



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

REPORT BY THE ENVIRONMENT, PLANNING AND COUNTRYSIDE COMMITTEE

The Docking of Working Dogs' Tails (Wales) Regulations 2007

The Committee took evidence on *The Docking of Working Dogs' Tails (Wales) Regulations 2007* at its meeting on 1 March 2007 to aid scrutiny of these Statutory Instruments.

Evidence

The Committee invited written and oral evidence from key stakeholders. Papers received as evidence are annexed to this report. The witnesses were Christopher Shorrocks, Veterinary Surgeon, Director of RSPCA Hospital, Birmingham; Sgt Jim Gall, Police Federation Wales and PC Wayne Baker, Secretary of Police Federation Wales; Glynn Cook, Director, The British Association for Shooting and Conservation Wales; and Lynne Hill, Senior Vice-President, Royal College of Veterinary Surgeons.

The Committee received a demonstration of the work of police dogs prior to the meeting.

Key Issues and Committee's discussion of evidence

Among the key issues raised in the evidence session were:

- The need for experienced search dogs was increasing due to security preparations leading up to the Olympic Games in 2012. (Annex 1, Police Federation Wales)
- Removal of even one dog from an explosives search team could weaken the resilience of the entire team. (Annex 1, Police Federation Wales)
- A veterinary surgeon would need to see sufficient evidence to prove that tail docking is required for therapeutic or truly prophylactic reasons. (Annex 2, RSPCA)
- Dogs use their tails naturally during movement for balance and steering. They also use their tails for communication with other dogs and humans. (Annex 2, RSPCA)
- Outright prohibition of tail docking could result in cross border movement of pregnant dogs. (Annex 3, British Association for Shooting and Conservation Wales)

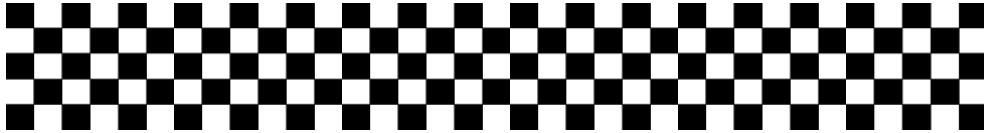
- Dog breeders are likely to follow protocol, as it is in their best interest that their puppies go to working homes. (Annex 3, British Association for Shooting and Conservation Wales)
- A requirement for tail docked dogs to be micro-chipped is included in the Regulations.
- The evidence received from the consultation showed that there was no requirement to follow the example set in England where the exemption of all Hunter, Pointer and Retriever dogs is included in the Regulations.

Conclusions

The Committee regretted that the programming of this legislation did not allow it further scrutiny and therefore, with no other option available, recommended approval of *The Docking of Working Dogs' Tails (Wales) Regulations 2007* without amendment.



Glyn Davies AM
Chair, Environment, Planning and Countryside Committee



*The Police Federation was
formed by an Act of Parliament in 1919*

Evidence to

**The National Assembly for Wales
(EPC Committee)**

on

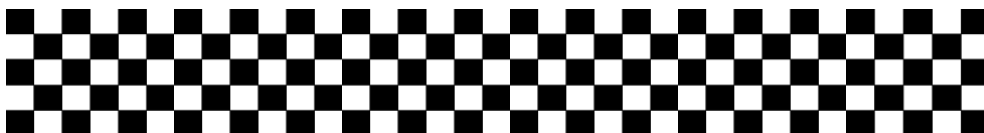
'Tail Docking'

Thursday 1st March 2007

at

The National Botanical Gardens of Wales

www.polfed.org



In attendance today are:

Alan Hubbard

(South Wales Police dog section)

John Codd

(Dyfed Powys Police dog section)

Wayne Baker

(Secretary to the Police Federation England & Wales – Region 7 Wales)

'Oddie' the Police dog

(An 'explosives' search-sniffer dog)

Additionally, the Police Federation welcome the attendance and support of:

Deputy Chief Constable (Designate) Peter Vaughan B.Sc (Hons)

(Association of Chief Police Officers – UK portfolio for Police Dogs)

The position of the Police Federation

The Police Federation has a statutory responsibility - governed by The Police Act – with relation to the welfare & efficiency of their officers, and this, in respect of the service they give to the public.

The Police Federation takes a *neutral* stance in relation to 'Tail Docking' however, the following points, extracted from the evidence in this file, should be noted:-

- 1. Individual Welsh police forces make a local decision on 'tail-docking'. This is based on the combined advice from their own veterinarians, together with the experience of the handlers and the known characteristics of the working dog breeds;**
- 2. That 'undocked' working breeds experience more tail damage;**
- 3. The Police Federation is concerned that if its officers do not have a police dog that is fully fit for purpose, this may, in the extreme, not give the fullest service to the public and also place an officers life at risk.**

This evidence file comprises of *two sections*

Section 1:

A briefing document for Assembly Members formatted as a 'F.A.Q' plus photographs of *working police dogs*.

Section 2:

The *full written evidence* submitted by The Police Federation on 12th January 2007, to the Welsh Assembly Government at the Office of the Chief Veterinary Officer for Wales.

Section 1

F.A.Q's

Police Dogs

(Tail docking)

Section 2

*Full written evidence
(dated 12th January 2007)*

submitted to

*The Welsh Assembly Government
Office of the Chief Veterinary Officer (Wales)*



Joint Branch Board
Secretary Police Federation (Region 7 - Wales)
Police Station
155, Neath Road,
Neath SA11 2BX

Briefing for Assembly Members on Tail docking

Where do police dogs come from?

Mostly they are 'donated dogs' which come from the public. However, some forces use specific breeders. The standard and numbers of dogs that come from the public, despite their kind generosity, is decreasing. So in the future, some forces may need to breed their own, or use dedicated breeders. Not all dogs make the grade.

Do the dogs come to you with docked tails?

Yes and no. It depends on the breed. We have spaniels and HPR's that are both docked and undocked.

Do the undocked breeds get tail damage?

Yes. If the dog is injured and 'off duty' for a prolonged time, say post veterinarian care, this can affect the operational capacity of a police dog and/or the force itself.

Who would decide if a puppy should be docked or not?

Within the law, it is up to each individual police force in Wales. This is taken on the advice of local vets and in conjunction with the experience of the dog handlers. In any event, the docking would be done by a veterinarian.

Does a docked dog lose any of its operational skills if it has a shortened tail?

Not at all, it can still climb, balance and socialise with other dogs and people.

Do dogs trained in differing disciplines need to be docked?

Dogs are trained in eight differing disciplines and tend to specialise in one only. These disciplines can be to search for drugs, explosives, firearms residue, money, bodies, tracking, passive drugs and conflict management. Those dogs that are required to 'search' can experience damage to tails, those that are used in say, conflict management, tend not to damage their tails but can receive other forms of injuries, for example dealing with an armed offender.

How do the dogs damage their tails?

Tail damage occurs when the dogs are either in transit or primarily in 'search mode'. That is, working as a HPR (Hunt Point Retrieve). For the dog, this work is merely a game, and as such they get very excited at the prospect. This excitement is reflective as their tails wag and knock consistently against hard and sharp objects.

Where do the dogs work?

Wherever demand takes them such as industrial sites and within public buildings, domestic residences, conference centres, mine shafts & quarries, scrap yards, or whilst they are searching HGV's or other vehicles, aboard shipping, aeroplanes and when operational in the countryside searching farms, mountains or in dense vegetation such as brambles.

Who checks on the welfare of the dogs?

Daily this is conducted by the handlers themselves, but we also have dedicated vets who know the dogs well. Additionally, as in all sectors of policing the 'dog sections' are thoroughly inspected by HM Inspectorate of Constabulary.

If a dog has injured its tail what are the consequences?

It may well be taken 'off-duty' (as well as its handler in that respect). It would then undergo veterinary care and a possible tail amputation. In an adult dog, this would require extensive recuperation and a prolonged time to bring the dog back up to operational effectiveness.

Can a dog really search for money?

Yes, we even have some dogs who can differentiate between Euros and Pounds! But irrespective of the training received and the dogs' specific role, police dogs are still required to work within inaccessible areas to search/identify for what it is trained. A dog that is trained to search for money is just as susceptible to injury as one that searches for bodies.

I saw a German Shepherd at a football match, it didn't have docked tail?

Quite right. You will notice that the German Shepherd has a low and down pressed carriage of its tail, so damage can be naturally minimised. That said we do have German Shepherds who have had their tails amputated and similar amputations in other strong tailed dogs such as Labradors.

What s the worse that can happen?

For the dog amputation and the pain of such recuperation; this is the same for any injury. For the force, it is the loss of a valued member of a highly trained team. For the officer, a dog that may not be fully fit for service, could in the extreme, place his or her life at risk, and thereby not give the fullest service to the public.

There are some new breeds coming into the UK from the European continent, can these be the police dogs of the future?

Some breeds are naturally gifted towards police work, such as German Shepherds and the Malinois (Belgian Shepherds). We already know the capabilities of Spaniels, Labradors, German Wirehaired Pointers, and Vizsla's; all of these are good working breeds of dogs. Each breed will be taken on its known and tested working merits. If that means that we have Doberman's, Rottweilers, Curly-coated Retrievers and Chesapeake Retrievers working alongside the lesser known, but popular breeds such as a Wachtelhund or Bracco Italiano, and they can all provide a service to the force and the public, then we will use them.

Annex:

Photographs of police dogs in action



Joint Branch Board
Secretary Police Federation (Wales)
Police Station
155, Neath Road,
Neath SA11 2BX

Welsh Assembly Government
Animal Welfare and Cost Sharing Branch
Office of the Chief Veterinary Officer (Wales)
OCVO
Cathays Park
Cardiff
CF10 3NQ

Dear Sir,

Consultation on:
Mutilations (Permitted Procedures) (Wales) Regulations and
The Docking of Working Dogs' Tails (Wales) Regulations

1 Background to Police Federation

The Police Federation was established by the Police Act 1919. It is the professional representative body for all police officers below the rank of Superintendent. It has a statutory responsibility to represent its members, in all matters affecting their 'welfare and efficiency'. The Police Federation has over 7,000 members in Wales represented in all four Welsh police forces.

2 Introduction

The Police Federation in Wales have been externally advised that the Welsh Assembly Government is conducting a consultation on:

"Consultation on Mutilations (Permitted Procedures) (Wales) Regulations";

and also,

"The Docking of Working Dogs' Tails (Wales) Regulations";

Albeit The Police Federation was not included on the original consultation list, it wishes to respond as the issues raised in the documents are relevant to the *efficiency of police officers*.

The Police Federation notes that a similar consultation is being conducted in England and that secondary legislation there, will allow the ‘docking of working dogs by breed type’ and that also that of minor ‘mutilations in relation to dew claws’.

For this consultation the Police Federation are naturally concerned about the health and well being of their own police dogs, but wish to confine their comments towards *operational working police dogs that compliment the needs and efficiency of operational police officers.*

3 History of police dogs

Dogs have worked alongside the police for many years. In fact, throughout the 19th century, British police officers often took their pet dogs out on patrol with them.

However, other countries were much more advanced in using dogs for police work. The achievements of police dogs in Ghent, Belgium, spread to several continental countries, and by World War I, dogs were being trained to perform specific military duties, as messengers, guards and sentries. This prompted Britain to take an interest in using police dogs during the 1920s. And an experimental school was established to examine training and to see which breeds had the most aptitude for police work.

After World War II, more experiments were run, including a highly successful test in using dogs to accompany patrols in London. This success proved the value of a ‘police dog section’ and in 1953, a specialised training unit was set up; this quickly spread throughout the UK.

Just as police work is making increasing use of new technology so is the training police dogs receive. For example, Police dogs are now being trained to work with cameras attached to their heads, enabling them to enter dangerous places and send pictures back to officers.

There are approximately 2,500 police dogs in England and Wales and some one hundred & fifty in Wales as a whole. Their naturally powerfully sense of smell and agility are used by the police for locating and finding drugs, explosives, money and human remains. Police dogs are also trained to track and catch criminals, for crowd work, and in prisons. All of these operational theatres demand professional excellence both of the police officer and thereby the trained dog.

4 Sourcing police dogs

A popular breed for police work is the well known German Shepherd, chosen for its intelligence and highly developed senses, they also tend to be more instinctively suspicious of strangers than other breeds. The Belgian Shepherd (Malinois) is similar, and also used.

Other breeds such as the gundogs are used, in particular spaniels and HPR's, primarily Labradors. But the breeds are not confined solely to these and other dogs such as Collies, German Wirehaired Pointers, Curly-coated Retrievers, Chesapeake Retrievers and Vizsla's are also working police dogs in Wales. The variety of working breeds available is reflective upon the diverse work that they conduct, and as such, the police capture the natural working ability of each individual breed.

However, dogs need to have the right temperament to be suitable for police work – for example, those who may make unsuitable pets, because they are too energetic and demanding, sometimes are ideal. In the main, it is the 'donated dog' that comes to the police and these are mostly identified by rescue centres and the public, as being possibly of the right ability and temperament.

This sourcing however relies upon the public's own generosity and often such dogs do not make the grade. Indeed, it is noticeable that in general terms the 'standard' and 'numbers' of suitable dogs passed to the police, even with the goodwill of the public has, over the years, decreased.

It is likely therefore that in the future, some forces may need to breed dogs themselves (as is now happening in a number of English forces) or source their dogs direct from specific breeders known to have good 'working strains' and train-up those working dogs from puppies.

Both donated dogs and those puppies/young dogs destined for work as police dogs require in-depth training this extends to the police officer as well; neither are mutually exclusive of each other as they must work together as a team. The investment and standard in training is therefore substantial.

5 The role of the police dog

Certain breeds of dogs have a natural working ability and this is noted in paragraph 4 above.

Police dogs are required to work shift patterns – as do their officers – and to be engaged in a variety of public and profiled events.

The dogs have to be fit and ready to act and react to the rigors of daily policing. This daily routine is highly varied and apart from dealing with direct criminal activity, such as entering premises to face armed offenders, in Wales dogs are trained to operate in some eight differing disciplines. This work covers dogs who can search for bodies, sniff out drugs, weapons and explosives, passive drug searches (on humans), firearm & residues, money and conflict management. As such, each dog cannot be expected to function in all of these roles and therefore, specialises in one discipline.

This is very specialist training and its consolidation is gained through operational practice. This has to be completed in parallel also with the officers own professional development of skills and his/her detailed understanding of, for example, drugs, firearms and explosives types and technology.

6 Welfare and work

In the main, dogs that come to the police have had their 'dew claws' previously removed. This is a sensible precaution and certainly from a policing perspective ensures that when working in operational theatres, the likelihood of damage to the dog, perhaps even through violent encounter, is minimised. Of those that have not had dew claws removed, ripping and tearing around the lower leg area can be a common sight and appropriate veterinary care is given.

The police use both docked and undocked breeds (even of the same breed). Whether a dog is docked or not, has no bearing on its operational capacity and thereby, the areas that it is trained and expected to work. Similarly, the removal of part of a tail makes no difference to the dog's agility, in balance or to its social skills.

However, it is noticeable that from across all the four Welsh forces that the 'undocked breeds' can and do suffer extensive tail damage to the extent that some police dogs become temporarily non-operational. This at its worst, means that the tail requires amputation and thereafter an extended period of recuperation. It is not unknown that a dog that becomes badly injured and is not consistently 'working' could lose its operational effectiveness.

Tail damage occurs when the dogs are primarily in 'search mode'. That is working as a HPR (Hunt Point Retrieve). To the dog, this work is merely a game, and as such they get very excited at the prospect. This excitement is reflective as their tails wag and knock consistently against hard and sharp objects.

This can happen for example at industrial sites and within public buildings, domestic residences, mine shafts & quarries, scrap yards, or whilst they are searching HGV's or other vehicles, aboard shipping, aeroplanes and when operational in the countryside searching farms, mountains and in dense cover.

7 The challenge

Modern policing rises to the challenges set by public demand. That is all too self evident in matters of profiled crime through drugs and illegal firearms to terrorist activity.

Police dogs from all four Welsh forces operate primarily pro-actively within their own force areas which includes all the sea and airports of entry and exit. Sometimes a highly specialised dog can operate outside of Wales on attachment to other police force areas or indeed within the other Welsh forces.

It is self evident that if a dog is injured on duty for any reason, that the operational capability in its 'home force' is reduced. That lack of resilience would then impact upon the service the police are duty bound to uphold, be it violent altercations or terrorism, a money cache or a missing person.

That fact becomes a reality as dogs do get injured, sometimes through criminal malice, or even from entering unstable and dangerous structures. The normal rigors and knocks of 'daily work' also take their toll. Those injuries can damage all parts of a dog, but noticeably the paw pads, legs and tail ends. Each of these areas are notoriously difficult to heal well, get infected quite easily and are upsetting for the dog.

As in all other sectors of policing, Her Majesty's Inspectorate of Constabulary conducts extensive quality and performance inspections on dog sections.

8 The Police Federation's evidenced position

It is noted from the consultation, that in Wales, the Welsh Assembly Government sees some merit in 'working spaniel types' being docked. If the law allows such a docking practice to continue and be conducted by a veterinarian then that would be a sensible precaution for future working police dogs.

It is noted that HPR's are not included in those 'breed types' and consideration must be given to those working breeds.

Indeed, two of the forces in Wales have a Labradors, which have undergone extensive surgery to remove their tails. As such, had those dogs been another typical HPR breed and docked (as a puppy) then that would have been avoided. Another HPR suffered extensive tail bleeding whilst it was operating in an inaccessible area and it was almost impossible to recover the dog. Such working damage is not confined to HPR's and un-docked spaniels suffer similar injuries.

Clearly, most Labradors (HPR-gundogs) in the UK are not historically 'docked' as their tail-carriage is strong and slow, also they have quite thick tail hair and skin and few ever enter areas that will damage tail ends.

Albeit that the proposed legislation is not breed specific, consideration should be given to the 'type of dog' which is exempted, including HPR's, as for example, Vizsla's and German Wirehaired Pointers can and are used in police work in Wales. Undoubtedly other HPR working breed types will be used as they become available both from the public and direct from breeders. In the main, other than Labrador-Retrievers, the HPR's that are donated to the police have been docked.

Other docked breeds, such as Dobermans and Rottweilers, are used in the police service, albeit these tend to be 'cosmetically docked', nonetheless they are donated for a variety of reasons. It would be unusual to have a German/Belgian Shepherd tail docked and/or amputated as their tail movement and down-pressed tail carriage is quite different to other breeds and very thick hair covers the entire body.

In every event, the police would seek professional veterinary advice on any dog destined to be a working police dog and that advice together with the known characteristics and temperament of a dog give some gauge as to its future capabilities.

During the selection process it is the aptitude of the dog, not its outward appearance that will decide its future use as a police dog. It is noted that the Animal Welfare Act will ban cosmetic docking, but that it seeks to enable secondary legislation for exemptions to those working dogs who are usually docked. The choice whether to dock has always been left with each individual force and on the advice of both the handlers and local veterinarians.

The Police Federation is concerned that if its officers do not have a police dog that is fully fit for purpose, this may, in the extreme, place an officers life at risk or indeed not give the fullest service to the public.

Should any further information be required, or if necessary a visit of the Welsh Assembly Government to a dog section be useful, then please do not hesitate to contact me.

Yours faithfully,

Wayne Baker

Photographs of police dogs



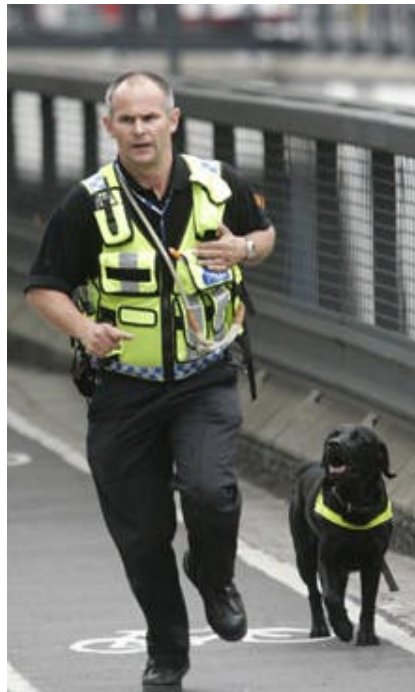
A liver & white spaniel (showing tail docked) used for explosive searches



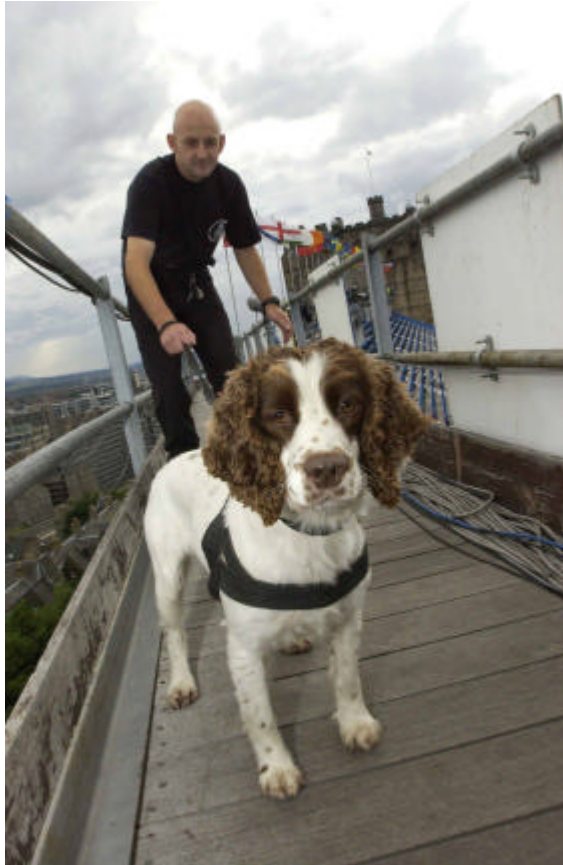
A German Shepherd searching airline baggage



Liver & White/Black & White spaniels plus an HPR (German wirehaired pointer) used for drugs searches.



Black Labrador on a explosives search



Spaniel high on a castle rampart searching for firearms



A yellow Labrador being used for seaport searches



A German Shepherd being trained



A German Shepherd with a camera



Training Belgian Shepherd (Malinois)



A Belgian Shepherd being used for crowd control

**RSPCA PAPER
CONCERNING TAIL DOCKING OF DOGS**

THE ENVIRONMENT, PLANNING AND COUNTRYSIDE COMMITTEE.

WALES

1 March 2007

Introduction

The RSPCA totally opposes the tail docking of dogs, except for genuine therapeutic reasons. By “genuine therapeutic reasons” the Society is referring to surgical procedures regarded as necessary by a veterinary surgeon. An example of this may be amputation of the tail after a severe crushing injury following a road traffic accident.

The Society believes that tail docking for either cosmetic or prophylactic purposes is both cruel and unnecessary.

The Procedure

Puppies are generally docked between 3 and 5 days of age. No anaesthesia is used in the majority of cases. Administration of anaesthesia to puppies has its own risks including cardiovascular respiratory depression and possibly death. Manual restraint is usually all that is used. A blade or scissors are then used to chop through the tail and sutures are then placed to prevent bleeding and aid healing.

Arguments for a total ban on tail docking

1. Pain and suffering

There is significant pain and suffering caused when docking is performed without anaesthesia. Muscles, tendons, 4 to 7 pairs of nerves, bone and cartilage are all severed. There is much scientific evidence to support the fact that acute pain is experienced by puppies¹. There is some scientific evidence that this pain may even be more severe than that suffered by an adult dog. Pain must be inferred on the basis of indirect measures because puppies can't tell us they are in pain verbally. Neuroma formation in puppies is documented and could point to more prolonged chronic pain also being experienced².

¹ Bennett PC & Perini E “Tail Docking in Dogs: A Review of the Issues” *Aust Vet Journal*2003; 81:208-218

² Bennett PC & Perini E “Tail Docking in Dogs: A Review of the Issues” *Aust Vet Journal*2003; 81:208-218

2. Possibility of complications

There is a real possibility of future complications related directly to the docking of dog's tails eg an increased incidence of perineal hernia in dogs and an increased incidence of USMI (urinary incontinence) in bitches. These complications require further investigation but there is early evidence which cannot be discounted without large scale properly controlled studies³.

3. Are there any significant benefits derived from amputating a puppy's tail?

We must balance the loss of the animal's tail against any future possible benefits. There is currently no evidence of any benefit from tail docking. Prophylactic docking is a surgical procedure to prevent a perceived possibility of injury at some point in the future which may or may not occur. Evidence shows that tail injury is not common the dog⁴. Tail injury in the cat is more common than in the dog and yet there is no prophylactic tail docking in this species. By the same token ears, toes and paws also sustain injuries but are not routinely removed.

It is highly likely with modern medicine that most injuries that are sustained to the tail by working, or other dogs, will be treatable without amputation.

The argument is akin to the now discontinued practice of removing all children's tonsils in order to avoid a possible bout of tonsillitis in the future.

4. Are working dogs any more prone to injury?

³ Wansbrough RK. "Cosmetic Tail Docking of Dogs" *Aust Vet Journal* 1996; 74:59-63; Adams WM, DiBartola SP. "Radiographic and Clinical Features of Pelvic Bladder in the Dog" *J Am Vet Med Assoc* 1983; 182: 1212-1217; Holt PE & Thrushfield MV. "Association in bitches between breed, size, neutering and docking, and acquired urinary incontinence due to Incompetence of the Urethral Sphincter Mechanism" *Vet Record* 1993; 133:177-180

⁴ Morton D "Docking of Dogs: Practical and Ethical Aspects" *Vet Record* 1992;131:301-306; Darke PGG, Thrushfield MV & Aitken CGG. "Association Between Tail Injuries and Docking in Dogs" *Vet Record* 1985; 116:409

There is currently no scientific evidence that working dogs suffer an increased occurrence of tail injuries or that any tail injuries that they do sustain are of increased severity compared to pet dogs⁵.

5. **The need for a tail**

Dogs use their tails naturally during movement for balance and steering. They also use their tails for communication with other dogs and with humans. Although it is possible that dogs develop compensatory mechanisms to deal with these changes to their natural behaviour, why should there be a need to? Nature provided a tail, why remove it unnecessarily?

Conclusion

Cosmetic and therapeutic docking cannot be justified. The pain caused and the possibility of complications or adverse effects, provide sufficient reasons for an outright ban on the procedure. The purported benefits of docking cannot be proven and in light of the pain and suffering caused, cannot be used to justify the procedure. In assessing the balance of evidence it is better to abstain from the procedure for solid welfare reasons than to continue it on the basis of perceived unproved benefits that are unlikely to exist in reality.

⁵ Morton D "Docking of Dogs: Practical and Ethical Aspects" *Vet Record* 1992;131:301-306; Darke PGG, Thrushfield MV & Aitken CGG. "Association Between Tail Injuries and Docking in Dogs" *Vet Record* 1985; 116:409

Environment, Planning and Countryside Committee

Date: 1 March 2007
Venue: National Botanic Garden of Wales
Title: The British Association for Shooting and Conservation

The British Association for Shooting and Conservation was founded in 1908 as the Wildfowlers' Association of Great Britain and Ireland. BASC is the largest national representative body for sporting shooting with a subscribing membership of over 123,000.

BASC Wales represents the interests of over 7,000 Welsh members and an estimated 110,000 people who enjoy sporting shooting in Wales. Recent BASC research shows that approximately 47% of our members own at least one working dog.

BASC Wales believes that for the Animal Health and Welfare Act 2006 to have its intended effect, The Docking of Working Dogs Tails (Wales) Regulations, Schedule 1, Specified Types of Dog, must be amended to include hunt point retrieve breeds of any type or combination of types as well as spaniels and terriers of any type or combination of types.

To do otherwise would simply serve to undermine the very strong welfare benefits that the Act brings to Wales and would reduce confidence in what is, otherwise, a very well thought out piece of legislation.

We wish to be clear in our request for this exemption: it is only the removal, by a qualified veterinary surgeon, of no more than two thirds of the total length of the tail that we would wish to see, in specified breeds being used for specified purposes by people who have subjected themselves to certification by a veterinary surgeon. This request is made strictly on welfare grounds – we do not support tail docking for maintaining breed standards, tradition or cosmetic reasons.

In order to support our case we believe that it is important to establish the roles of various working dogs, their breeding, nature and working habits.

Spaniels

Spaniels of all types have been bred for their scenting ability and have long been used to find and flush game from deep cover. They also have a secondary use of retrieving dead game.

Given the relatively small size of spaniels compared to other gundogs, they are naturally the first choice for working in thick undergrowth and have been

selectively bred for this purpose for several hundred years. Entering such thick cover has now become instinctive to most spaniels.

Working spaniels have been bred to be energetic, hard-working gundogs and will, on scenting game, or anything else of interest, start to wag their tails. This wagging action intensifies the more certain the dog gets that game is present. Thus, any spaniel with a full tail will be constantly hitting it against vegetation, leading to tail damage. One notable exception is the Irish Water Spaniel which is more suited to retrieving than flushing.

2

Terriers

Working terriers perform several important pest control functions in Wales. From ratting to rabbiting to foxing, they are enthusiastic hunters. Their diminutive size means that they have to go through or under any obstacle or cover that they then encounter.

Terriers are used extensively in dense cover and underground, although in upland areas they are often used in screes and gorse where foxes are to be found. They form part of an important agricultural pest control system.

Their tails are naturally carried high and often curl over the back. If not shortened, their tails would be susceptible to damage due to their working activities.

Hunt, Point, Retrieve Breeds

Although many sporting dogs have a continental European ancestry, the hunt point retrieve breeds have relatively recently been imported from Europe. They are rapidly growing in popularity in Wales. Such breeds as the German short haired pointer (GSP), Hungarian vizslas and Weimaraners are not single purpose dogs but are bred to be all-rounders that are required, as their breed type suggests, to hunt point and retrieve in all terrains and habitats. Many HPR breeds are used to locate shot deer in dense conifer plantations. Increasingly in Wales, HPR breeds are used by austringers and falconers when hunting game in thick heather moorland.

HPR breeds are large dogs and because of their multi-purpose working activity they will be used in open country as well as hunting in woods, hedgerows and retrieving from cover. Though hardy, they are thin skinned and mostly smooth coated. Their natural tails are long, thin and vulnerable to damage in the field.

Working Dogs in Wales

Although it is undeniable that terriers and spaniels are extensively bred, owned and worked in Wales, in fact we have our own breeds of both, the Welsh Terrier and the Welsh Springer Spaniel, comment has been made that there is scant evidence of HPR breeds in Wales. This is untrue.

Although there are no working gundog clubs or societies *specifically* for HPR breeds in Wales, they form part of the membership of many established Welsh gundog societies. The Mid-Wales Working Gundog Society is one such that holds annual working tests for HPR breeds. The Bristol and West Working Gundog Club also lists a number of HPR owners resident in Wales.

There are also established breeders of HPR breeds in Wales. Ffynongain Gundogs of St. Clears, Carmarthenshire have over 20 years of breeding experience, particularly with German short haired pointers.

3

Gareth Fishlock of Port Talbot has been breeding working dogs for 35 years and for the last 12 years has bred Hungarian vizlas. Oakmorton Weimaraners, run by Mrs. Theresa Oakes of Newtown, Powys began breeding these HPRs in 1992. Mrs. Oakes is a member of The Kennel Club Accredited Breeder Scheme, the Weimaraner Association and the North of England Weimaraner Society.

Danllwyth Hungarian Vizlas run by Dina and Jason Williams of Pontypridd is a small, home based kennel. They state that they concentrate on nurturing the breed's innate working ability. Their own dogs are regularly used by Jason when rough shooting. The Vedanta line of Weimaraners bred by Mrs. Maggie Piggon of Beddgelert has produced winners in the competitive world of gundog field trials and she also breeds Hungarian vizlas. These are only a few examples.

BASC Wales has received correspondence from many HPR owners in Wales concerned at the omission of these breeds from the list of Specified Type of Dogs and the lack of knowledge of their use and activity in Wales. The following are just two examples.

Sally Morgan, www.weimaraners.org.uk wrote to say that Weimaraners in Wales take part in grouse counts and pheasant shoots throughout the season. In August 2006, eight Weimaraners took part in a grouse count on the Brecon Beacons alongside several GSPs and vizlas.

Lisa Jones and her husband, Les, a single-handed gamekeeper on the Monachty Estate, near Aberystwyth, own, breed and work German wire haired pointers and

vizlas. She wrote: "As you will be able to see from our website www.mustwork.co.uk all the dogs we use on the shoot are HPRs, mostly German wire haried pointers and vizlas. Other HPR breeds are also regularly worked on the shoot by the beaters and pickers up. As you will probably understand, we are very concerned about the welfare of our dogs. Tail damage is something that we have experience of and do not wish to happen again. We currently have an undocked bitch which regularly has blood at the tip of her tail after a day on the shoot."

BASC Wales welcomes the proposal to include an exemption for working terriers and spaniels in The Docking of Working Dogs Tails (Wales) Regulations but urges members of the Environment, Planning and Countryside Committee to amend these proposals to also include hunt point retrieve breeds of any type or combination of types.

GLYNN COOK
Director, BASC Wales

19 February 2007

Environment, Planning and Countryside Committee

Docking Of Working Dogs' Tails (Wales) Regulations 2007 And Mutilations (Permitted Procedures) (Wales) Regulations 2007 Note From The Royal College Of Veterinary Surgeons

I: DOCKING OF WORKING DOGS' TAILS

Introduction

1. The RCVS response of 16 January to the consultation on the regulations made a number of technical comments on their drafting. This note explains the College's position on tail docking and summarises the main points made in the response to the consultation.

RCVS position

2. The College has for many years advised veterinary surgeons that they should not dock a dogs' tails "unless it can be shown truly to be required for therapeutic or truly prophylactic reasons".
3. In March 2006 RCVS recommended that the Animal Welfare Bill should be amended to make it unlawful to dock a dog's tail except for therapeutic purposes, that is in order to deal with existing injury or disease. This was to be subject to a review after five years, in order to take stock of scientific evidence of any change in the incidence of tail injuries in dogs during this period.
4. The Bill as passed by Parliament allowed the docking of working dogs' tails to continue. RCVS would have preferred an outright prohibition and questions the workability of the exemption for which the legislation provides. Now that the Act is in place, however, the College would not wish to do anything to frustrate the will of Parliament. RCVS thinks it would be better if veterinary surgeons did not dock dogs' tails even under the exemption for working dogs, but if they choose to do so that is their decision.
5. Scottish Ministers have confirmed their intention not to permit the docking of dog's tails in Scotland even for working dogs. Since it will be lawful to dock the tails of working dogs south of the border there is an opportunity for a comparative study of tail injuries in the same types of dog with docked and undocked tails.

Evidence

6. Section 6 of the Animal Welfare Act 2006 provides among other things that a dog's tail may only be docked if evidence has been produced to a veterinary surgeon for the purpose of showing that the dog is likely to be used for work in connection with certain activities. The section provides for the National Assembly for Wales to make regulations prescribing the evidence which must be produced for this purpose.

7. In the view of RCVS the evidence specified in the draft regulations which were the subject of consultation would generally not show that a puppy was likely to become a working dog. The owner or owner's representative would be required to state that the dog was intended to be used as a working dog, or sold for such use, but the evidence to be produced would do little to substantiate that statement. The draft regulations provided for the following categories of evidence:
- armed forces, emergency rescue and police dogs: the evidence would link the dog with a relevant organisation but not say how it was to be used;
 - pest control: the draft regulations called for evidence without specifying what form it might take;
 - evidence relating to the owner: it would be necessary only to show that the owner, or an agent or employee of the owner, could lawfully own a shotgun or other firearm. There would be nothing to confirm the intention to use the dog in connection with shooting;
 - evidence relating to the breeder: the evidence would only show that other dogs bred by the breeder had been used in connection with shooting or pest control.
8. In responding to the consultation RCVS recognised that it is a tall order to produce evidence as to a puppy's future when it is no more than five days old. It seems to the College, however, that it would be wrong to allow a puppy's tail to be docked on the strength of a breeder's stated intention to sell it as a working dog. The future of a puppy can really not be predicted if it is not yet in the hands of its final owner. RCVS suggests that a dog should only be liable to have its tail docked if its current owner is prepared to declare a personal intention to use it for working.

The role of the veterinary surgeon

9. In view of the uncertainties it is good that the Act does not call upon the veterinary surgeon to take a view as to the dog's future but only to certify that certain evidence has been produced. The Bill originally provided for the veterinary surgeon to certify that the puppy was likely to become a working dog. It would not have been proper for the veterinary surgeon to sign such a certificate, and following representations by RCVS the Bill was amended at Report Stage in the House of Lords. The draft regulations were not, however, clear on this point.

II: MUTILATIONS

Introduction

10. RCVS welcomed the enactment of section 5 of the Animal Welfare Act 2006 and the College's response to the consultation agreed generally with the Assembly's proposals for regulations to permit specified procedures. The main points made are summarised below.

Review of the regulations

11. The permitted procedures need to be kept under review, because circumstances change and it is to be hoped that new husbandry methods will in time make it possible to dispense with certain mutilations. In responding to the consultation RCVS suggested that the regulations should be reviewed after five years, and that the Assembly might indicate now that it would hope to be able to cease to exempt certain procedures following a future review.

Reasons for permitting mutilations

12. The consultation paper took the view that it would not be "possible, nor indeed desirable, to stipulate the exact circumstances in which each procedure may be performed". RCVS begs to differ. There are quite specific reasons for allowing certain procedures, and it does not seem right to allow them to be done for other reasons.
13. The point may be illustrated by reference to the hot branding of horses. RCVS agrees that there is a case for allowing the hot branding of wild or semi-wild ponies so as to minimise the time during which they have to be restrained for marking and to avoid having to catch them again whenever they need to be identified. In the view of the College, however, the draft regulations went too wide in allowing the hot branding of any horse for any reason.

RCVS
19 February 2007