

**Petition by Dr Colin Shedden on behalf of the British Association for Shooting and Conservation, the Scottish Countryside Alliance, the Scottish Gamekeepers Association and the Scottish Rural Property and Business Association, calling on the Scottish Parliament to urge the Scottish Government to amend the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007 to allow prophylactic tail docking of working dogs under tightly specified circumstances.**

**Briefing Note for Members of the Scottish Parliament  
Public Petitions Committee**

Our petition was launched by Ted Brocklebank MSP in early May 2008. A considerable amount of effort was invested by four organisations to get over 6,000 signatures.

This petition, originally submitted to Members of the Committee outside Parliament on the 4<sup>th</sup> November 2008, has now been accepted by the Clerk of the Committee and will be considered by the Committee on the 27<sup>th</sup> January 2009.

We are aware that there are similarities between this petition and another petition (petition PE1196, submitted by Mr. Michael Brander), which is currently being considered by the Committee. While the outcomes of these two petitions may ultimately be the same PE1196 seeks amendment to the Animal Health and Welfare (Scotland) Act 2006 “as a matter of urgency”. Our petition seeks amendment to The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007.

We are aware that changes are rarely made to primary legislation “as a matter of urgency” and we are not really sure how a change to the primary legislation (the Act) would allow the tails of working dogs to be docked. Our petition is more focussed in that it refers to:

- the appropriate piece of secondary legislation
- it states that the docking has to be done for prophylactic reasons (as opposed to cosmetic reasons) and
- it stipulates that this could only be done under tightly specified circumstances.

The Committee, if it considered our petition, would be able to immediately identify the appropriate piece of (secondary) legislation that could be amended and could also be satisfied that this is for prophylactic rather than cosmetic reasons.

Our petition first introduced the work by Houlton (2008), which is the first definitive piece of work in the UK establishing a significant correlation between the undocked tails of working gundogs and tail injuries. The Committee is also aware of the study by the University of Bristol and the Royal Veterinary College in North Mymms. This

was brought to its attention in the written submission received from the Scottish Government on 1 December 2008 and it may consider what bearing this research (due to report in April) has when it next considers PE1196 on 27 January 2009.

Adding the signatures on our petition to Mr Brander's petition is one option that has been suggested. However, we have concerns, highlighted above, about the direct comparability of our petition with PE 1196. We argue that it would be preferable for both petitions to be taken or considered separately, each on their own merits, or together as a collective expression of concerns of over 6,000 individuals seeking to improve the welfare of working gundogs in Scotland.

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19<sup>th</sup> January 2009

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