

Policy Position: Dog Owners Voice

Introduction

Dog owners are not properly recognised as important stakeholders in the dog welfare community or dog industry. In official circles, dog owners do not have a 'voice.' Such circles include consultative bodies such as the Canine and Feline Sector Group (CFSG); parliamentary groups such as the Associate Parliamentary Group for Animal Welfare (APGAW)¹; veterinary organisations such as the British Veterinary Association (BVA) and Royal College of Veterinary Surgeons (RCVS); Kennel Club (KC) committees; breed clubs; and welfare organisations such as the RSPCA and Dogs Trust.

The question arises: why is it important that dog owners have a voice in decisions that are made concerning dog welfare and the breeding and selling of dogs? The answer seems self-evident when most of the country's nine million dogs are pets, and given the major role that companion animals play in people's lives and the responsibilities this entails. A further question arises: how may the dog owners' point of view best be expressed?

There are many issues that can affect the owner of a dog that relate to the dog's breeding. These range from the health and welfare consequences of poor dog breeding and socialisation, to the lack of protection for and awareness of consumers' rights when puppies are bought which develop health problems. Representation of the dog owner's perspective is necessary and likely very often to be valuable. Representation of dog owners' views may enhance dog welfare, protect dog owners' financial and other interests, and improve responsible ownership.

Issues

Many dog breeders do not accept responsibility for a dog once it has been sold on. In other areas of commerce it is accepted that the producer or manufacturer is responsible for the quality of the product. It is accepted that

consumers have 'rights'. Dogs are susceptible to breed-related genetic diseases many of which can be prevented through health testing, the avoidance of inbreeding, and careful selection by breeders. Some dogs, due to poor conformation, need surgery at some point after purchase to enable them to breathe, see and exercise adequately. When things go wrong through no fault of the dog owner, because the dog they have purchased has a genetic disease, there is nowhere an owner can go for help. Owners may be faced with substantial veterinary bills, see their pet suffer, or face having to euthanise their dog at a young age. This can be devastating for a family.

Lack of early and appropriate socialisation of puppies by breeders can result in temperament/psychological issues in a dog. This can result in a fearfulness, aggression or unpredictable behaviour. If severe, it can lead to an owner having to have their dog euthanised or be required to pay for expensive behavioural training. These sorts of traits may have a genetic component and can arise as a result of poor selection by a breeder and/or poor care of the dam. Failure of early socialisation is a primary cause of abandonment of dogs which creates further costs on society.

A puppy (or older dog) may be found to have infectious conditions, including serious and life-threatening diseases such as parvovirus, due to improper care and facilities at the breeding establishment. A new owner may be faced with veterinary charges within days of purchasing a puppy. These problems are more likely with dogs produced by a breeder who does not take appropriate measures to provide clean and hygienic facilities for the breeding female or puppies.

A breeder will rarely compensate an owner for breeding an unhealthy or unsound dog. Sometimes a breeder will offer to take the dog back but by this time an owner or family will, most probably, be attached to their dog and regard him/her as part of the family. It is not realistic to expect an owner to surrender their dog. Breeders may take advantage of this knowledge.

Dog owners, or potential dog owners, currently have no input into the selection of dogs for breeding. Selection for health and longevity will often be more important for owners than selection for working ability or appearance. A calm temperament is essential for a companion or family pet. There needs to be provision by which dog owners can influence the direction of selection.

Where a pedigree dog, registered with the Kennel Club, is purchased and later develops problems, there can be a lack of a prompt and sympathetic response from the Kennel Club, or associated breed clubs. There are examples of owners who have written to the UK Kennel Club to be told that it is a registration body only and cannot be involved with an individual breeder. However purchasers may often have bought a puppy precisely because of protections they assume are associated with 'Kennel Club Registered' status. Breed club committees or health co-ordinators have responded that they cannot enforce their own or the Kennel Club Code of Ethics.

The rights of dog owners

Buying a dog is a commercial transaction. In law, an animal is classed as 'goods.' If the puppy becomes sick and dies, or develops an early onset genetic disease, or documentation turns out to be false, a puppy buyer potentially has some protection under the Consumer Rights Act 2015. In such a case civil actions, such as the small claims court, can be pursued. However a purchaser may be reluctant to do this, because of the costs and time involved and redress is not guaranteed.

Many puppy buyers may not realise that they have consumer rights. A puppy is meant to be fit for purpose and as described. If a seller of any product conceals relevant information that might have influenced the purchaser's decision, then this is an offence. For example, if a hybrid breeder represents a puppy as having been bred by them, when it was brought in from another breeder, this would be concealing the provenance and would be an offence. Civil actions have been successfully pursued where a puppy has developed disease, though such actions represent a small minority of those affected.

Dog owners now have greater protection under

The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018, Schedule 6 Breeding of Dogs states: *'No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype or state of health that breeding from it could have a detrimental effect on its health or welfare or that of its offspring.'*

DBRG Position

Responsible dog owners who suffer the consequences of poor breeding practices must be recognised and 'heard.' Numerically, dog owners are the

biggest stakeholder for dog care and should be represented on stakeholder groups and consultative bodies. Their interests should be taken into account when making decisions about improving welfare.

In the case of pedigree dogs, there needs to be a more prompt and sympathetic response by the Kennel Club and breed clubs to the needs and concerns of individual dog owners. There should be mechanisms in place to provide support, advice and representation.

Recommendations

- DBRG recommends that there is dog owner representation within the Kennel Club and its committees and national breed club committees.
- There should be dog owner representation on mixed-breed club committees where such clubs exist.
- To protect dog owners, breed clubs should be required to abide by their Codes of Ethics for breeding sound and healthy dogs. Sanctions should be imposed when they fail to do so.
- Pressure needs to be brought to bear to ensure that all dog breeders take appropriate responsibility for the future welfare of the dogs they produce.
- Dog owners' concerns and views should inform the provision of appropriate compensation where a purchased dog develops disease as a result of fault of the breeder. Improved contractual protection of purchasers at point of sale is needed.
- There is a need to raise awareness of dog owners' legal rights as consumers in the case of a puppy bought in good faith and later found to be unsound, unhealthy or psychologically damaged due to inadequate socialisation.
- A national group should be created which can offer help and advice to dog owners who find themselves the victims of irresponsible dog breeding.
- The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018, Schedule 6 Breeding of Dogs states: *'No dog may be kept for breeding if it can reasonably be expected, on the basis of its genotype, phenotype or state of health that breeding from it could have a detrimental effect on its health or welfare or that of its offspring.'*

These Regulations need to be reinforced with more detailed guidance to provide local authority inspectors with breed-specific knowledge.

- The Canine and Feline Sector Group (CFSG) should be tasked with providing a code of Practice for Dog Breeding

Published December 2016

Revised May 2019