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Room M3.13,  
Scottish Parliament,  
Edinburgh,  
EH99 1SP

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Via e-mail: [Jeremy.Balfour.msp@parliament.scot](mailto:Jeremy.Balfour.msp@parliament.scot)

Dear Mr Balfour MSP,

I am writing on behalf of People for the Ethical Treatment of Animals (PETA) – and our more than 1 million members and supporters, including many in Scotland – in response to the Scottish Government’s “Consultation on Pet Shop Licensing Bill”.

Please find below PETA’s position on the specific areas examined by the consultation:

## **PART 1 – ABOUT YOU**

### **1. Are you responding as an individual or on behalf of an organisation?**

On behalf of an organisation

### **2A. Which of the following best describes you (Politician / Professional / Academic / Member of the public)?**

N/A

### **2B. Which of the following best describes your organisation (Public sector body / Representative organisation / Third sector / Other)?**

Third sector

Animal-protection charity

### **3. Please choose one of the following:**

- **I am content for this response to be published and attributed to me or my organisation**
- **I would like this response to be published anonymously**
- **I would like this response to be considered, but not published (“not for publication”)**

I am content for this response to be published and attributed to me or my organisation

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#### Affiliates

- PETA US
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands

**4. Please provide your name or the name of your organisation.**

**5. Data protection declaration**

I confirm that I have read and understood the privacy notice attached to this consultation which explains how my personal data will be used.

**Part 2 – YOUR VIEWS ON THE PROPOSAL**

**Aim and approach**

**1. Which of the following best describes your view of the proposal to strengthen the licensing regime for pet shops in Scotland?**

Fully supportive

PETA supports the proposal to strengthen the licensing regime for pet shops in Scotland. Stronger licensing conditions, coupled with more frequent unannounced inspections and swifter action to close establishments that do not meet the licensing criteria will go some way towards safeguarding companion animals. However, the Scottish Government must also introduce a ban on third-party sales of puppies, kittens, and rabbits and implement a spay, neuter, and adoption programme, as described in detail in our response to Question 5.

**2. Could the aims of the Bill be better delivered in another way (rather than by the means of a Bill in the Scottish Parliament)?**

No

Stronger legislation is the only way to enforce licensing of pet shops. Other approaches, such as a voluntary compliance system or codes of practice, simply would not work.

**3. Under the proposal, pet shop licence fees would be based on a recovery of the costs incurred by local authorities in processing applications and inspecting premises to ensure animal welfare standards**

**are maintained. In your view, which of the following should local authorities do?**

(b) Charge all pet shops the same basic licence fee, but charge the costs of inspections separately to each pet shop.

All pet shops should be charged a basic licensing fee and have a standard number of regular inspections each year, for which they are charged. Those found not to be in compliance with their licence conditions should be subject to financial penalties, providing an additional deterrent to violations. Those businesses found to be guilty of serious or repeated non-compliance, however, should always have their licences revoked.

**4 Which of the following best expresses your view of developing statutory licence conditions, building on the current Model conditions for pet vending, that would apply to all pet shops in Scotland?**

Fully supportive

It is important to ensure that the standards and conditions applied to pet shop licensing are the same across the board, with the opportunity to build on these protections should that be deemed necessary.

**5. Which of the following best describes your view of banning the sale of puppies and kittens in pet shops?**

Fully supportive

Third-party sales of animals including – but not limited to – dogs and cats result in widespread and significant animal-welfare problems. The intensive, competitive nature of commercial breeding creates a market in which animals are often factory-farmed by unscrupulous breeders in order to meet the demands of third-party vendors.

It is well documented that dogs are commonly “battery”-farmed in crowded, filthy, windowless barns without any access to the outdoors or other emotional stimulation. This causes them to suffer from physical and psychological problems, including deformities, sores, poor eyesight, gum disease, anxiety, fear, aggression, and miscarriage, and to engage in repetitive circling or destructive behaviour. Dogs used for breeding spend much of their lives in these conditions, pumping out litter after litter of puppies. Those deemed sale-worthy are taken away from their mothers at an early age to be shipped off to third-party vendors. Puppies not considered sale-worthy and dogs whose bodies are exhausted from being forced to reproduce constantly are killed or, worse, sold to dogfighters as bait. The pitiful lives of animals who suffer at the hands of commercial breeders do not even come close to any meaningful form of existence.

The nature of commercial breeding means that inbreeding is common. This increases the likelihood that recessive genes will be passed on to puppies – along with a host of serious congenital defects, including heart disease, epilepsy, hypothyroidism, cataracts, allergies, and hip dysplasia, which can lead to lameness and arthritis. Some animals are in such poor health that they die prematurely.

It is clear to any objective observer that those involved in the commercial breeding of dogs, cats, and other companion animals place a burden on often under-resourced animal-welfare charities. Rehoming centres are expected – by virtue of their mission – to pick up the pieces where local authorities, with their limited expertise in animal welfare, cannot. Such charities spend a sizable chunk of their time responding to reports of cruelty by breeders, bringing the consequent prosecutions, taking in animals who are dumped or handed over when they are no longer wanted or because veterinary bills have become unaffordable, executing spay and neutering programmes, and undertaking robust rehoming efforts. This is a constant problem, as more animals end up with rehoming organisations as a consequence of commercial breeding than there are good homes available.

A complete ban on third-party sales of puppies would draw a line in the sand and actively remove the platform that commercial breeding farms rely on to keep their pockets filled. It should, of course, come alongside a package of measures to alleviate the homeless-animal crisis, including support for spay, neuter, and rehoming programmes.

**6. Which of the following best describes your view of pet shop licence applications listing all animal categories they intend to sell, with owners under an obligation to inform the local authority before stocking any new categories?**

Fully supportive

This approach will hold pet shops to account by ensuring that they meet licensing requirements for selling a particular species before being allowed to do so. It will also ensure that they cannot, under the terms of their licence, sell primates and other “exotic” species whose welfare would evidently be compromised as a consequence.

**7. Which of the following best describes your view of mandatory inspections for all pet shops before an initial licence is granted?**

Fully supportive

Establishments intending to sell animals should always be inspected before they are granted a licence in order to ensure that they can comply with animal-welfare and licensing requirements. If the finding of the inspection is that the facility cannot meet these conditions, it should be refused a licence.

**8. Which of the following best describes your view of all local authorities using a standardised approach to conducting and reporting on inspections of pet shops?**

Fully supportive

A standardised approach ensures that local authorities throughout Scotland are enforcing the licensing system in the same way.

**9. Which of the following best describes your view of local authorities using a risk-based assessment and issuing longer-term licences to pet shops that demonstrate a low risk to animal welfare?**

Fully opposed

Local authorities should issue licences to all qualifying pet shops for a standard term with a mandatory number of inspections within that period. Those businesses that pose a higher risk to animal welfare or that are found not to be compliant with their licence conditions should have more frequent inspections and be subject to penalties, including licence revocation where necessary.

**10. Which of the following best describes your view of enabling local authorities to contract other qualified professionals (in addition to their own officers and vets) to carry out and report on pet shop inspections, including qualified officers from other local authorities?**

Fully supportive

The contracting of qualified professionals, in addition to the employment of dedicated members of each local authority's own staff, to inspect and report on pet shops presents an opportunity to share experience across a number of authorities and professions. However, it must be ensured that any additional staff members employed or contracted for this function are independent.

**11. Which of the following best describes your view of enabling local authorities to take steps to address non-compliance with licence conditions, giving licensees the opportunity to make improvements before any further action is taken, with the power to revoke a licence as a last resort?**

Partially supportive

Local authorities must find the correct balance between driving up standards among establishments that commit the least serious licence infractions and enforcing a robust system in which those guilty of repeated or serious violations are subject to penalties – including licence revocation when necessary. Any instance of non-compliance that compromises animal welfare should always be met with meaningful enforcement action.

**12. Which of the following best describes your view of increasing the maximum fine for failing to comply with the legislation, in line with more recent animal welfare legislation?**

Fully supportive

It is important that sentences for cruelty to animals are robust enough to deter those who may consider breaking the law and that they are proportionate to the crime. Since Scotland and England are increasing sentences for cruelty to animals to up to five years' imprisonment, it is important that consistency be applied across the board.

**13. Which of the following best describes your view of placing an obligation on pet shop owners to provide advice to people buying pets?**

Fully supportive

Pet shops must be obliged by law to provide those purchasing a companion animal with meaningful and adequate advice, including recommending that they visit a rescue centre to ensure that homeless animals are adopted as a priority. Establishments must also be required to interview those considering purchasing an animal, and should any potential buyer not be deemed capable of providing that animal with a good standard of living, the sale must be refused.

**Financial implications**

**14. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:**

**(a) Local authorities**

Broadly cost-neutral/Some reduction in cost

**(b) Pet shop owners**

Some increase in cost

**(c) Individuals (including pet owners)**

Broadly cost-neutral

**(d) Animal welfare organisations**

Some reduction in cost

Local authorities should aim to run a licensing system that recovers all costs involved from licence applicants. If a ban on third-party sales of puppies,

kittens, and rabbits is introduced, there is also a realistic prospect that local authorities will see a broad reduction in costs through the removal of this function.

Pet shop owners will see an increase in costs as a result of licence fees. There will also be an additional cost by way of further inspection fees for those establishments that do not comply with their licensing conditions, which will act as a deterrent.

The changes to the licensing system will be broadly cost-neutral to individuals. However, there is a possibility that pet shops may pass the increased cost of licensing procedures on to buyers in order to recover costs. This would not be a bad outcome, given that, generally speaking, those who cannot afford all the costs associated with buying an animal would likely not be able to pay for necessary food and care, either. It would also encourage those seeking an animal companion to adopt one, given that the cost implications are significantly lower, thus reducing the burden on animal-welfare organisations.

**15. Are there ways in which the Bill could achieve its aim more cost-effectively (e.g. by reducing costs or increasing savings)?**

No

Reasons

N/A

### **Equalities**

**16. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation?**

Neutral (neither positive nor negative)

Reasons

The proposed bill raises no equalities implications.

### **Sustainability**

**17. Do you consider that the proposed bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?**

Yes

The bill will – if constituted as above – have a positive social impact, as it will reduce animal abuse and suffering by establishing stronger penalties for those who break the law, countering the homeless-animal crisis and thereby reducing the burden on rescue centres, ensuring a robust licensing system is in place for pet shops, and prohibiting third-party sales of puppies.

**General**

**18. Do you have any other comments or suggestions on the proposal?**

N/A

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In summary, PETA supports the introduction of a robust licensing system for pet shops and a ban on the third-party sales of puppies. By introducing such measures, Scotland would send a strong message to the world that it respects animals and takes protecting their interests seriously.

Should you require additional information, I can be reached at