



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

### CONSULTATION QUESTIONNAIRE

Please ensure that you have read and understood the consultation document before completing this questionnaire. If you have any queries, please contact us: contact details are provided in the consultation document. When returning this questionnaire, please ensure that you have enclosed your completed Respondent Information Form to ensure that we handle publishing your response in the correct manner. Thank you for taking the time to respond to this consultation.

Respondents should take into consideration the information provided in the consultation 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 (questions 5-9) 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 This will ensure that if you ask for your response not to be published that we regard it as confidential and will treat it accordingly.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)

Scottish Land & Estates is a membership organisation representing landowners, land managers and rural businesses across Scotland. We welcome the opportunity to respond to this Scottish Government consultation.

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

|                     |                                     |
|---------------------|-------------------------------------|
| Scotland            | <input checked="" 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

Scottish Land & Estates believes that the evidence presented in a number of studies confirms that the pain of docking Spaniels and Hunt Point Retrievers is outweighed by the avoidance of more serious tail injury subsequently in life. We understand that the owners of working dogs of these breeds and veterinary surgeons practising in rural areas are broadly supportive of change to the law. Indeed the recently introduced requirement for dogs to be microchipped is viewed as comparable to the pain associated with the docking of puppy tails.

**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

Scottish Land & Estates does not consider tail-docking by more than one-third is necessary and is not aware of evidence to suggest any benefit or advantage by extending tail-docking further than one-third.

**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                        | X                        | <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"/> | X                        | <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 | X                        | <input type="checkbox"/> | <input type="checkbox"/> |

Please explain why

Scottish Land & Estates believes the legal position should be as clear as possible, without unnecessary bureaucracy. It may be that some veterinary surgeons opt not to tail-dock, just as some may opt not to undertake other procedures. This should be respected and is the position in other jurisdictions. However, it would not be appropriate, especially in a rural context, for this to be restricted to only "specially approved" veterinary surgeons. This is not the case elsewhere in the UK and raises a number of questions such as who approves and would they be accessible to rural communities, as well as professionally creating different tiers of veterinary surgeons and more administration.

In terms of microchipping, we feel it makes sense for veterinary surgeons to carry out both that and registration of these dogs.

**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

While restricting tail-docking to the end third of the tail will be of advantage to dogs destined to be working dogs, it will be of little benefit to those individuals wishing to revert to having dogs that are short-docked. This should prevent those in favour of docking for purely cosmetic reasons from proceeding.

### **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"/> | X  |
| Sale     | <input type="checkbox"/> | X  |
| Use      | <input type="checkbox"/> | X  |

**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 | X   | <input type="checkbox"/> | <input type="checkbox"/> |
| Sale     | X   | <input type="checkbox"/> | <input type="checkbox"/> |
| Use      | X   | <input type="checkbox"/> | <input type="checkbox"/> |

Please explain

Scottish Land & Estates understands that some of those breeding working dogs have ceased to do so as their clients now seek docked dogs from England and elsewhere. We suspect breeders of undocked litters will be best placed to advise as to the financial impact and burden. However, anecdotal evidence would suggest that one major cost relevant to the ban on tail docking is the expense of transporting pregnant bitches to elsewhere in the UK and housing them there so that the puppies can be legally docked. In addition to the financial aspect, there is of course the cost in terms of animal welfare and if tail-docking was to be allowed in Scotland, this cost would go.

**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"/> | X  | <input type="checkbox"/> |
| Impact includes loss of dog sales             | <input type="checkbox"/> | X  | <input type="checkbox"/> |
| Impact includes loss of dog working days      | <input type="checkbox"/> | X  | <input type="checkbox"/> |
| Other impacts                                 | <input type="checkbox"/> | X  | <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"/> | X   |
| Working dog sales would                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X   |
| Loss of dog working days from injury would | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X   |

|                            |                          |                          |                          |   |
|----------------------------|--------------------------|--------------------------|--------------------------|---|
| Cost of tail docking would | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Other impacts would        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | X |

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

N/A

**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:  
Scottish Land & Estates has no further comment to make.

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

Yes  X  
No

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

Yes  X  
No

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

Comments:  
No.