 Calling on the Scottish Parliament to urge the Scottish Government to review the Code of Practice under the Wildlife and Natural Environment (Scotland) Act 2011 and to identify measures which could be introduced to control the soaring domestic cat population and protect the existence of the Scottish wildcat.

CPCG

The Cat Population Control Group (CPCG) is a collaboration of nine welfare charities, comprising Cats Protection, Wood Green, Blue Cross, Celia Hammond Animal Trust, PDSA, Battersea Dogs and Cats Home, The Mayhew Animal Home, International Cat Care and RSPCA.

Introduction

You asked for our views on the action called for in the petition. The proposed actions of the petitioner include compulsary neutering, microchipping and registration of all owned cats and mandatory licensing of breeding cats. The goals are two-fold; first the conservation of the Scottish Wild Cat and second, the welfare of domestic cats. The CPCG is focussed on pet welfare and not conservation. Broadly, the actions proposed by the petition are more heavily conservation led, and we have concerns regarding the impact of some of the actions on the welfare of pet cats, for reasons detailed below.

Legal background

The petition appears to propose changes to the law to introduce compulsory neutering, microchipping and registration of all owned cats as well as licensing of cat breeding by means of amendments to the Code of Practice on Non – Native Species (“the Code”) made by the Scottish Ministers under Section 14c of the Wildlife and Countryside Act 1981 (“WCA”) and amendments to the Scottish Natural Heritage Guidance Notice: Native Range (“the SNH Guidance”)

Section 14c WCA provides that Scottish Ministers may make codes of practice for the purpose of providing practical guidance on the application of the relevant non-native species provisions of the WCA, as it applies in Scotland. Scottish Ministers also have powers under the WCA to provide guidance on how Scottish Natural Heritage (“SNH”) should exercise its functions in relation to animals outwith their native range.

Under the WCA, Scottish Ministers have powers to revise the Code subject to approval of resolution by the Scottish Parliament. However, the WCA also provides that failure to comply with a provision of the Code does not render anyone in breach of the code liable to proceedings of any kind but breach may be taken into account in determining any question in any such proceedings. That being the case, revisions to the Code would not, in CPCG’s view, achieve the changes to the law which appear to be proposed in the petition.
The SNH Guidance is not a statutory code and is primarily aimed at SNH staff who provide advice on native range. The SNH Guidance explains that it is an offence, in Scotland, under the WCA to release non-native species outwith their native range without a licence. SNH has said that the domestic cat (*Felis catus*) is a non-native species and that, accordingly, a licence is required to release feral cats (i.e. those which are not owned as domestic pets) into the wild. Animal welfare organisations, such as Cats Protection, which carry out “Trap, Neuter and Return” work in Scotland, do so under licence from SNH.

**CPCG’s Position**

The CPCG recognises the importance of neutering as an effective way to reduce cat numbers. We consider not only neutering but also age of neutering to be vital to preventing unplanned litters of kittens. Specifically, our goal is to make neutering at 4 months of age the ‘norm’ for pet cats, as opposed to 6 months of age. The PDSA Animal Wellbeing (PAW) Report 2017 showed that there is currently a high level of unplanned litters because 13% of owners with a female cat said that their cat had had at least one litter, and of those 70% said the litter was unplanned. As an organisation of nine charities, we strongly advocate improved education and awareness around neutering. However, compulsory neutering raises serious concerns regarding its enforceability and also the potential long-term unintended consequences on cat welfare.

Specific uncertainties surrounding the petitioners proposed actions include:

- **The cost of neutering all pet cats would be substantial.** Although, some welfare charities are able to support funding for low income families and feral populations, charities do not and cannot cover the cost of every cat neuter. If the cost is to be borne by the owner this could result in increased relinquishment of pet cats, potentially adding to the conservation problem and also impacting cat welfare putting strain on welfare organisations.
- **It is unclear who would enforce legislation and how it would be enforced.**
- **Enforcement of registered breeders could have unforeseen consequences that requires consideration.** For example, if individual owners have to pay for a licence, this is unlikely to happen where people are breeding accidental and/or occasional litters of low value non-pedigree cats (i.e. moggies). Therefore, there could be an unintended shift towards pedigree breeding only which could bring its own issues for cat welfare. Additionally, there would likely be an increase in abandonment of unplanned litters of cats not neutered at an early age if breeding is only legalised for registered breeders. With a current high level of litters being unplanned this proposed change could have a large impact. To improve cat welfare, we are supportive of a code of practise on cat breeding. Additionally, regulation for those deliberately and repeatedly breeding for profit would be worth consideration, but any proposal would need to carefully consider the points outlined above.
- **Under the proposal, cats that are unneutered and unowned are not exempt from NNS legislation and would be defined as ‘high risk for un-controlled colonisation and a high degree of invasive potential’.** It is unclear the
implication that this would have for unneutered unowned cats. There are four main types of management of invasive non-native species: large scale eradication, containment, control, and mitigation. Other invasive mammals are subject to culling (e.g. grey squirrels) or pest eradication strategies, which we would consider unacceptable in cat populations. Therefore, the implications of this legislation requires careful consideration.

- The petition focuses on owned cats, however unowned cats are likely to be a big contributor to the hybridisation of the wildcat. As mentioned above, it is uncertain from the petition how these cats would be treated. Additionally, it is unclear the number of unowned and owned cats in the regions where wild cats reside and the relative degree to which each group contribute to the problem. Therefore, it is difficult to assess the extent to which neutering owned cat populations will address the problem if formal plans for neutering unowned cats are not also put in place.

- Additionally, the projected cat population increase reported in the petition is unsupported by empirical evidence. There is currently a lack of information regarding unowned populations and the limited temporal data that is available for owned cats in Scotland suggest numbers have decreased in recent years (PFMA). More research is required in this area to be able to draw any conclusions confidently.

Although we cannot support the petitioner’s proposal, we are sympathetic to the cause and recognise that 13% of cat owners in Scotland have unneutered cats (PAW Report, 2017). We would be supportive of other actions to combat this issue such as improving public information by running active, intensive neutering and microchipping campaign, similar to Edinburgh & The Lothian’s Snip and Chip Campaign run by Cats Protection. Additionally, we consider promotion of early neutering (at 4 months of age) vital to reduce unwanted litters by ensuring that cats are neutered before they can become pregnant and would advocate campaigns promoting early neutering within both the cat owner and veterinary community. To maximise the conservation benefit, such campaigns could target owned cats in regions where wild cats are likely to inhabit.

In summary, the petitioners’ case does not provide adequate detail on the enforceability and implementation of compulsory neutering. Additionally, it is not supported by evidence, therefore it is not clear the proposals would have the desired effect. It is likely that the actions would have significant unintended and undesirable consequences, which need to be carefully considered.