

Public Petitions Committee
Scottish Parliament

BASC Scotland
Trochry
Dunkeld
PH8 0DY

4th June 2010

PETITION 1230

This petition was lodged with the Scottish Parliament on the 12th January 2009 and first considered by the Committee on the 27th January 2009.

The petition calls on the Scottish Parliament to urge the Scottish Government to amend current legislation to allow prophylactic tail docking of working dogs under tightly specified circumstances. This would allow working dogs to be tail docked within the first five days of life and would bring Scotland into line with provisions in place in England, and similar to those in Wales. This exemption would apply to working gundog breeds only and, as has been the case in England, could not lead to any abuse by those seeking the re-instatement of tail docking for cosmetic purposes.

The Animal Health and Welfare (Scotland) Act 2006 and the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007 prohibit the tail docking of puppies in Scotland. A number of arguments were put forward to support this position, the main one being that no evidence existed to demonstrate that tail docking conferred any protection on adult working dogs of the spaniel and Hunt Point Retrieve breeds, breeds that traditionally were docked by veterinary surgeons. Understandably, there was an absence of supporting evidence since most people using such dogs for working purposes chose to use dogs that had been docked.

While the Royal College of Veterinary Surgeons supported the prohibition on tail docking it should be remembered that a significant minority of Scottish vets favoured the retention of tail docking for working dogs, most of those being veterinary surgeons in rural practices who would have had a greater understanding of the issues than those elsewhere.

Evidence Base

At the time of the passing of the 2006 Act and the 2007 Regulations there was little empirical evidence that prophylactic tail docking conferred long-term benefit on working dogs.

The first evidence that came to the fore was the paper by John Houlton (*A survey of gundog lameness and injuries in Great Britain in shooting seasons 1005/06 and 2006/07. Vet. Comp. Orthop. Traumatol 3/2008.*) This work showed that even before the prohibition of tail docking in Scotland in 2007 (when there were few undocked working dogs) there was a statistically significant association between the tail length of working gundogs and their susceptibility to injury.

While this study was helpful and informative, Scottish Government felt that a wider study on the relationship between tail length and tail injury would be useful and

consequently supported the proposed study by Royal Veterinary College and Bristol University. This study, covering all of Great Britain, has now been completed and the results eagerly anticipated by the Committee. Indeed, at the meeting on January 2009 it was hoped that the results of this study would be available in April 2009. More than a year after this latter date the report is still not available and Parliament has been informed that Ministers now await publication of a paper in the Veterinary Record. (In normal circumstances, the final report would have been made available to the contracting parties (Defra and the Scottish Government) long before publication in a peer-reviewed journal.)

When the wide ranging nature and methodology of the RVC study was made known it was recognised by the petitioner, and others, that because of its general approach over a wide population of dogs it may miss the particular issues relevant to the working gundog subset of the population and may not have the statistical power to detect such issues, even if they are present.

With the above concerns in mind an individual (Airlie Bruce-Jones) in conjunction with the petitioner and the supporting organisation, arranged to conduct his own survey. This was the survey referred to in the paper entitled “Working Dog Injury Survey Analysis” produced by BioSS, and specifically referred to in the letter from Ian Strachan of the Scottish Government.

This Scottish survey has shown, based upon independent statistical analysis by BioSS, that there is “*strong statistically significant evidence that working dogs belonging to springer and cocker breeds (spaniels) have a higher risk of injury associated with longer tails.*” Ian Strachan concluded that the findings of this Scottish survey are “useful”.

A number of questions were also asked of this paper by Ian Strachan. I would reply as follows:

“However, this study was of working dogs, does not address the extent of tail injuries in the total dog population, the causes of these injuries, where tail injuries occur...”

The Scottish study looked only at working dogs, not the total dog population. The petition relates to working dogs and does not seek to reinstate tail docking for any dogs other than working dogs. Consequently, reference to “*the total dog population*” is irrelevant.

“.. and whether dogs of the same breed are more likely to injure their tails due to them being used as working dogs.”

This is also irrelevant. What has been shown is an enhanced risk of injury for working dogs with undocked tails. The fact that there is a wider population of dogs not subject to the same risk is irrelevant.

“There is also no indication to show how many dogs need to be docked to prevent one tail injury.”

What the Scottish study has done is to show that while some undocked dogs were uninjured (11), the remaining 46 (81%) were injured and 24 (52%) required total amputation. It could therefore be argued that, for working dogs, docking the tails of five puppies could prevent future injury to four of them, and prevent the subsequent need for tail amputation for two of them.

“This study is certainly useful but the Scottish Government is not able to change its policy and allow the tail docking of working dogs on such a study alone.”

It is encouraging that this study is useful. While we agree that it may be inappropriate to change policy on one study alone, we feel that the Scottish study and Houlton’s 2008 paper provides compelling evidence in support of this petition. We anticipate that this evidence base could be supported by the RVC study.

“Only when the Royal Veterinary College/University of Bristol report is published will we have all the necessary information available.”

Just as the two available studies have been useful but not definitive in their own right, the same logic should be applied to the RVC study. The Scottish study has the strength of being focussed on Scottish working dogs that are experiencing tail injury problems arising from the ban, the subject of the petition. The RVS study has the weakness of being too general across a wide population of dogs in three countries, two of which at the time of the survey were subject to different legislation about tail docking for working dogs. Nor may the RVS have the statistical power to detect the risk associated with longer tails in working dogs. As Dr Iain McKendrick, Principal Consultant for Animal Welfare at BioSS stated “A failure to find any particular effect should not be taken as evidence of the non-existence of that effect.” Houlton’s study lies somewhere between these two approaches.

In conclusion, we are concerned at the length of time that the Committee has already spent on this subject due to the incomprehensible decision by Ministers to wait until the RVS study is actually published.

That aside, we feel that through our own volition we have now provided statistically significant evidence that there is a causal link between tail length and preponderance to injury in working dogs in Scotland, confirming Houlton’s previous finding, and recommend that the Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2007 be amended on the grounds of the welfare of working dogs in Scotland.

This would help to redress the current situation where those sourcing working dogs from Scotland are finding that their dog’s welfare is being compromised whereas those sourcing working dogs from England, that have been docked, are not being so compromised.

Yours faithfully,

Dr Colin B. Shedden

On behalf of BASC Scotland, SCA, SRPBA and SGA.