

Burns PD (Phil)

From: [REDACTED]
Sent: 02 February 2011 15:09
To: Cabinet Secretary for Rural Affairs and the Environment
Cc: [REDACTED] Voas AP (Andrew); [REDACTED] Voas S (Sheila)
Subject: FW: Tail docking
Attachments: TAIL DOCKING OF DOGS - Briefing Note.doc

[REDACTED]

At our meeting with the Cabinet Secretary this morning he asked for a general note or background paper on tail docking which he could send to MSPs. He seemed surprised when I told him that I had provided one about 3 weeks ago. However, I promised to update and resend it. Thus the attached document is slightly different (paragraph 21) to the one I sent on 11 January.

As previously discussed, it is difficult to provide a standard reply as each letter we receive on this issue is slightly different.

Kind regards

[REDACTED]

From: [REDACTED]
Sent: 11 January 2011 09:32
To: Cabinet Secretary for Rural Affairs and the Environment
Cc: [REDACTED]
Subject: RE: Tail docking

[REDACTED]

As promised, I attach a Background Paper on tail docking, which the Cabinet Secretary may wish to send to MSPs.

Regards

[REDACTED]

From: [REDACTED] Dr **On Behalf Of** Cabinet Secretary for Rural Affairs and the Environment
Sent: 05 January 2011 09:14
To: [REDACTED]
Subject: FW: Tail docking

[REDACTED]

Please see the following email that was sent to Mr Lochhead.

Mr Lochhead has asked for sight of a standard response that we could provide to interested MSPs, that they could use as a template, or as a reference for replying.

I'm not sure that we would have something such as a standard response, but would be grateful for your views, please. I would also wish to put the email Mr Lochhead received onto MCS (so it's not lost).

Kind regards

Private Secretary to Richard Lochhead MSP
Cabinet Secretary for Rural Affairs and the Environment

Sent: Tuesday, January 04, 2011 09:37 PM
To: Lochhead R (Richard), MSP
Subject: Tail docking

Dear
Sir.

My name is [REDACTED]. I work for min wage in a garden centre seasonally.

In the winter I take part in my favourite pastime, after spending the summer training my dogs, I reap the rewards in seeing them working in the beating line on local shoots. I do not shoot myself but I take great pleasure in seeing a dog that I have trained myself from pup doing what it is meant to do. I don't make any money from beating as it does not even cover my petrol as I travel far and wide. I do it for the love of it, and the countryside.

I am telling you the sad story of 3 of my spaniels and how they have suffered due to not being docked as puppies.

[REDACTED] now 4 years old started to injure her tail the first time I took her beating, initially a happy dog with a very waggy tail she started to tuck her bruised and cut tail between her legs, She would then only wag it occasionally. After several visits to the vet he/we decided that amputation was the only option left. Amputation cost me £160.00 money I can ill afford on my wages! But my dogs welfare was priority.

Poor [REDACTED] came home from the vets utterly miserable, bucket collar on her head and a large plastic syringe casing on her tail to protect it from bumps. She was very sorry for herself she even managed to reach her tail despite the bucket collar and crushed the plastic casing causing more bruising and swelling. Luckily the stitches were ok. We had to get her a larger bucket collar, this caused more problems as spaniels don't like to stay still so she crashed into walls, doors, and anything else in her way she started to limp badly due to damage to her neck and her shoulder. We had to grin and bear it as the collar was needed.

The bucket collar and plastic casing had to stay on for a couple of months to protect the tail, despite this there was frequent lameness and her tail frequently

bled and bruised from wagging (protecting a damaged tail is impossible!) eventually her tail healed!

I must say since the op now that her tail has healed I have a different dog [redacted] is happy and is always wagging her tail she loves going out to work although she still gets some damage to the scar tissue on her tail as the vet did not quite take enough off, although this damage is very mild compared to before.

issues if working spaniels are not docked as puppies!

As you can see there are major welfare

I got [redacted] (now 3 years old) a year after [redacted] before I knew what problems I would have with a undocked spaniel. Again the minute [redacted] started hunting cover he damaged his tail, he also stopped wagging his tail (it would just hang there) I took him straight to the vet and asked for amputation, rather than messing about trying different things! (I had been there!) I also asked the vet to take his tail a little shorter than [redacted].

Like [redacted] wore a bucket collar on his head and had large syringe casing on his tail to protect it. He was very lucky as his healing process was more straightforward although he had a miserable two months cooped up with the bucket collar on he had no mishaps and healed really well. Although he still had a very hard time banging into everything! The op again cost me £160.00 but again my dogs welfare was my priority. [redacted] has never had another problem with his tail, and even for a spaniel he has an exceptionally waggy tail.

I got [redacted] about the same time as [redacted] he took longer to train than [redacted] so did not work till a year later than him. Same thing happened first day out "blood everywhere" I gave him away as a pet! Couldn't go through it again! My next 2 dogs both came from England at great cost (remember I only get min wage!)

I believe we as Scots are being discriminated against by our own government! Do I really have to move to England for my dogs welfare? You have got to admit that there are serious welfare issues in not docking working spaniel puppies! And surely it will not help the gene pool of these dogs if everyone buys their dogs from England!

Please please listen to us we need an exemption for working spaniels! Please!

Yours [redacted]

TAIL DOCKING OF DOGS

Introduction

1. The tail docking of dogs is an issue which has been both controversial and difficult. A great deal of time and consideration was given to this issue by the Environment and Rural Development Committee and Parliament during the passage of the Animal Health and Welfare (Scotland) Bill. The Stage I report from the ERD Committee concluded that making an exception for working dogs to a general ban on tail docking would be difficult to enforce and could create a loophole which would allow non-working dogs of traditionally working breeds to continue to have their tails docked. The Government at that time accepted this recommendation and a complete ban on the tail docking of dogs was implemented in Scotland in March 2007.

2. England and Wales have allowed an exemption which permits the tail docking of certain working dogs (spaniels, Hunt Point Retrievers and terriers) and this difference in legislation between the administrations has resulted in a steady flow of correspondence urging the Scottish Government to amend its legislation and bring it into line with that in England and Wales.

The practice

3. Tail docking involves the amputation of puppies' tails when between two and five days old, using scissors or a tight rubber band which cuts off the blood supply to the tail. It involves cutting through or crushing skin, muscles, nerves, bones and cartilage. The length of tail which is removed varies between and within breeds. Neither anaesthetic or analgesia is generally used.

4. In England and Wales tail docking is now restricted to certain breeds of working dogs to prevent damage to their tails when working in dense cover or confined spaces. Tail docking can only be undertaken by a veterinary surgeon.

Evidence of pain and other problems

5. A report was published by the Animal Welfare Veterinary Division in Defra in 2002, which reviewed docking in farm species as a basis for comparison with the historical, anatomical, behavioural, and views on tail docking in dogs in the UK. It stated that "the arguments put forward by those who wish docking to be continued are unsound from a scientific viewpoint, are contrary to accepted standards for the welfare of the dog(s) and serve only to contribute to artificial physical breed standards".

6. The report concluded that tail docking definitely causes pain in neonatal puppies. It also noted that neither anaesthetics nor post-surgical analgesics are routinely used. However, chronic pain after tail docking in dogs is not supported by firm data derived from scientific studies.

7. There are a number of health and welfare problems which have been associated with tail docking in some dogs. These include hernia and urinary incontinence, movement (a dog's tail aids balance in some activities), communication (a dog's tail is very important in communicating the dog's emotional state and mood, including friendliness, dominance, submission and antagonism). It can affect the way docked dogs can be treated by other dogs, for example, other dogs have been known to act aggressively towards docked dogs.

Views of veterinary and canine organisations

8. The **Royal College of Veterinary Surgeons** support the prohibition on docking of puppies' tails for cosmetic and breed standard reasons. For many years the College has been firmly opposed to the docking of dogs' tails, at any age, except when it is required for therapeutic or genuinely prophylactic reasons. They oppose routine tail docking.

9. The **British Veterinary Association (BVA)** has strongly supported the Scottish position of a total ban on the docking of dogs' tails. It considers that the scientific evidence that puppies perceive pain at the time of docking to be sound, and that the long-term inability to properly communicate with other dogs resulting from the loss of the tail to be significant. The BVA argue strongly that there should be no exception for working dogs to the general ban as there is insufficient evidence to show increased liability to damage to the tail in working dogs compared to other appendages. They also consider that any exemption would be unworkable and would result in dogs continuing to be docked unnecessarily. They believe that the blanket ban is easier to implement and enforce, and that exemptions would create loopholes open to exploitation.

10. **The Dogs' Trust** and the **Scottish SPCA** are totally against tail docking and do not believe that there is any need for an exemption for working dogs.

Views of the Field Sports Organisations

11. The **Scottish Gamekeepers' Association**, the **British Association of Shooting and Conservation (BASC)** and the **Scottish Countryside Alliance** all support an exemption for working dogs. They maintain that tail docking is necessary to protect dogs from serious injury, which occur when they work in thick cover. This is due to the very vigorous tail action by some breeds, such as spaniels. It is difficult for dogs to avoid these injuries which are often serious and difficult to heal. In some cases, the only solution is to amputate the tail or part of the tail, and it is obvious that tail injuries will be avoided if the tail is removed shortly after birth.

12. These organisations stress that it is wrong to compare spaniels and other working dogs who have had their tails traditionally docked with sheep dogs, Labradors and retrievers as their tail action is different, the work undertaken is different and they do not work in thick cover.

Recent Research of tail injuries in dogs

a. "Risk Factors for Tail Injuries in Dogs in GB" a report by the Royal Veterinary College and Bristol University – June 2010

13. This research project was jointly funded by the Scottish Government, the Welsh Assembly Government and Defra. This was a case-control study which involved dogs attending veterinary practices in GB between March 2008 and March 2009. Information from 52 veterinary practices (15 in Scotland; 22 in England and 17 in Wales) and clinical records for 138,212 dogs were provided. 281 dogs out of the 138,212 had suffered tail injuries. Questionnaires were sent to clients whose dogs had suffered tail injuries and to some of the other clients to establish a control group. Questionnaires were returned for 97 dogs with tail injuries and 222 dogs who attended a veterinary surgery for other reasons (the control group). Of the 97 dogs with tail injuries 12 were working dogs.

14. The main conclusions were:

- Tail injuries are rare. Only 0.23% of dogs visiting a veterinary practice were due to tail injuries. There were no significant differences in the rate of tail injury between urban and rural practises, nor between Scotland, England and Wales.
- Most tail injuries occur in the home (36.1%) by knocking the tail against the wall, kennel wall and other household objects. 17.5% of injuries were from undergrowth or fences when exercising or working and 14.4% of the injuries were due to the tail being caught in a door.
- Most tail injuries were treated conservatively (57.7%) but 30.9% of injuries did result in tail amputation.
- Breed is highly significant in tail injuries. Greyhounds, Lurchers and whippets are 6.85 times more likely to injure their tails when compared to Labradors and other retrievers; English Springer spaniels 5.97 times more likely; Cocker spaniels 4.75 times more likely and terriers only half as likely.
- Dogs kept in kennels were 3.6 times more likely to sustain a tail injury when compared with dogs not kept in kennels.
- Dogs with docked tails were far less likely to have a tail injury than undocked dogs.
- Whilst working dogs were found to be at greater risk of tail injury than non working dogs, this was found to be non-significant by a separate examination of data restricted to the spaniel subgroup. This indicated that it is breed rather than whether a dog is used for work which is the deciding factor. However, this conclusion is based on very small numbers.

b. "The relationship of tail length to tail tip injuries focused on the working dogs of the Spaniel and European hunt point retriever (HPR) gundog breeds in Scotland" a report by Airlie Bruce Jones – 2010

15. This study was undertaken during 2008 and 2009 and was based on completed questionnaires from owners of working Cocker and Springer Spaniels and European hunt point retrievers. Dog owners were informed of the study via a number of rural organisations, shoot managers and by "word of mouth", and these owners were invited to complete questionnaires. Questionnaires were also issued to people who had made inquiries to organisations about the petitions submitted to the Scottish Parliament seeking an exemption from the tail docking ban for working dogs.

16. Dog owners were asked to return the questionnaires for all of their working dogs of the Spaniel and HPR breeds that had worked during the 2008-09 season, whether or not they had suffered a tail injury. Responses were received from over 160 dog workers which provided details on 287 spaniels and 21 HPRs. The number of HPRs was too low to provide statistically significant evidence. Therefore, the analysis concentrated on the spaniel breeds.

Research Results and Conclusions

17. The main conclusions were:

- There were 57 Cocker and Springer Spaniels with undocked tails in the survey of which 46 (80.7%) had sustained a tail injury.
- Of the 46 Spaniels which had sustained a tail injury, 24 (52%) had a partial amputation to cure the problem. Other owners were expecting their dogs to have an operation due to the repeated occurrence of the injury.
- Twelve (9%) of the 137 Spaniels which were "long docked" injured their tails during the survey period. Of these, two had an amputation to resolve the problem, 5 had recurring problems and 2 stopped working completely. The remaining 3 dogs were able to continue to working on a reduced or occasional basis.
- No "short docked" dogs were injured.
- Undocked Cocker Spaniels were slightly less vulnerable to tail injury than undocked Springer Spaniels. This is likely to be explained by the fact that smaller dogs (cockers) appear to have proportionally shorter tails.
- The longer the tail the more likely the dog would injure its tail.

The next steps

18. The Royal Veterinary College/Bristol University study did not include a large enough number of undocked dogs of particular breeds to obtain sufficient data to specifically address whether undocked working dogs of these breeds experience a higher incidence of injury than those which are not worked.

19. The Airlie Bruce Jones study suggests that undocked working Spaniels are at a considerable risk of tail injuries compared to those who have been docked, the incidence of tail injuries in Spaniels is directly linked to the length of the tail, and some injuries are not treated by veterinary surgeons. However, this study has not been published in a peer-reviewed journal and is based on data from a self-selected group of volunteers, nor did it include a large enough number of Hunt Point Retrievers to provide a statistically significant result and no information was provided about terriers.

20. Any policy decision on whether the Scottish Government's position on tail docking should be changed or confirmed, needs to be based on the provision of robust evidence of the incidence of tail injuries in specific working dog breeds in Scotland. Neither study provided appropriate robust evidence which would justify a change to the present legislation. Nevertheless, this continues to be a contentious issue. Therefore, the Scottish Government believe that a further study focusing on working dogs (including Springer and Cocker Spaniels, Hunt Point Retrievers and terriers) is required.

21. Thus the Government is presently seeking tenders from research organisations to undertake a robust research project focussed on this group of dogs. We anticipate that the project will commence this Spring and should be in a position to finalise their report in Spring 2012. The steering group overseeing the project will include a representative nominated by the veterinary organisations and one representative nominated by the field sports organisations.