

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref RE/00347/15

John Pentland
MSP for Motherwell and Wishaw
Convenor of the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP

18 May 2015

Dear John,

Thank you for your emailed letter of the 29 April about the Welsh Government's rationale for making the Animal Welfare (Electronic Collars) (Wales) Regulations 2010.

The Regulations were made following concern about the use of electronic "shock" devices particularly in relation to anti-bark collars, training collars and invisible fence collars. All of these are designed to stimulate (shock) an animal into behaving appropriately. At the time of the making of these Regulations, a summary of the research indicated that on balance there was a case to be answered. A review of the literature at the time, included a paper by Emily Blackwell and Rachel Casey, Department of Clinical Veterinary Science, University of Bristol. I attach a copy for information.

During the course of three consultations, the view that the use of all electronic collars should be prohibited became clear. In the second consultation exercise we had invited comments on a draft defence for the use of electronic collars in relation to a fencing system (i.e. for containment). More than 57% were in favour of a prohibition on the use of *all* electronic collars. The decision was consequently taken to remove this defence as it was concluded that the use of such fencing systems, even for a relatively short period, was not consistent with the promotion of animal welfare.

When the Regulations were made, an unsuccessful challenge was made in the High Court by the Electronic Collar Manufacturers Association (ECMA) on the ban on the use of these devices. See the link below:

<http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWHC/Admin/2010/2908.html>

There has been no indication of enforcement difficulties since the making of this legislation. However, you should be aware, in line with good practice, we are currently reviewing our policy intent to ensure it is fit for purpose.

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food