



## The Associate Parliamentary Group for Animal Welfare

An all party group for members of both houses at Westminster formed to promote and further the cause of animal welfare by all means available to the Parliaments at Westminster and in Europe

### **MINUTES FOR 11<sup>th</sup> February 2014** **PRIMATES & EXOTIC SPECIES AS PETS: SHOULD IT BE BANNED?**

**Political Members:** Angela Smith MP, Neil Parish MP, Baroness Masham, Lord Trees, Sir Roger Gale MP, Sir Peter Bottomley MP

**Associate Members:** Rachel Cunningham (Blue Cross), Marc Abraham, Tim Morris, Robin Hargreaves (BVA), Keith Davenport (OATA), Tim Wass, (Animal Kind), Claire Robinson (RSPCA), Rachel Hevesi (Wild Futures), Liz Tyson (CAPS), Chris Newman (REPTA), Lord McNair (ECMA), Becky Thwaites (Blue Cross), Sally Phillips and Bob Bayliss (RSPCA trustees), Ros Clubb (RSPCA), Liz Tyson (CAPS), Elaine Toland (Animal Protection Agency), Chris Draper (Born Free Foundation) NB Others were in attendance but the register was lost so apologies if your name is missing.

Neil Parish MP welcomed members and announced the report to be published on equines this Friday. Written by APPG for the Horse and APGAW and the Equine Sector it will be sent to the Minister with a formal letter.

#### **1. Exotic Pets**

##### **Chris Draper (Born Free Foundation)**

The Dangerous Wild Animals Act 1976 requires a licence and inspection by the local authority appointed vet. The legislation is primarily aimed at protecting public health and safety and the animal is judged on its danger to the public with little consideration of animal welfare. The schedule under this Act was amended in 2007 and certain species were removed, for example Tamarin Monkeys, Owl Monkeys, Raccoons, Porcupines, Sloths. This was a key piece of legislation keeping them out of the pet trade.

In 2012, a survey of the classified adverts in one publication – Cage and Aviary Birds - revealed several species of primates for sale, Meerkats, Raccoons, Ring Tailed Lemurs, Sugar Glider, Chipmunks, Wallabies and others. 24 local authorities within 3 counties near Horsham were also surveyed for details of licensed pet shops of which 41% sold non-domestic exotic species. 54% of local authorities had pet shops selling exotic animals that showed it is not just a handful selling these creatures. Born Free contacted the local authorities asking for a detailed list of the species in each shop that they are allowed to sell. Responses such as “Reptiles and amphibians, snakes and

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lizards, parrots, other large birds, crabs/newts, small mammals" were given. No specifics or details were given on these animals. The local authorities that are responsible for overseeing the Pet Animals Act are not up to speed with what is on sale in their own areas.

The system is wrong. We need to re-evaluate the animals that we are allowing to be sold to ensure not only that we can keep them alive or that they are breeding and not just that we are meeting the minimum welfare standards. We need to start thinking about a positive list of species whose welfare needs can be met as pets and which therefore you are allowed to keep, not a list you cannot keep. This has happened in the Netherlands and Belgium. In the Netherlands you can keep dogs and cats, traditional livestock and then there is a framework for evaluating non-domestic animals that are allowed to be kept. Simply, they have come up with a list of animals which can be kept and it is short and clear.

### **Liz Tyson (Captive Animals Protection Society)**

Domestication is the process that happens through genetics and changes animals leading them to the place we are with dogs etc. who have shared our homes from hundreds of years. We know what a wild animal is and wild animal retain their characteristics and have environmental, social behavioural and physiological needs that cannot be met in domestic circumstances. In addition to welfare concerns, there is an invasive species risk and there are species which should not be here in this country.

Sale of exotic animals is a burgeoning trade with the Internet as a major source. In 1951 the legislation to govern, the Pet Animals Act, was created at a time when legislators would have had no idea that trade on the internet would exist like this and in fact would change the trade globally. What that means is that animals now being sold are not protected by the law in its current form. CAPS would work for an outright prohibition on keeping these animals. Of course they should not be euthanised or released but we would work towards a prohibition from now by stopping further sales. The Internet trade is a particular problem so we need to work on that to stop it mushrooming immediately.

### **Chris Newman (Reptile and Exotic Pet Trade Association)**

The positive list in the Netherlands has not actually happened. It was due to be implemented in January but has been suspended until July. We need to look at the facts and often it is easier to keep animals like reptiles and amphibians than dogs and cats. Dogs can revert into wild very quickly so that is playing with words to say they are domesticated.

Yes, the Act is old but it is underpinned by modern standards set in 2013. I agree that the Internet is a problem but PAAG is looking to bring some form of meaningful regulation to the Internet. Gumtree is the largest advertiser who have signed up to the PAAG and Prelove has also adopted these standards and will not sell primates. These are issues to look at and address surrounding the sale of exotics but we must not get mixed up over what is animal welfare and what is animal rights.

Neil Parish MP - When pet shops are selling these animals would they have any expertise on how they should be kept? If you are going to buy something can you get advice?

Chris Newman-The act says you have to be suitably experienced to sell the animals. The problem is those who regulate pet shops as those licensing do not have to have the knowledge or expertise to ensure this. Many licensing officers have no training.

Neil Parish MP- How would you have that expertise? Even vets must have specialisms so it must be difficult to find.

Robin Hargreaves (BVA) – We have our own zoological society so there are people with the expertise. The problem is the huge range of animals that we may need to train people about so there may be mileage in narrowing down the species allowed to make this more achievable. Then the issue is how do you get the right credible list that is evidence based?

Chris Newman – Currently, the law does not require a vet to be involved in inspection at all.

Keith Davenport (Ornamental Aquatic Trade Association) As an association we have provided the local authority with the tools to do the job in relation to aquatics. We have encouraged them to do it, as we want a good job to be done in licensing pet shops. Bad pet shops let the animals down, the council down and the industry down.

Neil Parish MP – It must be difficult for local authorities to have this expertise so the industry itself must take some responsibility.

Keith Davenport – There is no other industry as closely scrutinised by the public as the pet industry.

Chris Newman - You are right and the industry must do its part. We have a difficult relationship with the RSPCA in the south but it works with the SSPCA. We are limited in England whereas in Scotland we can pick up the phone and action is taken.

Ros Clubb (RSPCA) – If there were any concerns about a pet shop it would just simply take a call and we would investigate it. We take this sort of issue very seriously.

Tim Wass (Animal Kind) I recently attended an environmental health training session where one lady came up to me and asked if she need advice could she come to me. She informed me that prior to her new role with pet shops and animals she had been in charge of licensing topless bars. This shows how far we are from legitimate effective enforcement because those in licensing roles often do not have the knowledge and expertise.

Elaine Toland (Animal Protection Agency) – APA conducted a study 2 years ago and found 75% of reptiles die in the first year in the home. This was published in a peer-reviewed journal entitled the

Biologist. If this were happening to any other group of animals there would be public outrage. They are simply unsuited to captivity.

Chris Draper (Born Free) –The point we need to get back to is evidence and we need to look at the evidence for whether we can actually provide good welfare. When we are talking about mortality as a welfare indicator we are setting the bar very low. Animals should be vetted species on species to see if they can be offered a good life in captivity. This notion you can keep what you like until proven otherwise is the wrong way around.

Robin Hargreaves (BVA) – As a veterinary surgeon it strikes me that the responsibility for creating credible Codes of Practice needs to be done in consultation with expertise. You need proper detailed codes and some will inevitably be untenable for the average person. The species would then have a status which should mean it could only belong to a person who has the qualification to keep it.

Emma Milne – As a vet I have been to various things on the exotic trade and I find it frustrating when dogs and cats are brought into the discussion. It is used as an excuse by the exotic trade but these are domesticated animals. Bearded dragons with chin lesions from running into their glass enclosures are seen often in vet practices. Commonsense as a veterinary surgeon would say those animals are not having their welfare needs met when these sorts of injuries are seen, as are vitamin deficiencies. You do not need peer reviewed articles or studies, commonsense is enough. It has to be done through the positive list and sometimes you have to say actually these animals cannot be kept by the majority so the minority who could keep them will have to suffer.

Sandy Trees – It is tempting to want more rules and regulations but pointless unless we can ensure implantation and enforcement and unless we are currently enforcing the law we have. If we had enough carrots in the shape of Codes of Practice do we have enough stick in the legislative armoury? Is there any need for new legislation? Additionally, another side to this issue is the importation of exotic pathogens and that gives you strong grounds for restricting importation of exotic species if there is risk of disease to indigenous animals. Is there are serious biosecurity issue here?

Chris Draper – There is a 3 year study by the EU Commission looking at animals and pathogens and we are on year 2 at the moment so that question will be answered next year. I think you are right; yes the Pet Animals Act needs improving but we do have some of the legislation we need but we do not have proper enforcement. The Animal Welfare Act gives us tools but we do not have expertise in local authorities to use it.

## **2. Primates as Pets**

Liz Tyson (Captive Animals Protection Society)

Primates are the only wild species to have a code of practice. Legally speaking they should have the best welfare protection yet evidence shows this is not the case. The Code is generic as it offers

vague parameters in which keepers should operate as it seeks to cover such a wide species. It means owners relying on these codes of practice find it difficult and they need to do external research to get the right information. Codes are not designed as a keeper's manual; they are there to interpret Section 9 of the Act to meet the welfare needs. These are legal documents. 400 plus species needs cannot be put into this. The law enforcement officers cannot use that code to ensure primates are being cared for properly. Most individual primates are not inspected so the code becomes a matter of conscience, nobody is enforcing it or identifying where the animals are. There is no registration or licensing. In terms of what we would like to see, the keeping of primates in domestic conditions should be prohibited, We know there is no space to take the animals yet but a ban with a grandfather clause for those who have primates currently underpinned by a system of inspection and registration would work.

### **Chris Newman (Reptile and Exotic Pet Trade Association)**

How are we defining pets? There is a huge difference between specialist keepers and those keeping animals as a pet. We need definition which we currently lack. We have a Code of Practice and it is working with 5 prosecutions by the RSPCA in the last year. The Working Group drafted guidance for local authorities and we spent 2 years producing the document but it has now been sat on the Ministers' desk gathering dust. That would make a huge difference, as it would give tools to allow the local authorities to enforce the Act. Let's see the evidence of where the problems are. How many private primate keepers are there? We do not have this data. In the last 5 years how many prosecutions have there been, how many primates are sold in pet shops, how many have been imported? We need to get that information together so we can look at something tangible.

### **Rachel Hevesi (Wild Futures)**

Our position is that we are calling for a ban on the keeping and trade of primates as it is best for welfare and most cost effective. It has been recognised by 13 member states in the EU who have banned the private keeping of primates - the Netherlands, Belgium, Latvia, Greece and many others have banned keeping of primates. There is no evidence that the bans have driven the trade underground. What is clear is that a ban sends out a message to the public which is understandable and clear. The reason for the bans are because it has been recognised that primates are a special case which have not been domesticated over tens of thousands of years like cats and dogs. Dogs and cats can thrive in human company but no evidence shows primates can do that, in fact the opposite.

The important things about primates is that they are wild animals and meeting their needs in captivity is very difficult which is recognized by Defra who say they should not kept as pets, the BVA, the International Primate Society, 360 scientists and primatologists who have signed a petition asking to end keeping and trade of primates as pets. Most of the public do not feel keeping these animals in private homes is right.

*Images were shown to the members of a monkey with metabolic bone disease seen by vet who did not recognise the disease and let it go untreated.*

*Image shown of a capuchin monkey which was licensed and seen every year by vet. The monkey was severely diabetic and was taken from his mother at a very young age. His medical condition was not recognised or treated.*

All licensed animals being inspected by zoos have still shown evidence of self-harming, bone disease, self-grasping, thumb sucking, chewing finger and toes. These are all signs of stress. All of these monkeys were much loved by their owners who thought they were looking after them but they did not understand that they couldn't adapt to the domestic situation.

I would ask if there were any good specialist keepers, then their true motivation must be for the welfare of those monkeys so help us take care of the thousands of monkey that needs better homes but stop trading and breeding.

Chris Newman –I am looking at this from a different angle and I would like to work together to address the welfare of these animals. Are you saying no private keepers can keep primates?

Rachel Hevesi– I am not saying it cannot be done but primates struggle enough to adapt to a life in captivity and I have not seen any good examples. If a keeper wanted to keep them with welfare in mind they would realise that the welfare needs can never be fully be met.

Tim Morris (Animal Health & Welfare Board) I have struggled to find anyone who agrees with keeping of pet primates in a domestic situation. When I talk to private collectors they clam up if they think there will be a ban. They say if they are keeping primates well why can they not keep them. We are asking the wrong questions. Whether you believe it is right or wrong there is no immediate prospect of a ban so how can something be done constructively in the short term? There was a useful statement from Lord de Mauley last week saying it is against the law to keep a single primate so how could you work together to ensure the welfare of primates not being kept in the right conditions? The Animal Welfare Act exists and there are tools there that you need to use in the best possible way.

Rachel Hevesi - We can prove poor cases of welfare under the Act but there needs to be cultural change. Certain animals cannot thrive in captivity and their needs to be a greater justification than just the desire to keep them.

Tim Morris – You are saying it is not possible to keep any primates in captivity and meet their welfare?

Rachel Hevesi– It is extremely difficult.

Sally Philips (RSPCA) The wildlife department at the RSPCA has been developed and we are training inspectors in primate care. Obviously they can only go into places when there is an issue but we will act if there is an issue and welfare needs are not being met.

Rachel Cunningham (PAAG)- Some evidence given by Defra regarding the Pet Advertising Advisory Group (PAAG) was inaccurate at last week's EFRA Committee enquiry and I wanted to ensure the right information was set out. The PAAG advertising standards do not provide for the advertising of primates so there was guidance drafted for Internet advertisers. PAAG is working to influence a number of classified websites including Preloved, Pets4Homes, Gumtree and others. Standard 13 has been accepted by these websites and they are removing adverts for primates when they appear. DEFRA stated that the number of adverts offering primates is small but at one time there are 350 live adverts of primates for sale in the UK. Despite what the Minister said we believe that the majority are genuine adverts and not bogus. They are split between those wanting a primate and those selling. The majority of adverts are for Marmosets Squirrel Monkey and Capuchins. Most are being sold singularly; the vast majority do not ask for licensed keepers and are for primates to live in domestic setting. The numbers of adverts are increasing. There are some fraudulent adverts but many which are not. The number of online wanted adverts are even more concerning and are asking for small baby monkeys for children.

Neil Parish MP – This is extremely concerning and we need to put this data in front of Rupert De Mauley which we shall do. APGAW will write to the Minister and seek a meeting on this issue.

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