 39% of Hunt Point Retrievers experienced a tail injury of some sort.
- Docking the tails of Spaniel and Hunt Point Retriever puppies by one third could significantly decrease the risk of injury for working dogs of these breeds.
- There was no apparent protective effect in removing more than one third of the tail or in docking the tails of terriers.
- In order to prevent one tail injury of any sort to a working dog of these breeds between 2 and 18 puppies need to be docked (depending on the numbers of puppies from a litter that went on to be used as working dogs).

PART 3 - PROPOSALS FOR CONSULTATION

The Scottish Ministers have powers under section 20(5)(b) of the Animal Health and Welfare (Scotland) Act 2006 to vary the current ban on the tail docking of dogs, having first consulted such persons they consider to represent relevant interests and any other persons they consider appropriate. This consultation document forms part of that consultation process.

The Scottish Government is seeking views on the proposed introduction of a tightly defined exemption to allow vets to dock Spaniel and Hunt Point Retriever puppies only, if they believe on the evidence presented to them that they are likely to be used for working in future and that the pain of docking is outweighed by the possible avoidance of more serious injuries later in life. This would take the form of a limited exemption to the ban on tail docking of dogs currently in place under provisions contained in section 20 of the Animal Health and Welfare (Scotland) Act 2006 via an amendment to The Prohibited Procedures on Protected Animals (Exemption) (Scotland) Regulations 2010.

Any such amendment would be subject to the scrutiny and approval of the Scottish Parliament before it could take effect.

The Scottish Ministers would encourage views to be expressed on the following proposed changes:

- to permit the docking, by up to a maximum of one third in length, of the tails of working Spaniels and Hunt Point Retrievers before they are not more than five days old; and
- to require such tail docking to be carried out by veterinary surgeons and only where:
 - they have been provided with sufficient evidence that the dogs will be used for working purposes in the future ; and
 - in their professional judgement the pain of docking is outweighed by the possible avoidance of more serious injuries later in life.

PART 4 - CONSULTATION QUESTIONS

Respondents should take into consideration the information provided in this document alongside any other knowledge or personal experiences that could be relevant. All opinions are welcome.

We ask that you try to answer all the questions in the “General Questions” section of the questionnaire. However, if you are unable to answer any question then please feel free to move on to the next.

We also ask that those involved in the breeding, sale and working use of Spaniels and Hunt Point Retrievers answer the questions in the “Business Impact” section to inform the completion of any necessary business regulatory impact assessment.

In order for us to deal with your response appropriately please ensure you complete a Respondent Information Form. This will ensure that if you ask for your response not to be published that we regard it as confidential and will treat it accordingly.

Sector and Origin

It would be helpful for our analysis if you could indicate which of the sectors you most align yourself/your organisation with for the purpose of this consultation (*please tick ONE which is MOST APPLICABLE to you*):

- | | | | |
|------------------------------|--------------------------|-----------------------------|--------------------------|
| Keeper of Working Dogs | <input type="checkbox"/> | Breeder of Working Dogs | <input type="checkbox"/> |
| Dog Breeder (General) | <input type="checkbox"/> | Animal Welfare Organisation | <input type="checkbox"/> |
| Dog Breed Association | <input type="checkbox"/> | Veterinary Surgeon | <input type="checkbox"/> |
| Recreational Shooter | <input type="checkbox"/> | Shoot Organiser | <input type="checkbox"/> |
| Game Keeper | <input type="checkbox"/> | Pest Controller | <input type="checkbox"/> |
| Member of the General Public | <input type="checkbox"/> | | |

Other (please specify)

To allow us to monitor the geographical area of responses, using the list below, please advise where you currently reside.

- | | |
|---------------------|--------------------------|
| Scotland | <input type="checkbox"/> |
| England | <input type="checkbox"/> |
| Wales | <input type="checkbox"/> |
| Northern Ireland | <input type="checkbox"/> |
| Republic of Ireland | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

The proposed exemption

Question 1: Should the Scottish Ministers allow vets in Scotland to dock Spaniel and Hunt Point Retriever puppies if they believe on the evidence presented to them that they are likely to be used for working in future and that

the pain of docking is outweighed by the possible avoidance of more serious injuries later in life?

Yes

No

Don't Know

Please explain why

Question 2: If the Scottish Ministers decide, after consultation, to permit limited tail docking for Spaniels and Hunt Point Retrievers, do you agree that such tail docking should be limited to the end third of the tail?

Yes

No

Don't Know

Please explain why

Question 3: If the Scottish Ministers decide, after consultation, to permit limited tail docking for Spaniels and Hunt Point Retrievers, do you think the following would help effectively restrict the exemption to future working dogs?

	Yes	No	Don't Know
Permit all veterinary surgeons to dock on evidence to their satisfaction that dogs are likely to work in future	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Permit only specially approved veterinary surgeons to dock on evidence to their satisfaction that dogs are likely to work in future	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Require veterinary surgeons that have docked dogs likely to work in future to carry out the microchipping and registration of that dog	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain why

Question 4: Do you have any additional suggestions that you think might help to effectively restrict tail docking to future working dogs?

Yes

No

Please explain

Business Impact

Question 5: Do you have a commercial interest in the breeding, sale or use of working dogs?

	Yes	No
Breeding	<input type="checkbox"/>	<input type="checkbox"/>
Sale	<input type="checkbox"/>	<input type="checkbox"/>
Use	<input type="checkbox"/>	<input type="checkbox"/>

Question 6: Do you consider that the current total ban on tail docking has had a negative financial impact on the commercial breeding, sale or use of working Spaniels and Hunt Point Retrievers in Scotland?

	Yes	No	Don't know
Breeding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain

Question 7: Has the current ban had a negative financial impact on you personally, and was this linked to the sale of working dogs, working days lost through injury, or other reasons?

	Yes	No	Don't know
Ban has had a negative financial impact on me	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Impact includes loss of dog sales	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Impact includes loss of dog working days	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain

Question 8: What effect do you think that an exemption to the current ban for working Spaniels and Hunt Point Retrievers is likely to bring to your business, particularly on the expected sale of working dogs, working days lost through injury, the costs of tail docking or other reasons?

If an exemption was made:	Increase	Decrease	Not change	N/A
Overall financial benefits would	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Working dog sales would	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Loss of dog working days from injury would	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cost of tail docking would	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other impacts would	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain

Question 9: Are you content for the Scottish Government to contact you for further clarification of the financial effects that you have estimated?

Yes

No

About the consultation

While we have done our best to explain the issues facing us clearly, there may be aspects that you feel we have not explained well or have not covered at all. The following questions in this consultation paper are to provide you with the opportunity to raise such points, and to provide us with feedback on the consultation itself.

Question 10 – Do you have any other comments on whether Scottish Ministers should introduce a tightly defined exemption to the ban on tail docking for working Spaniels and Hunt Point Retrievers?

Comments:

Question 11 – Do you consider that that consultation explained the key issues sufficiently to properly consider your responses?

Yes
No

Question 12 – Do you consider that you had sufficient time to respond to the consultation?

Yes
No

Question 13 – Do you have any other comments on the way this consultation has been conducted?

Comments:



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