

(14) Tail docking and mutilations

Paragraph 37 of the consultation document stated: Generally, we believe that animals should not be subjected to any kind of mutilation, except where justified to avoid suffering or to improve welfare. Thus consideration is being given to a proposal to ban or restrict the docking of dogs' tails for prophylactic or preventative purposes. There may be arguments for retaining the practice for those dogs whose tails are particularly prone to injury (e.g. certain working dogs). However, it is considered appropriate to make a provision which would give the Scottish Ministers the power to ban or restrict certain mutilations and, where appropriate, to introduce a code to regulate the competency of non-veterinarians permitted to undertake mutilations (e.g. the removal of dew claws).

38. (14.1) Do you think that the docking of tails should be banned? (14.2) Should exceptions be permitted, and if so, in what circumstances?

Overview

232 responses were received on this subject. Responders included the kennel clubs in Britain, canine breed societies, organisations specifically instituted both to promote or ban docking of dogs' tails, a large number of dog owners, some of whom had membership of the aforementioned societies, local authorities, agricultural organisations, animal welfare organisations and individuals with an interest in animal welfare.

Background

The recent history of the docking issue

A number of responders traced the recent development of the 'docking issue', especially from the early 1990s when legislative changes took place, restricting the practice to veterinary surgeons. Responders also noted attitudes towards the practice, the extent to which it has continued to be undertaken and the level of adherence to the legislation:

- Docking of dogs' tails has been undertaken for many hundreds of years and certainly since specific dogs have been line bred in order to perform specialised tasks, for example those related to hunting and herding. (Council of Docked Breeds)
- In 1991 the United Kingdom Government amended the Veterinary Surgeons Act, thereby prohibiting the docking of tails by lay persons from 1 July 1993. In 1993 when the question of docking was raised at the United Kingdom Parliament, the then Council for Docked Breeds, the Royal College of Veterinary Surgeons and the Government came to a compromise decision that docking should only be performed by a qualified veterinary surgeon. Immediately after the Veterinary Surgeons Act was amended, the RCVS decided that should any vet continue to dock puppies, the practice would be considered unethical in the eyes of their professional body. Prior to 1 July 1993, docking was normally carried out by experienced breeders. There was no open debate on the issue or vote preceded the adoption of this policy other than a questionnaire to BSAVA members approximately 10 years ago. (Council of Docked Breeds)
- In 1991 the Council of Docked Breeds (CDB) was founded as the successor to an earlier body, the Council for Docked Breeds, which was previously involved in negotiation with

Government and other parties over amendments to legislation concerned with the docking of dogs' tails. Its objective is to maintain the option of breeders to have their whelps legally docked. Through contact with the veterinary profession, it provides advice to members on how they may have their litters docked, where necessary by placing them in contact with supportive registered surgeons. It represents the interests of breeders and owners of docked breeds, and where necessary, it assists with the defence of laypersons or veterinarians who are unjustly accused in relation to legislation or regulations concerned with the docking of dogs' tails. It has over 18,000 members who breed, own or support the customarily docked breeds. (Council of Docked Breeds, Independent Weimaraner Rescue and Re-Homing Service)

- For some time, a sector of the veterinary profession has opposed tail docking. In more recent times, a body of the profession has sought to remove the free choice of the profession to continue to dock at its clinical discretion. This pressure from a 'politically correct' section of the profession has succeeded in persuading the RCVS to adopt an official policy against tail docking in dogs. (Council of Docked Breeds)
- The RCVS *Guide to Professional Conduct* (latest edition) states: Docking, which may be defined as the amputation of the whole or part of a dog's tail has, since July 1993, been illegal under UK law, if performed by a lay person. The Royal College has for many years been firmly opposed to the docking of dogs' tails, whatever the age of the dog, by anyone, unless it can be shown truly to be required for therapeutic or truly prophylactic reasons. Docking cannot be defined as prophylactic unless it is undertaken for the necessary protection of the given dog from risks to that dog of disease or injury, and its purported prevention by surgical means cannot be justified. Similarly, docking cannot be described as prophylactic if it is undertaken merely on request, or just because the dog is of a particular breed, type or conformation. (PDSA)
There are an estimated 83,000 puppies docked by the veterinary profession in the United Kingdom each year (Independent Weimaraner Rescue and Re-Homing Service). One further responder, an individual, suggested that 'since 1993 there has not been a significant decrease whatsoever in the number of puppies docked'. That responder suggested a number of reasons why this practice has continued to be widely undertaken: The 1993 Act failed to realise that only a minority of vets carry out the procedure, with the majority of breeders, especially large established kennels, docking their own dogs. Breeders generally make a better job of it than vets. The majority of vets who dock, prefer cutting due to alleged hygiene standards. Most breeders do not want their puppies tails cut, hence why they carry out the procedure themselves and believe that the docking of puppies is a humane procedure when properly carried out. It is a practical animal management technique which should remain available to dog breeders and owners. (individual)
Given the continued prevalence of dogs with docked tails, responders were concerned that the RCVS guidance 'is not being uniformly adhered to by the profession' (CAWC). Moredun Research Institute noted that 'the evidence is that the law is not working and that either lay people are illegally docking pups or there are vets who are ignoring the guidance from the Royal College of Veterinary Surgeons. If a vet docks the tail of a pup that is not going to be an actively working dog then he/she is deemed by the RCVS to be guilty of "disgraceful professional conduct" and can be struck off the Register and thus unable to practice in the United Kingdom. However, as far as we are aware, since this ruling was introduced along with the new legislation no vet has been struck off for "inappropriate" tail docking. Other circumstantial evidence is that it is dog breeders (an ill-defined occupation) who are largely responsible for maintaining the status quo.' (Moredun Research Institute)
Conversely, three individuals noted that it was difficult to locate a vet who was willing to

undertake the procedure. One also found that they had to 'explain to young vets how they should do it as they tend to dock them too short'.

The practice of docking

Responders outlined how the practice of docking was currently undertaken. They indicated the methods and techniques used, the age at which it was carried out, the person who undertook it and other procedures undertaken at time when docking was conducted:

- A veterinary surgeon, through his professional training and experience, will dock by the most efficient means, using aseptic technique and with the minimum of stress to the pups. It is also expected that the veterinary surgeon will competently advise the client on post-operative care. Untoward complications are rare. (Council of Docked Breeds)
- Docking may be carried out only by a registered veterinary surgeon without any required anaesthesia, before a puppy's eyes are open, normally at 10-14 days of life. The earlier the puppy is docked the better, and many vets like to carry out the procedure before three days of age. However, in some small breeds it can be left until the pups have reached five days of age. Docking can involve a surgical excision or the placing of a specialised rubber band at the required length on the tail. The blood supply to the end of the tail is thus constricted, and the end of the tail comes away within about three days. (Council of Docked Breeds)
- Docking is undertaken in one of two ways: (1) Knife; (2) Banding. These have their own frequency of use among breeders: When breeders were allowed to do their own docking, 99 per cent of members opted for the banding method which involved cutting their hair from the skin at the site on the tail where the band was to be replaced. It was often done when puppies lay suckling from their mother. (Cocker Spaniel Club of Scotland)
- In some breeds it is customary to remove a small part of the tail. In others, a greater portion is removed, leaving a relatively short tail. (Council of Docked Breeds)
- The removal of dew claws which is generally undertaken at the same time as docking, remains outside the scope of the Veterinary Surgeons Act, and may still be carried out by lay persons. There is a widely held view that dew claw removal is a more serious and significant procedure than docking. (Council of Docked Breeds)

Responses to the proposals: General

Responders answered this question in the consultation document in a number of ways. This reflected the complexity of the practice and the number of different roles which it had. The responses have been analysed under a number of broad headings. The totals under each do not correspond with the total number of responses as some responders noted a number of options which they would like to be considered. Responders provided varying amounts of detail in their responses. In some instances, they only referred to specific aspects of docking and mutilations; others made very general comments about the issue. They noted issues such as docking for cosmetic purposes, welfare reasons, working dogs and prophylactic surgery. The two questions, 14.1 and 14.2 will be dealt with together. The views of responders fell into nine distinct areas. These were: docking (1) should not be undertaken for cosmetic reasons, (2) should be banned with no exemptions, (3) should be banned, but exceptions be permitted, (4) should be allowed to continue in working dogs, (5) should not be banned, (6) current practices should continue, (7)

should only be permitted for animal welfare or for medical reasons, and (8) position not stated. Each of these responses will be dealt with in turn:

(1) Should not be undertaken for cosmetic reasons

- 11 organisations. (Falkirk Council, Highland Council, West Lothian Council, RCVS, Dogs Trust, Anti-Docking Alliance, Scottish SPCA, Grampian Animal Defence League, Advocates for Animals, Animal Concern, Catflap)
- 1 business. (Minches Hovawarts)
- 15 individuals.

Views under this heading usually formed part of a response which discussed a number of aspects of docking and mutilations. These responders included eight individuals who submitted a circular letter issued by the Anti-Docking Alliance. These responders expressed their support in a range of ways. They noted the extent of their support and their attitudes towards the practice. After suggesting the need to ban the practice for cosmetic reasons, they also recorded a range of situations in which the practice could be undertaken:

- Could not support the practice. (individual)
- Should not be permitted. (individual)
- The practice would not be acceptable. (Highland Council)
- The practice was unnecessary. (2 individuals)
- Asked for the lawful banning of this activity. (Anti-Docking Alliance – 8 responders)
- Should be banned. (Grampian Animal Welfare League, Catflap, individual)
- Should not be done for visual purposes only. (Minches Hovawarts)
- Should not be done for cosmetic reasons. (Falkirk Council)
- Opposed to all cosmetic mutilations. (Scottish SPCA)
- Docking should only be permitted for therapeutic, prophylactic or preventative purposes. (West Lothian Council, RCVS, Anti-Docking Alliance, Advocates for Animals, Animal Concern, individual)

(2) Should be banned with no exemptions

- 10 organisations. (Dumfries and Galloway Canine Rescue, Lothian Cat Rescue, BVA Scottish Branch, PDSA, Vetwork UK, South of Scotland Wildlife Hospital, The Vegetarian Society, West Lothian Animal Rights and Veggies, Macaulay Institute, ACTA)
- 1 business. (Minches Hovawarts)
- 34 individuals.

Responders asked for the practice of docking to be banned or to be banned with no exemptions. They called for docking to be made ‘illegal’ (3 individuals), for it to be ‘outlawed’ (2 individuals), ‘banned’ (25 individuals, BVA Scottish Branch, The Vegetarian Society, Minches Hovawarts, South of Scotland Wildlife Hospital, Macaulay Institute), ‘should not be allowed’ (PDSA), ‘should absolutely be banned’ (Vetwork UK), ‘totally banned’ (Dumfries and Galloway Canine Rescue), ‘stopped’ (individual), ‘prohibited’ (West Lothian Animal Rights and Veggies); others were opposed to docking (3 individuals). ‘The brutality of tail docking’ should not be allowed to continue (individual). ACTA did not condone its use in the media.

(3) Should be banned, but exemptions be permitted

- 6 organisations. (Angus Council, Aberdeenshire Council, East Lothian Council, Ark Medical Group, Grampian Animal Defence League, Kirkwall Dog Training Club)
- 6 individuals.

All these organisations requested that there should be a ban on the practice of tail docking. However, they also recognised that a range of exemptions should be permitted. They listed a number of exemptions that should be made, such as the need on medical and welfare grounds, or for working dogs:

- Exemptions should be listed in a schedule with appropriate safeguards as to the maximum age of the animal and approved method to be used in any ‘approved’ mutilation. (Angus Council)
- Only where necessary to improve welfare ... Welfare judgements and all mutilations (e.g. dewclaws) should only be exercised within a code of practice and by qualified vets. (Kirkwall Dog Training Club)
- Only permitted for medical reasons i.e. injury or lesions. (individual)
- Unless for a medical reason. (individual)
- On medical grounds as judged by a veterinary surgeon. (Ark Veterinary Group)
- Unless an adult dog injures its tail and a veterinary surgeon deems it necessary because the damage is so severe that the dog needs the tail to be removed. (3 individuals)
- For the amputation of diseased or damaged tails. (Grampian Animal Defence League)
- Except for certain types of working dogs. (East Lothian Council)
- In working springer spaniels and cocker spaniels (Aberdeenshire Council, individual) and also working terriers (Aberdeenshire Council)

(4) Should be allowed to continue in working dogs

- 10 organisations. (Aberdeenshire Council, LACORS, Central Scotland Police, Banff, Moray and Nairn Canine Club, Strathmore Working Gundog Club, Scottish Association for Country Sports Workers, Scottish Gamekeepers Association, Moredun Research Institute, NFU Scotland, Family Farmers Association)
- 2 businesses. (Minches Hovawarts, Scotlean Pigs)
- 13 individuals.

A number of other responders also considered that working breeds should continue to operate under current arrangements and also that working dogs should be exempted from a ban on docking. A number of their views are also noted under other headings.

(5) Opposed to ban/should not be banned

- 14 organisations. (East Ayrshire Council, The Royal Institute of Chartered Surveyors in Scotland, Dog Aid Society of Scotland, The Griffon Bruxellois Club of Scotland, Weimaraner Club of Scotland, The Brittany Club of Great Britain, The Scottish Doberman Club, North of England Doberman Club, The Welsh Doberman Club (petition), BASC Scotland, Scottish Gamekeepers Association, Union of Country Sports Workers, Scottish Association for Country Sports Workers, Family Farmers Association)
- 1 business. (Edelhof Kennels)
- 38 individuals. (including one petition)

These responders recorded the extent of their opposition to the proposed ban on docking. In a number of instances their views, especially those of individuals, were expressed in strong terms:

- Do not see any reason for banning docking. (individual)

- Should not be banned. (East Ayrshire Council, The Royal Institute of Chartered Surveyors in Scotland, Dog Aid Society of Scotland, The Brittany Club of Great Britain, Scottish Gamekeepers Association, 3 individuals)
- Do not agree with the proposed ban on docking. (North of England Doberman Club, The Scottish Doberman Club)
- Disagree with proposed ban. (individual)
- Concerned at any alteration to the law. (3 individuals)
- Object to a ban. (4 individuals)
- Oppose a ban. (BASC Scotland, 13 individuals)
- Strong opposition to any ban on tail docking. (individual)
- Strongly deplore any attempt to ban tail docking. (Weimaraner Club of Scotland)
- Totally opposed to the ban. (individual)
- Against a statutory ban on tail docking. (Scottish Association for Country Sports Workers)
- Banning of docking is totally ridiculous. (individual)
- There is no case for the banning of tail docking as long as it is performed by a veterinary surgeon and the pups are between 24 and 48 hours old. (Union of Country Sports Workers)
- There should be alternatives to an outright ban of the docking of tails. (individual and petition, The Welsh Doberman Club, petition)

(6) The current practice to allow docking should be retained

- 25 organisations. (East Ayrshire Council, LACORS, Central Scotland Police, ACPOS, The Kennel Club, Scottish Kennel Club, Council of Docked Breeds, Clumber Spaniel Club, English Springer Spaniel Club of Scotland (Show Section), Poodle Club of Scotland, The Norfolk Terrier Club of Great Britain, Cocker Spaniel Club of Scotland, Banff, Moray and Nairn Canine Club, East of Scotland Spaniels, The Scottish Spaniel Club, Inverclyde Dog Training Club, Scottish Utility Breeds Club, Perthshire Canine Club, National Working Terrier Federation, Independent Weimaraner Rescue and Re-Homing Service, Canine Concern Scotland Trust, CAWC, Munloch Animal Aid, Scottish Countryside Alliance, Scottish Association for Country Sports Workers)
- 32 individuals.

These responders expressed their views in a number of ways. They noted the need to continue the current range of docking practices. They considered that these should continue to be undertaken by a veterinary surgeon and that breeders should have individual choice to undertake the practice:

- Would like to keep the status quo and keep current arrangements. (15 individuals)
- Changes to the current legislation are not required. (individual)
- Want to see the continuation of the present legislation. (Council of Docked Breeds, East of Scotland Spaniels, The Norfolk Terrier Club of Great Britain, 2 individuals)
- Want to permit tail docking. (The Scottish Spaniel Club, Inverclyde Dog Training Club, Independent Weimaraner Rescue and Re-Homing Service, 3 individuals)
- See no reason why the current legislation should be extended to impose a total ban on tail docking. (Scottish Kennel Club)
- Wish to keep the action of legally docking the tails of English Springer Spaniels. (English Springer Spaniel Club of Scotland (Show Section))
- Supports the individual's choice in the matter and to be undertaken by a veterinary surgeon. (The Kennel Club, Cocker Spaniel Club of Scotland, Clumber Spaniel Club, Banff, Moray and Nairn Canine Club, Perthshire Canine Club, Scottish Utility Breeds Club, 7 individuals)
- Should be allowed to continue, providing that it is carried out in accordance with current legislation by a qualified veterinary surgeon. (National Working Terrier Federation)

- Should be permitted but only by a vet or a professional person who has been trained. (LACORS, Central Scotland Police, ACPOS, Clumber Spaniel Club, Poodle Club of Scotland, Canine Concern Scotland Trust, Munloch Animal Aid, Scottish Association for Country Sports Workers, 7 individuals)
- Veterinary surgeons should decide the matter of docking on a case by case basis. (Scottish Countryside Alliance)
- Veterinary surgeons should be given increased accountability. (CAWC, individual)

(7) Should only be permitted for animal welfare or for medical reasons

- 12 organisations. (Falkirk Council, Glasgow City Council, Stirling Council, Scottish SPCA, Advocates for Animals, Animal Concern, IFAW, Anti-Docking Alliance, Avon (Lanarkshire) Dog Agility Club, Cat Action Trust 1977, Moredun Research Institute, Scottish Centre for Animal Welfare Sciences)
- 5 individuals.

These responses also covered a number of issues which have been listed under a number of headings above. They considered that docking should be undertaken for veterinary purposes, welfare needs, the avoidance of suffering and for therapeutic purposes:

- Should not be subject to mutilation other than for veterinary reasons. (Animal Concern, individual)
- Should only be allowed for medical reasons. (Scottish Centre for Animal Welfare Sciences, Cat Action Trust 1977, individual)
- Docking should only be undertaken for therapeutic purposes. (Anti-Docking Alliance, Advocates for Animals, 3 individuals)
- Any surgical procedure should only be performed for the health and welfare benefit of that individual animal. (Falkirk Council, IFAW, Pets at Home)
- Animals should only have their anatomy modified where this is necessary for their own welfare and only by a veterinary surgeon or, a suitably qualified person capable of performing the task without compromising animal welfare. (Stirling Council)
- Mutilation can only be justified where there is sound evidence that it is for their benefit, and then it should be performed with appropriate analgesia by an appropriate person who has demonstrated competence. (Moredun Research Institute)
- Should only be justified to avoid suffering or to improve welfare. Only qualified persons should be allowed to undertake this. (Glasgow City Council, Avon (Lanarkshire) Dog Agility Club)
- The only possible justification for any tail docking might be the potential risk to an animal's welfare in that genuine working dogs do occasionally injure their tails. (Scottish SPCA)

(8) Position not stated

- 3 organisations. (Scottish Agricultural College, Scottish Hawk Board, WAG)
- 20 individuals.

Many of these responders recorded their experiences with docked and undocked dogs but did not specifically state their position on the issue. Their responses were largely received from the circular letter that was circulated around south-east England, especially Kent and Sussex. They usually noted that their docked animals had suffered a number of medical problems which they believed were attributed to docking. From the tone of the letters it is safe to assume that the responders were opposed to docking.

The reasons for banning and retaining docking

Whether tail docking in dogs (and in other species) should be banned or retained raised a considerable amount of debate among responders. A small number emphasised and highlighted the character of that debate:

- The docking of puppies' tails at less than 10 days of age, without anaesthetic, has increasingly become a heated issue within the veterinary profession and interested animal welfare groups and breeders. (The Council of Docked Breeds) (also suggested by Highland Council and an individual)
- In recent years the docking of a dog's tail has become a controversial issue. (individual)

While responders listed a number of options on the aspects of docking which should be retained or banned, they had well defined arguments which outlined their stance on docking.

As one individual observed, 'the docking issue has separate viewpoints, each worthy of consideration'. These were based on a number of factors. These included tradition; one individual noted that some of these were 'illogical'. Most of the responders discussed the subject of docking in general, with only a few commenting specifically on docking for cosmetic reasons or purposes. The arguments for and against docking are noted under a number of headings: (1) reasons why there should be a ban on cosmetic docking, (2) reasons why docking should be banned, (3) reasons why docking should be permitted, (4) reasons why docking should be permitted in working dogs, (5) difficulties in permitting docking in working dogs, (6) working dogs should not be exempt from a ban on docking. Each will be discussed in turn:

(1) Reasons why there should be a ban on cosmetic docking

A few responders, all of whom were individuals, noted the reasons why they believed that docking for cosmetic reasons should be banned. These included the belief that it was an unnecessary practice or an inhumane act which was not justifiable. They also suggested that it should not be undertaken in order to maintain breed standards:

- There is no health or welfare reason to justify cosmetic docking. (individual)
- It is an unnecessary mutilation. (3 individuals)
- It should be regarded as an inhumane act. (individual)
- It cannot be justified medically or scientifically. (individual)
- Dogs should not be necessarily docked for a breed standard. (individual)

(2) Reasons why docking should be banned

Most responders that wanted the practice of docking to be banned noted their reasons for their decision. They referred to the practice in general terms and did not mention specific aspects of it. They suggested a large number of reasons for the ban, including their perceptions that it was an out of date practice, it was a cruel activity, causing pain and suffering, and affected the welfare of a dog. It was also considered to deprive a dog of part of its anatomy, and one that was used for communication, movement and stability, the loss of which was thought to cause problems. It was regarded to be undertaken for cosmetic reasons, such as breed standards. Responders also noted that the practice was banned in a number of countries throughout the world. They also pointed out that academic studies had shown that there was no significant association between undocked tails and tail injuries:

- It has been proved that there is no argument whatsoever for retaining this practice. (individual)
- These dogs are caught in a time warp from the 1700s when breeds of dogs started to appear in Europe. It is the show breeders of traditionally docked breeds who are perpetuating this myth. (individual)

- Old English Sheepdogs had been docked two centuries ago to distinguish between working dogs and pet dogs for tax exemption purposes. (individual)
- Is an outdated practice. (individual)
- Many breeds are docked because it is traditional to do so. This altering of conformation is usually to conform to a 'breed standard' set by the Kennel Club. These are based on practices to a way of life that no longer exists. (Moredun Research Institute)
- It has no place in a modern society. (2 individuals)
- The practice should not be allowed in the twenty-first century. The docking of horses' tails has been illegal and a shameful part of history. (individual)
- RCVS has taken the view that docking cannot be regarded as prophylactic simply because the dog is of a particular breed, type or conformation. (RCVS)
- It is mutilation of the worst kind, and done for cosmetic reasons only. (individual)
- Is unnecessary and done for fashion. (individual)
- It is a practice that is outdated, unnecessary, painful and mutilating cruelty. (individual)
- Is cruel and unnecessary. (2 individuals)
- Causes unnecessary suffering and extreme pain. (individual)
- No cruelty is permissible to any animal under any circumstances. (individual)
- Tail docking at birth is completely unnecessary in any breed and is a cruel as well as an unnecessary procedure. (Ark Veterinary Group)
- As veterinarians we do not take a Hippocratic oath. Still behaves all of us and it is our duty to prevent pain and relieve pain to the best of our abilities and never to harm an animal or inflict pain on an animal without justification. (individual, a veterinary surgeon)
- It is often carried out without any pain relief, and this makes it a cruel as well as unnecessary procedure. (Ark Veterinary Group)
- There is no scientific evidence that there is any correlation between the appreciation of pain and the parting of a pup's eyelids. (Moredun Research Institute)
- It is not the case that there is no scientific evidence to show that tail docking is painful. Evidence from Defra shows otherwise. (Advocates for Animals, individual)
- The practice deleteriously affects the welfare of the dog (Dogs Trust) and can lead to health problems. (6 individuals)
- Agree with Dogs Trust that docking causes both short term and long term effects on behaviour. (Dumfries and Galloway Canine Rescue)
- There are questions arising regarding acute (short term) pain and justified concern regarding chronic (long term) neurogenic pain. Neuromas in the tail stumps of docked dogs have been reported in the veterinary scientific press. It is difficult to say what proportion of docked dogs suffer from neurogenic pain. The belief that tail docking is uncomplicated is a fallacy. There is evidence of increased incidence in docked tails to problems associated with the ability to control defecation and questions about the role of the tail in not only physiological function (including balance) but also as a way of expressing emotion and communicating with other dogs (such as indicating submissiveness). Little or nothing is known of the detrimental effects of depriving a dog of this ability. (Moredun Research Institute)
- Puppies suffer unnecessary pain from docking and dogs are deprived of a vital form of canine expression. Chronic pain can arise from poorly performed docking. (Advocates for Animals)
- The Anti-docking lobby suggests that it is a painful procedure, it is unnecessary it affects a dog's balance and communication, it causes weakness of the anal muscles and an increased risk of perineal hernias. (Council of Docked Breeds)
- A dog has a tail for a reason. (individual)

- The tail is an extremely useful attribute for balance, movement and expression and interpretation and aesthetics. (2 individuals)
- Tails help with balance, communication, change of direction and very rarely get injured in the wild. (individual)
- Dogs use their tails in movement, stability and communication. The tail is an essential piece of a dog's anatomy. (2 individuals, PDSA)
- Tails convey expression. (individual)
- It can signal fear, friendliness, playfulness, dominance, aggression, nervousness and submissiveness. (individual)
- Dogs require their tail for social interaction and balance. This is very evident in the agility of dogs. Docking deprives a dog of its natural balance and a major means of communicating with other dogs. (2 individuals)
- Docking is a wicked and barbaric practice that has become 'tradition' amongst the hunting and shooting brigade. It impedes the balance and natural development of the dog. (individual)
- Many animal behaviourists believe the absence of a tail may predispose a dog to show unwanted aggression to other dogs. (individual)
- Dogs with docked tails are frequently attacked by other dogs because they are assumed to be taking on an aggressive stance. (individual)
- It does not seem reasonable to continue to universally dock pups tails simply because they are of a certain breed. (Moredun Research Institute)
- The fact that tail docking continues is entirely due to the show ring. Breed standards need to be changed, and legislation brought in that if any dog born in Great Britain after a certain date i.e. the coming into force of this legislation, is shown with a docked tail, it will be disqualified and the show holders liable to prosecution with hard line enforcement is the only way attitudes will change. (Aberdeenshire Council)
- Many puppies kept as pets or show dogs do not need to be docked. (individual)
- There is no possible reason for tail docking any of these breeds that are now mainly kept for show or companionship. (Scottish SPCA)
- Breeders have created deformed and mutilated versions of the original dog. (individual)
- The decision to keep a specific breed in a domestic setting, where they may strike their tails against walls or furniture, is not a justification for prophylactic docking. Breeders and owners should consider the setting into which they will introduce the dog, and whether it is appropriate for a vigorous dog with a vulnerable physique. Routine early amputation, involving severance of bone and muscle tissue and causing pain, is not a proportionate response to this potential problem. (Scottish SPCA)
- There are at least seven countries in the world where it is illegal to dock dogs' tails (individual)
- Politicians worldwide should follow the example of Australian politicians and ban docking. (individual)
- Breeders in countries where docking has been banned have become used to tails on their customarily docked tails and now find the look of docked dogs unbalanced and wrong. (individual)
- This really is a mindlessly stupid act that gives out very mixed messages about our relationship with animals. Anyone who pretends that a sentient creature doesn't mind have a complex piece of their body chopped off with a blunt instrument is deluding themselves. Everyone with any integrity or authority has come out against it – only a small minority of traditionalists are for it. If someone is keeping a dog in such a way that it keeps damaging its tail, they are keeping in inappropriately. If they do not have an appropriate environment, they should not keep it. Chopping bits off its body is not an acceptable solution. If a dog damages its tail, modern vet medicine and surgery can deal with it very well. Prophylactic tail docking is simply wrong. (Vetwork UK)

- The University of Edinburgh did a seven year survey on tail injuries and found no significant association between injuries and undocked tails. Many breeds of working dog (e.g. collies, foxhounds, Irish and American water spaniels, Cavalier King Charles, and many terriers – Manchester, Bull, Staffordshire Bull, etc.) are undocked with no consequences to tail injuries. Moreover, some Border terriers (trained to kill foxes and go to ground) remain undocked, which refutes the view that docking is essential to allow the dog to turn around underground. More research is needed on the numbers of dogs from ‘docked breeds’ that actually go in to work. Research is needed on how tail injuries occur, and how many do occur in working breeds that have not been docked (information could be sought from Sweden). (Scottish Centre for Animal Welfare Sciences)
- Seen few tail injuries among [undocked] dogs. (individual, a veterinary nurse)
- Depriving a dog of an appendage merely to avoid the slim possibility that it may in future become damaged is a flimsy argument. (individual)
- Those who argue in favour of tail docking say it is done to protect working animals from injury and not for cosmetic reasons. If that is the case then why have they never suggested the obvious third solution: banning docked dogs (i.e. working dogs) from dog shows? Docking tails is another fashion foible of people who think they know better than evolution. (Animal Concern)
- In some breeds a proportion of pups develop kinked or deformed tails as they grow. However, since the introduction of the present legislation there is an increase in the number of non-docked dogs from traditionally docked breeds without a corresponding increase in the incidence of deformed tails being reported. (Moredun Research Institute)

(3) Reasons why docking should be permitted

Responders suggested why they believed that docking should continue to be undertaken. Their reasons included the need for some breeds to continue to be docked. A docked tail was regarded to be a traditional part of breed standards and was essential for their maintenance. It was undertaken to ensure the humane management of certain breeds: it was a preventative measure to avoid tail damage. This had a number of welfare benefits for the dogs, for example, in avoiding extremely painful and possibly debilitating injuries which require longterm care, preventing suffering, and providing safety for the dog in the home. When properly undertaken, it was not regarded to be a cruel practice. Responders suggested that it did not harm the dogs, either mentally or physically, or impaired their communication:

- There are compelling reasons for docking among some breeds. (individual)
- Of the docked dogs registered each year, approximately 1 per cent enter the show ring, leaving 99 per cent as companion working dogs. Companion dogs perform their own function, but are unaware that they should ignore their basic instincts. (Independent Weimaraner Rescue and Re-Homing Service)
- Docking has been carried out for centuries in order to avoid tail damage, for hygiene and other reasons. Today there are over 50 traditionally docked breeds, which are recognised by the various kennel clubs. (individual)
- It is undertaken as part of proper humane management of certain breeds. (individual)
- Long haired, thick coated breeds such as old English sheepdogs and Yorkshire terriers are docked to prevent the hair of the tail becoming fouled by faeces. (Poodle Club of Scotland, individual)
- Long haired breeds require to be docked for hygienic reasons. (The Council of Docked Breeds, 3 individuals)
- To prevent suffering. (Edelhf Kennels)

- It is a preventative measure and can only be beneficial to the long term welfare of the dog. (individual)
- Far from causing unnecessary suffering, the practice of tail docking, and the removal of dewclaws, is carried out as a preventative measure and is for the long-term benefit of the dog. (Scottish Kennel Club)
- If by removing part of a tail at birth, the later trauma can be avoided, then it must remain the preferred option. (Weimaraner Club of Scotland)
- A 'customarily docked' breed has been docked to prevent later damage. (individual)
- Under the Protection of Animals (Scotland) Act 1912, it is an offence if non-action causes suffering. It could be argued that the non-docking of a puppy which later suffers as a result of a severely damaged tail is an offence under the Act. (Independent Weimaraner Rescue and Re-Homing Service)
- The argument that tails are docked merely for cosmetic reasons or because it looks good in the show ring is completely deceitful. Tails of most breeds have been docked long before dog showing existed and were docked to prevent injury. (Weimaraner Club of Scotland)
- To prevent tail damage among dogs and working dogs when they are older. (Clumber Spaniel Club, Weimaraner Club of Scotland, The Scottish Doberman Club, The Council of Docked Breeds, Union of Country Sports Workers, Scottish Countryside Alliance, Scottish Gamekeepers Association, Family Farmers Association, 27 individuals)
- Tail injury in long-tailed specimens of customarily docked breeds is not merely confined to those dogs used in the hunting or shooting field. There are many cases of injury sustained in domestic situations where dogs are injured whilst at exercise or in the home. The tails of many customarily docked breeds lack any protective coat. They are little more than skin-covered bone, and split easily, especially when accompanied by an exuberant tail action. (The Council of Docked Breeds)
- Damage can be done to Springer spaniels which are undocked. This is cruelty. (The Council of Docked Breeds, individual)
- Customarily docked breeds can be equally susceptible to tail injury in non-working situations. (Scottish Countryside Alliance)
- It is necessary for some breeds. A Boxer is a traditionally docked breed and tends to remain very active and playful into old age and a broken tail would be almost guaranteed. The breed standard requires a docked tail. (3 individuals)
- Safety in the home. (individual)
- A tail is a liability in a small house or flat, and undocked breeds are prone to serious injuries. (2 individuals)
- Serious injuries could lead to the tail having to be amputated, a more traumatic procedure in an adult dog. (The Council of Docked Breeds, National Working Terrier Federation, 18 individuals)
- It is difficult to treat or heal a damaged tail. (The Council of Docked Breeds, National Working Terrier Federation, Scottish Countryside Alliance, Moredun Research Institute, 13 individuals)
- Amputation causes pain and stress to the dog and its owner. (Independent Weimaraner Rescue and Re-Homing Service, National Working Terrier Federation, Union of Country Sports Workers, Scottish Gamekeepers Association, Scottish Countryside Alliance, 4 individuals)
- It is expensive to treat a damaged tail and involves numerous visits to the vets, copious antibiotics, lots of bandages, expense, domestic problems due to the need to keep clearing up after the dog has re-damaged its tail. (Weimaraner Club of Scotland, 4 individuals)
- Have known of many adult dogs which have suffered and died through having injured tails. (Cocker Spaniel Club of Scotland)

- Tail docking is not cruel when undertaken properly, i.e. within 72 hours of birth. At this stage the puppy is still in a semi-embryonic state, the nervous and circulatory systems are not fully developed and little or no discomfort or bleeding is apparent. (Poodle Club of Scotland, Scottish Countryside Alliance, 8 individuals)
 - o Is a simple procedure. (2 individuals)
 - o It is a trivial operation, causing minimum pain (individual) or no pain whatsoever. (4 individuals)
 - o Only causes slight discomfort. (individual)
 - o Causes no distress. (2 individuals)
 - o Is not a traumatic experience. (The Council of Docked Breeds)
 - o It is a perfectly humane procedure, and causes no pain or discomfort. (The Griffon Bruxellois Club of Scotland, Weimaraner Club of Scotland, 2 individuals)
 - o Puppy squeals at the cut and within 5-10 minutes they are asleep. (individual)
 - o Puppies can sleep through the whole procedure. (Weimaraner Club of Scotland)
 - o Pups do not whimper. (The Scottish Spaniel Club, Independent Weimaraner Rescue and Re-Homing Service)
 - o Puppies whimper and yelp when they are moved by the mother and this is the same when they are handled for docking and dewclaw removal. As soon as they are done, they go back to sleep with the mother and immediately feed. (individual)
 - o Puppies return to the mother. (Independent Weimaraner Rescue and Re-Homing Service, individual)
 - o Puppy appears to have no indication of the process and happily feeds and sleeps. (Independent Weimaraner Rescue and Re-Homing Service, Anti-Docking Alliance, 2 individuals)
 - o No alteration in their rate of weight gain. (2 individuals)
 - o Do not or barely remember anything that has happened. (Independent Weimaraner Rescue and Re-Homing Service, Anti-Docking Alliance, 2 individuals)
 - o Does not cause as much stress as in a mature dog. (3 individuals)
- Veterinary organisations would have the public believe that there is pain involved in docking. (Scottish Kennel Club, Weimaraner Club of Scotland)
- Docking is only one of many prophylactic or preventative surgical procedures carried out. However, it has to be said that it is certainly not the most traumatic. Many large charitable organisations routinely advocate, and instruct, the spaying of bitches and castration of dogs. These are highly invasive procedures, performed under general anaesthesia mainly for the convenience of the owner rather than for any justifiable medical reason. As with the amputation of an adult dog's tail, any general anaesthetic carries its own risk to life. (Independent Weimaraner Rescue and Re-Homing Service, Edelhf Kennels, individual)
- Responsible breeders have the welfare of their dogs as a propriety and if they felt docking was in any way cruel they would have outlawed it themselves. (3 individuals)
- Do not know of any instances of a single puppy dying through having the tail banded. (Cocker Spaniel Club of Scotland)
- Do not show adverse effects to docking. (individual)
- Does not harm the dogs, either mentally or physically. (individual)
- They do not grow up to be nervous or afraid of their tails, nor do they have any objection to their tails being touched or handled. (individual)
- Breeds which have been docked over many generations have been selected for specific qualities of build and conformation, but not for tail length, shape and carriage. (individual)
- It maintains the breed standard. (individual)
- Docking is essential where the breed standard says 'customarily docked'. (3 individuals)

- The maintenance of the quality of the animals against long-established breed standards is of great importance to breeders of customarily docked breeds. Dogs have been selected for many generations for specific qualities of build and conformation, but not for tail length, shape or carriage. United Kingdom breed clubs have been asked to determine standards for long tails in customarily docked breeds. Even in countries where docking has been prohibited for some years there remains a range of tail characteristics, and experienced breeders maintain that many years after prohibition on docking there would, in all probability, still be no standardisation of tails within the customarily docked breeds. (The Council of Docked Breeds)
- In order to breed for the 'acceptable' set and length of tail, far more important genetic breed qualities might become subordinate or even lost. It is far from certain that the best quality dogs would carry acceptable tails. There are no problems with dogs not being able to communicate with other ones. (individual)
- A dog's tail plays very little part in communication. (Weimaraner Club of Scotland)
- The statement that docked dogs cannot communicate is often expressed as justification for a ban. Dogs use the a myriad of other communication skills. To maintain that docked dogs cannot communicate also denies that ability to the breeds of dogs who are born naturally tail-less. The majority of docked dogs still retain at least 10 cm. It is difficult to consider any arguments stating that docked dogs cannot balance. Any notion that docked dogs cannot turn as swiftly as non-docked dogs must surely be supported by objective scientific reason. It is known from experience that even Greyhounds whose tails have been amputated due to injury do not achieve failing results on the racetrack. (Independent Weimaraner Rescue and Re-Homing Service)
- Communication in dogs is an interaction by smell, facial expression and body posture. Similarly, urine marking of territory is a major communication mode. Vocal communication also plays a part. The tail takes a small part in the process. The absence of a tail has absolutely no effect on canine communication skill. Docked breeds are perfectly happy and interact normally with all other breeds and with humans. (The Council of Docked Breeds)
- Long-tailed dogs, most especially Boxers, have injured young children, sometimes quite badly as a result of 'whiplash' action of their undocked tails. (The Council of Docked Breeds)

(4) Reasons why docking should be permitted in working dogs

Responders noted their support for the continued use of docking in working dogs and the reasons why this practice should continue to be undertaken. These included the need to ensure the welfare of the dog, and to prevent it from suffering during the course of its work. Some of the reasons for this support have also been noted under other headings in this question:

- It is of importance for Wire Haired terriers, Fox terriers. (individual)
- Some terrier breeds would be at much greater risk of being trapped and dying underground if their tails were undocked. (individual)
- Those who own and work Norfolk terriers consider that an undocked tail is potentially dangerous to a terrier below ground. (The Norfolk Terrier Club of Great Britain)
- Docking is essential in working spaniels. (The Scottish Spaniel Club)
- All Spaniel breeds were originally kept as working dogs and docking was carried out as a necessity. (Clumber Spaniel Club)
- English Springer Spaniels ... have very energetic tails which can be easily damaged in 'doing what comes naturally'. (individually)
- Tail docking is undertaken on welfare grounds in a wide range of gundog or terrier breeds used in connection with shooting, falconry and hunting. It is necessary because of the risk to dogs in dense cover, or in the case of terriers, below ground. (Union of Country Sports Workers)

- Tail docking is undertaken on welfare grounds across a wide range of terrier and gundog breeds used in connection with shooting, falconry, hunting and pest control. It is carried out in order to minimise and prevent the risk of tail injuries whilst working in dense cover and below ground. (National Working Terrier Federation)
- Docking is an essential aspect of dog husbandry which obviates real and serious injury that would otherwise cause avoidable suffering to the dog and affects its ability to work. (Scottish Countryside Alliance)
- Tail docking is performed to prevent suffering in working dogs ... No wildlife manager wants to see his dog suffer. (Scottish Gamekeepers Association)
- Removes the chance of working dogs suffering stress and discomfort which can happen when these types of dogs are working. (individual)
- To prevent tail damage. (Banff, Moray and Nairn Canine Club)
- To prevent injury. (Scotlean Pigs)
- Relieves the dog of any future traumas. (individual)
- In the gun field there are a small number of springers without docked tails. A number of these dogs went home after a day's work in great discomfort because of torn and ripped tails. (individual)
- Many of our members believe that working dogs in the field with undocked tails would cause unnecessary suffering. (BASC Scotland)
- Injury is sustained by working dogs whilst they are hunting for game. It is caused through repetitive beating of the tail against undergrowth. Injury may range from the stripping of hair from the skin through inflammation, lesions and bleeding to broken tails. The requirement to dock working gundogs and terriers is strongly supported by representative bodies for field sports. Breeds which have been bred to hunt game through thick vegetation or to hunt below ground, and which have tail characteristics and actions which predispose them to injury, are customarily docked. Once a dog has sustained an injury, it may be so affected by the discomfort it experiences when working that it declines to enter cover or hunt as effectively as it formerly did. The dog's value as a working animal or sporting companion is this reduced. (The Council of Docked Breeds)
- To prevent laceration of the tail. The reduction of the length of the tail shortly after birth reduces the chance of infection and suffering in the dog. (individual)
- Springer spaniels are prone to suffer from tail damage due to the enthusiastic whipping of their tails when working under cover. Docking is essential – the cost of surgery for tail damage is high. (individual)
- Spaniels with long tails can suffer severe laceration of the flesh when seeking game in brambles. (Family Farmers Association)
- The damage to dogs' tails by heavy work in thick cover can be considerable. (Scottish Association for Country Sports Workers)
- They can be injured with horrendous consequences when working. (Strathmore Working Gundog Club)
- Seen damage (sometimes long-term) that can occur on undocked working dogs, especially while working in thick cover. (individual)
- Working dogs of the customarily docked breeds are almost exclusively docked as a matter of routine, to prevent tail injury from occurring in the first instance. Where undocked dogs are worked in the field, tail injury to those individuals is commonplace. (The Council of Docked Breeds)
- The only possible justification for any tail docking might be the potential risk to the animal's welfare in that genuine working dogs do occasionally injure their tails. Users of dogs in the field

have described animal suffering caused by such injuries. However, this risk is unquantifiable. (Scottish SPCA)

- Following the Schedule 3 amendment to the Veterinary Surgeons Act in July 1993, there appeared for a relatively short period of time a number of undocked working terriers. But as a result of the tail injuries sustained and the problems this caused, today it would be extremely unusual to see an undocked working terrier. In fact they are virtually non-existent. (National Working Terrier Federation)
- There have been many instances of dogs' tails being damaged in the course of their work, resulting in amputation of part or all of the tail, a traumatic operation for the animal concerned. This is happening in Scandinavia and other parts of Europe where breeds that were customarily docked are now undocked. (The Brittany Club of Great Britain)
- Concern at the docking of some working breeds – Weimaraners, Vizslas and German pointers. They are susceptible to unpleasant injuries as the ends of their tails frequently become shredded. It is extremely difficult to make such injuries heal. (individual)
- Once damaged, it is almost impossible to permanently heal a tail [of a working spaniel]. The resulting amputation causes considerable distress to the animal. (The Scottish Spaniel Club)
- Injury may reduce a dog's willingness to work, thus affecting its effectiveness as a working animal and sporting companion. (Scottish Countryside Alliance)
- It is our firm belief and certain knowledge that a ban on tail docking would have severe negative welfare implications for working terriers, along with a number of other breeds. (National Working Terrier Federation)
- A ban would condemn significant numbers of dogs to far worse suffering than is inflicted by the docking process, properly carried out, when the pups are two to four days old. (individual)
- A ban on tail docking would probably lead to the eventual loss of the spaniel as one of the main picking up breeds used by the sporting man. This could lead indirectly to poorer standards in the picking up lines. (individual)

(5) Difficulties in permitting docking in working dogs

Some responders recognised that it would be difficult to introduce an exemption for the working dogs:

- Any attempt to differentiate between 'working' and 'non-working dogs' is futile as no account is taken of the dog's natural instinct to do what it was originally bred for, which comes to the fore when the dog is given free exercise, and it is then that damage to undocked tails is a distinct probability. (Scottish Kennel Club)
- Object to the proposal to differentiate between 'working' and 'non working' dogs. At two days old it is impossible to know which puppy may be a working prospect. (Scottish Gamekeepers Association, 2 individuals)
- To include a working dog clause would largely undermine a ban. Unable to see how a puppy can be assessed as being a dog who will work when only two days old – the customary time for mutilation. (Dumfries and Galloway Canine Rescue)

(6) Working dogs should not be exempted from a ban on docking

A number of responders believed that working dogs should be included in the ban on docking. They suggested that the practice was undertaken for cosmetic purposes, to maintain a breed standard, that there was little scientific evidence that these dogs were prone to injury, that a dog will not always damage its tail when out working, and dogs were undertaking work that they were not suited to:

- The suggestion that some working dogs are more prone to injury than pets is special

pleading. (Edelhof Kennels)

- Do not agree that docking is required as the dog might suffer damage when working 'is an absolute smokescreen'. (individual)
- Not a foregone conclusion that every working dog will damage its tail when working. (individual)
- The argument that working (hunting) dogs are prone to injury and that it is better to prophylactically remove their tails when they are pups is based on tradition and anecdotal evidence. There is a dearth of any scientific evidence or reliable surveys and it is impossible to hold anything other than an opinion. Some working breeds such as English, Irish and Gordon setters and Labrador, flat coat and golden retrievers whose long and 'feathery' tails would appear to be at least equally vulnerable, are not traditionally docked despite working in similar rough environments. Also, some hunters who use Jack Russells for rabbiting leave the tail on and claim it makes it easier to retrieve a dog that gets wedged in a burrow. (Moredun Research Institute).
- The question still remains whether or not genuine working dogs will suffer a high incidence of tail injuries if they too are not routinely docked. Any legislation would have to be flexible enough to adapt if this proves to be the case. (Moredun Research Institute)
- The argument that it requires to be done to prevent damage to 'working' dogs holds no substance. The main working dog in the country is the Border Collie which has never been docked. The only other breeds which work in any numbers are police and military dogs – usually German shepherds, which are never docked. (individual)
- Springer spaniels work in similar conditions as setters yet the Spaniel lobby insist that tails will be injured if it is not docked. (individual)
- Some people argue in favour of prophylactic docking of tails of working dog breeds. Our view is that this is not necessary. In reality, in nearly all cases it is undertaken for cosmetic reasons i.e. to conform with certain breed standards. (Advocates for Animals)
- People argue that docking helps a dog to 'work' without the risk of injury does not ring true. It is an excuse to carry on with docking. They have a mindset which says that their dogs just do not look right. They should explain why a Brittany spaniel needs to be docked but a setter has been bred to do the same work does not, and other species. (individual)
- The majority of the breeders in favour of docking have never worked their dogs and just prefer 'the look' for the show ring. (individual)
- Damage to working dogs' tails (ears, legs etc) can occur because the dog is required to do work for which it is unsuitable. (Anti-Docking Alliance)

The impact of a ban on the docking of dogs' tails

The following comments were made by responders who considered the effects of a ban on docking. They suggested that this would affect the welfare of dogs; would increase the incidence of tail injuries; would lead to the practice being undertaken illegally or by the breeders themselves; an imbalance of rights across Britain; a movement of animals to be docked from one part of the country to another; a black market in puppies that have been docked, and an increase in stray and also unwanted dogs. It would also lead to gene loss in breeds and an increase of hereditary disease. It would affect the breeding community and breed standards and have an impact on the number of entries at dog shows. It would be difficult to enforce as it would not always be known whether docking had in fact been undertaken:

- Dogs will suffer as a result of a ban on tail docking. (2 individuals)
- Do not consider that the ban on docking will improve animal welfare. (individual)
- It does not in any way improve animal welfare ... believe that it has the opposite effect. (individual)

- A ban would not in any way improve canine welfare. Injuries cause distress, and more than docking does. (individual)
- A ban on docking would be a retrograde step in regard to the welfare of docked breeds. (individual)
- Will undoubtedly cause enormous amounts of pain and suffering to a large number of dogs in later life. (Scottish Kennel Club)
- The ban on docking will bring horrific injuries to working dogs and to pet dogs. (individual)
- To ban these trivial operations would invite far more serious damage to tails and dewclaws later on in life, causing the dog loss of blood and the need for urgent surgical repairs. (individual)
- The veterinary profession would have to treat more dogs suffering extremely painful and possibly debilitating injuries which require long-term care or even resulting in permanent lameness of the dog and its long-term welfare. (English Springer Spaniel Club of Scotland (Show Section)). This has been seen in countries where docking is banned. (2 individuals)
- The outcome of a ban on tail docking would be to inflict agony on working dogs as a result of them tearing and damaging their tails in the line of duty. A ban on tail docking would achieve precisely the opposite, in terms of animal welfare, to the aims of the proposed Bill which are (a) to prevent cruelty to any animal and (b) to set out the obligations of people to promote the welfare of all animals for which they are responsible. (individual)
- A prohibition on docking was introduced in Sweden on 1 January 1989. This was followed by a large increase in tail injuries amongst working gundogs.
 - o In 1992 the Swedish German Pointer club published the results of a survey which was carried out during the autumns of 1990 and 1991. The researcher followed the history of the 53 litters of German Pointers (short-and wire-haired) registered during 1989. Fifty of these were undocked, and three, having been born in 1988 were docked. The dogs involved were used for hunting on average 2-3 days a week during the two seasons, mainly in woodland. In 1990 responses were received for 44 litters, and the following year for 26 litters. These comprised 191 individuals in 1990, of which 179 were still alive in 1991. Every third German Pointer with a long tail has suffered from more or less serious tail injuries.
 - o The tail injuries included bleeding and damaged tail tips (light, medium and severe injuries, especially to the last 10 cm of tail), infected and inflamed tails, lameness, injury, and 'water tail', and broken tails. The degree of injury was related to the 'liveliness of the dog and the tail' (tail action), the extent to which the dog had hunted, and the nature of the terrain over which it had hunted. Seven of the investigated group required amputation of the tail.
 - o The researcher recorded strong views from the owners and breeders of the dogs concerned supporting the reinstatement of tail docking. (The Council of Docked Breeds)
 - If a ban on docking were introduced into Scotland, the following scenario is highly likely:-
 - o Following the Swedish research 2,600 dogs registered with the Kennel Club, within the first 18 months of life, will have suffered tail damage **each year**. By age two, this may have increased to 3,500.
 - o Added to this figure are a number of working spaniels/crossbreed spaniels not registered at the Kennel Club. It has been reliably stated by BASC that this number may be in the region of 50,000 dogs. (Independent Weimaraner Rescue and Re-homing Service)
- A ban could lead to dogs being docked illegally, possibly by inexperienced individuals or by the breeders themselves. (2 individual)
- A ban on docking will lead to people doing it behind closed doors and this will not be the correct process for the welfare of the animal. (individual)
- Believe that many breeders would carry out the procedure themselves instead of using the vet. (individual)

- This would also lead to an imbalance of rights if docking was to be allowed in England but not in Scotland. (individual)
- Breeders in Scotland would take their litters to England to be docked. (North Lanarkshire Council, Moredun Research Institute, Canine Concern Scotland Trust, WAG, 8 individuals) (2 individuals believed that any legislation should apply consistently to the whole of the United Kingdom).
- It would be hoped that no vet would accept young puppies from Scotland if there was a ban on the practice in the country. (Scottish SPCA)
- There are a number of economic effects of banning docking: foreign buyers will not buy undocked dogs (2 individuals); buyers from England would no longer want Scottish dogs since docking when the dog is an adult is traumatic and expensive (individual); if banned in Scotland, Scottish breeders would feel disadvantaged. (individual)
- A ban would affect a breeder's rights to produce pups that owners will want and will prevent any of their pups going to England undocked. (individual)
- At present many stud dog owners will not allow the use of their dogs unless a guarantee is given that the puppies will be docked. This will affect the Scottish breeders who could not sell a puppy to England thus denying the Scottish breeders equal rights to have their stock seen throughout the Kingdom. (individual)
- This would also lead to a black market in puppies as docked ones are worth more than undocked ones. (2 individuals)
- Little value is attached to undocked dogs of the customarily docked breeds. The majority of owners, whether of show dogs or domestic pets, continue to wish their dogs to conform to conventional breed standards. (The Council of Docked Breeds)
- It is not always easy to find homes for undocked pups. (individual)
- If docking is banned there may even be a lot more stray dogs as some breeders will not be able to sell their pups and they may just abandon their dogs. Some breeds may also die out altogether. (individual)
- Could see the demise of certain breeds of dogs. This may in turn affect the breeding community. (individual)
- Breeds have been docked for many generations have been bred for specific qualities, but not for tail characteristics. If undocked, these animals would not conform to the (new) breed standard for tails. This would lead to gene loss and the greatly increased risk of hereditary disease. (The Scottish Doberman Club, 3 individuals)
- A ban on docking would wipe out the dedication and meticulous breeding programme of a hundred years that breeders have achieved. (The Griffon Bruxellois Club of Scotland)
- Scottish exhibitors would be at a disadvantage as they would be competing against the breed standard as laid down to have docked tails. (individual)
- The Kennel Club would have to alter its rules along with an alteration to the breed standard of which they may not want to change. (individual)
- The banning of docking would have an effect on entries at shows. If there is a ban on docking, show entries will be hit very hard as many of the owners of customarily docked breeds have stated that they would not wish to own the breed if they are to be altered from the breed standard. (Perthshire Canine Club, Scottish Utility Breeds Club)
- Considerable doubts have been entertained about the enforceability of a prohibition on docking, largely for the reason that if only a small portion of the tail is removed, then it can be extremely difficult, even impossible, to establish whether docking of the tail has taken place. A further complication is that several breeds are frequently, though not always, born with a naturally 'bobbed' tail: Old English Sheepdog, Brittany, Pembroke Corgi, Australian Silky Terrier, Swedish

Valhund, Australian Shepherd Dog and Standard Poodle. Docking may seek to replicate artificially the conventional length of the natural bob. Thus a dog which appears docked may in fact be naturally bobbed, and vice versa. Given the difficulty in determining, in some breeds at least, whether a dog has been docked or not, it would be impossible to secure a conviction unless a person was actually apprehended in the act of docking. (The Council of Docked Breeds)

Mutilation

Responders commented on the use of the term ‘mutilation’ used in the consultation document. There was general dislike of this term, and suggestions were made that an alternative one should be used:

- Despise the use of the word ‘mutilation’. (individual)
- Take exception to the word ‘mutilation’. (individual)
- The word ‘mutilation’ should be erased. (Scottish Utility Breeds Club)
- Strongly object to the emotive word ‘mutilation’ when discussing docking. Have not seen this word used when discussing the removal of any parts from any other animal despite the fact that the procedures are of a very similar nature. (individual)
- Mutilation conjures up all sorts of unearthly thoughts to the dog loving public. (Cocker Spaniel Club of Scotland)
- That docking is ‘mutilation’ sits ill with those for the castration of young dogs and spaying of young bitches. To remove part of the tail is a mutilation, to remove the testicles is a greater one. (individual)
- There are greater acts of cruelty done to animals in this country in the name of religion so please let our Cockers be. (Cocker Spaniel Club of Scotland)
- Emotive language used by the opponents of docking is misplaced and unhelpful. (individual)
- The RCVS has described docking as a ‘mutilation’. The dictionary meaning of mutilation is ‘to deprive an animal of an essential part’. One has to question why other parts of the dog, routinely removed are not similarly described. There is no logical basis for using such emotive, offensive language in relation to tail docking, yet it is relied upon to cloud the issue and appall the senses. (Independent Weimaraner Rescue and Re-Homing Service, The Council of Docked Breeds)
- It might be expected that the veterinary establishment would defend its position with science and reason rather than resorting to emotive phrases. (The Council of Docked Breeds)
- The *Collins Concise Dictionary* defines ‘mutilate’ as ‘to damage or main, especially by depriving of a limb or essential part, etc’. In the case of tail docking it is clear that:
 - (a) a dog’s tail is not a limb
 - (b) a dog’s tail is not an essential part (for it is patently obvious that a dog can live happily without a tail, both physically and emotionally. There is no logical basis for using this emotive expression but it is relied upon to cloud the issue emotionally. (The Council of Docked Breeds)

Competency to undertake docking

Some responders commented on the person who should be permitted to undertake tail docking. Some responders approached this issue from the current position which only legally permits the practice to be undertaken by veterinary surgeons. Responders thought that current guidance should be better enforced. Indeed, one individual suggested that ‘consideration [should] be given to increasing the accountability of veterinary surgeons in this regard’. Overwhelmingly, responders agreed that the person who was undertaking this procedure should have appropriate training, and also be a veterinary surgeon who would have a number of procedures in place to determine whether it was necessary to undertake docking. A few responders believed that experienced lay persons could be permitted to undertake the procedure, including dog breeders:

- All surgical procedures must be carried out by appropriately trained and qualified personnel. (IFAW)
- Should not be undertaken by inexperienced individuals (2 individuals) or by nonveterinarians. (individual)
- Should only carried out by competent and qualified professionals or persons. (Glasgow City Council, The Norfolk Terrier Club of Great Britain, 2 individuals)
- Should be undertaken by a suitably qualified person such as a veterinary surgeon. (Falkirk Council, English Springer Spaniel Club of Scotland (Show Section))
- Must only be undertaken by a qualified veterinary surgeon. (East Ayrshire Council, Pets at Home)
- The present law where a vet carries out the procedure is more than adequate. (2 individuals)
- By recognised veterinary practitioners. (East Lothian Council)
- Suitably qualified veterinary surgeon. (Munlochy Animal Aid, individual)
- Should only be undertaken by a veterinary surgeon or a suitably qualified person capable of performing without compromising animal welfare. (Stirling Council, Clumber Spaniel Club, 4 individuals)
- Must only be undertaken by a qualified veterinary surgeon. (East Ayrshire Council, Falkirk Council, Pets at Home)
- Veterinary surgeon. (Independent Weimaraner Rescue and Re-Homing Service, Union of Country Sports Workers, Banff, Moray and Nairn Canine Club, individual)
- Should only be undertaken by a veterinary surgeon. (East Ayrshire Council, LACORS, Central Scotland Police, ACPOS, Pets at Home, Cat Action Trust 1977, 2 individuals)
- Any injuries to tails should be undertaken by a veterinary surgeon. (BVA Scottish Branch)
- It is part of the training of a veterinary surgeon that should not be overlooked or dismissed. (individual)
- If prophylactic docking is ever acceptable, then a vet would have to make a judgement in respect of each individual dog or to have medical judgement. (Ark Veterinary Group, Advocates for Animals, Dumfries and Galloway Canine Rescue, 3 individuals)
- Veterinary surgeons should decide the matter of docking on a case by case basis. (Scottish Countryside Alliance)
- Veterinary surgeons should be given increased accountability. (CAWC, individual)
- It should only be undertaken by an independent veterinary surgeon who believes that the specific dog is at risk of injury, which is likely to arise from the retention of its entire tail. Cases should be judged at an individual level. (individual)
- The reasonable position on docking that would satisfy all veterinary surgeons would be to allow professional choice. If a veterinary surgeon opposes docking, then he or she is free to refuse to carry out the procedure and vice versa. It is unreasonable for that part of the profession who oppose docking to seek to impose its will on those who take a more positive attitude. (Council of Docked Breeds)
- Should only be undertaken by a qualified veterinary surgeon who must use a professionally acceptable form of anaesthesia. (Canine Concern Scotland Trust)
- All surgical procedures must be carried out under adequate anaesthesia and/or analgesia, the only exceptions being where substantiated scientific research indicates that the procedure, as undertaken, carries no risk or discomfort. (IFAW)
- Many veterinary surgeons see the way forward is by allowing experienced lay persons to perform these acts, thus freeing the vets' valuable time and preventing them from being sued by owners of dogs which have been incorrectly docked. (Cocker Spaniel Club of Scotland)
- Dog breeders should be allowed to carry on with the banding of their puppies tails. (individual)

- Cannot understand if farmers are permitted to dock lambs and undertake other practices, then there is a case for suitably qualified lay people and vets to be authorised by law to dock puppies. (individual)
- Persons undertaking docking could be licensed. Do not agree that the sole responsibility for the operation should be in the hands of veterinary surgeons. On no account must this be undertaken by an untrained person. (individual).

Enforcement of the practice of docking

Responders recognised that there was a link between the person who could practice docking and the enforcement of the practice. They suggested ways in which the practice could be enforced. This included the need for good legislation, a code of practice, a register of competent people who could undertake the practice, the need to demonstrate the grounds under which the practice could be undertaken, the need to include information relating to the practice on a pedigree registration certificate, and proof that the practice has been undertaken legitimately. A number of responders also suggested the need to place restrictions on the showing of dogs that had been docked:

- Good legislation with hard line enforcement is the only way attitudes will change. (LACORS)
- A code of practice is essential. (individual, ACTA)
- There should be a code of practice to regulate the competency of non-veterinarians permitted to undertake mutilations. (individual)
- Strict guidelines should be issued to veterinarians as to when these operations are appropriate. (LACORS)
- A register of competent skilled lay people could be set up. They would attend a course of instruction approved by the veterinary profession. Records of all dockings should be kept and be open for inspection by the supervising body. (Poodle Club of Scotland)
- The present legislation which bans lay people from docking pups tails places the onus on the individual vet faced with a client who wants a litter docked. In reality, the vet may or may not be free to act according to his or her conscience. Many vets do not believe in tail docking pups but others do. The professional body governing vets, the RCVS, have pronounced that a vet may only dock a pups tail if he/she believes that this pup will be used as a 'working' (certain types of hunting) dog when it is an adult. When presented with a litter of two week old pups it is difficult for any vet to predict with certainty that they will be actively working dogs. Many working breeds are kept as pets so one cannot base the decision to dock on breed alone. The present legislation puts the individual vet in an invidious position. It seems unworkable to have a law that leaves a final decision up to an individual who is either not free to follow their conscience (because they are an employee) or have a conflict of interests. (Moredun Research Institute)
- One way forward may be to make docking of a dog's tail illegal unless the veterinary surgeon can demonstrate reasonable grounds for believing that there are truly (although the word 'genuinely' might be preferable) therapeutic or prophylactic reasons for carrying out the procedure on the particular animal. In addition, a requirement would need to be introduced that, subject to appropriate transitory arrangements, a person who owns a docked dog is required to have documentary evidence of when, where, by whom, and on what grounds, the dog was docked. This would enable the veterinary surgeon who performed the docking to be traced and, if necessary, held to account for undertaking it. (CAWC, Mr. Mike Radford)
- As long as veterinary surgeons continue to dock tails, they must issue a certificate explaining the clinical reason for the procedure. (Scottish SPCA)
- RCVS should endorse certificates of docking stating that the procedure has been carried out by a vet. (individual)

- The removal due to injury should be undertaken by a vet who should be required to keep precise detailed written records of the extent of the injury and action taken. (individual)
- The vet must check their clients to ensure that docking is only carried out on working dogs. (individual)
- Need to institute the issuing of certificates endorsed by RCVS for any docking procedure carried out on a dog by a veterinarian (thus giving evidence of a lawful docking procedure). The Kennel Club should incorporate, into the pedigree registration certificates, the name and practice of the veterinarian who carried out the docking procedure to provide that it was lawfully done (in conjunction with the above certification). (Council of Docked Breeds circular letter submitted by 8 individuals, and individual)
- Breed standards should be altered to state that dogs should be shown with entire tails. (individual)
- The Kennel Club should insist that all owners who exhibit a dog with a docked tail should prove that this has been done legitimately (individual)
- The Kennel Club should be compelled to ban registration or showing of any dog without a full tail. (individual)
- There should also be legislation to control the exhibition of dogs from countries where tail docking is permitted. (BVA Scottish Branch, Council of Docked Breeds circular letter submitted by 8 individuals)
- We allow customarily docked breeds to be shown with or without their tails and the breed standards issued by the Kennel Club indicate this. All standards now contain a clause to describe the appearance of the docked tail and the undocked tail. (The Kennel Club)
- The Kennel Club would have to alter its rules along with an alteration to the breed standard of which they may not wish to change. (individual)
- Any changes should come from the Kennel Club without Government interfering with another way of life. (individual)

Other mutilations

Responders made a connection between tail docking and other types of mutilations on a range of species of animals. The most common association made was between the docking of dog's tails and lamb's tails. Some responders felt very strongly that all mutilations should be viewed in the same way. As one individual noted, 'there is no question of farmers not being able to dock tails of lambs. What is the difference between this and for dogs?'. This situation was also questioned by other responders. The Scottish Hawk Board and the Scottish Gamekeepers Association also noted that the consultation document did not mention the docking or ringing of lambs' tails. They further pointed out that these activities could be carried out by a range of people. One individual noted that tail docking in lambs could still be undertaken by lay persons. Another considered that this situation was discriminatory: 'Were the Executive to decide that docking in dogs was not acceptable, it would surely have to make a case for the acceptability of docking for lambs. If this is not done, or if tail docking in lambs is allowed, the Executive would demonstrate its discrimination against owners who want docked dogs and breeders whose market would be greatly restricted. If docking is to be disallowed why should the restriction be confined to dogs?'. Another responder believed that this situation led to double standards in welfare.

Responders, usually individuals, also considered that any proposed ban on docking was harsh in comparison with other types of mutilation. One individual pointed out that 'mutilation of dogs and cats by neutering should be restricted by law if it is considered that dogs' tails should be docked. A

spirit of equity needs to be applied if docking of dogs' tails should cease but the neutering of dogs continues unabated'.

A small number of responders commented on other types of mutilations that were practiced. They most frequently referred to the removal of dew claws in dogs, a practice that was very briefly mentioned in the consultation document. It was an issue which concerned the Council of Docked Breeds and was recorded in its circular letter to its members; individuals also commented on this practice. The Council of Docked Breeds noted that 'the removal of dew claws, which is regarded as a more serious procedure than docking, rarely features in debate of any sort. This seems to be because dew claws, like the bitch's uterus, cannot easily be seen by the casual observer'.

Dew claws were removed in some breeds of dogs, though not in others. The procedure was usually undertaken at the same time as tail docking, with scissors and no anaesthesia. Both the front and back dew claws were not always removed. It 'seems to be in the animals' interest to remove hind dew claws where they occur as they almost invariably cause problems for the animal unless the owner is diligent in keeping the nails short and even when they can catch in materials resulting in minor but painful injury ... Because of the much lower incidence of problems with front dew claws, due in part to the very different anatomy, it does seem reasonable to routinely remove them'. (Moredun Research Institute)

The removal of dewclaws was considered to be important on welfare grounds. The Dogs Trust noted that there was 'significant anecdotal evidence that such dewclaws [poorly attached ones] are more prone to injury'. One individual suggested that they 'do easily get damaged'. One dog owner pointed out that this led to an extremely painful injury which took a long time to heal. German short haired pointers with dew claws 'suffer terrible injuries' (individual) or they could be subject to 'horrific injury'. (The Bearded Collie Club of Scotland) WAG suggested that 'some of these dogs can suffer horrendous pain later in life'. An individual also asserted that they caused distress. Dew claw removal was also considered to be a preventative measure. As dogs could suffer welfare problems, this procedure could alleviate discomfort during later life. While this was noted for working dogs (individual), The Bearded Collie Club of Scotland suggested that 'dew claw practice is a necessary practice in many breeds'.

Responders agreed that the removal of dewclaws should be permitted and that owners should have the option of undertaking this procedure. A ban was considered to be detrimental to the welfare of the dogs as an injury required urgent surgical repairs. Dew claw removal was regarded to be a procedure that should not be undertaken lightly. One kennel suggested that their removal was 'a serious matter'. Moredun Research Institute questioned 'whether removal should be done in the traditional manner is open to debate. The alternative to the traditional method would be proper aseptic surgical removal with anaesthesia/analgesia plus sedation, perhaps at neutering'. One individual considered that when they were removed at two to three days, the dog did not suffer any discomfort. Amputation of dew claws later in life was also seen to 'cause more stress and trauma than when undertaken when a puppy' (petition, individual)

Responders commented on the person who should be permitted to undertake dewclaw removal. The Dogs Trust suggested that the practice should be considered as veterinary surgery and should be regulated by the Veterinary Surgeons Act. Other responders considered that it should continue to be carried out by a veterinary surgeon (Animal Concern) or that it should only be undertaken by a vet (Aberdeenshire Council, individual). One responder believed that it should be undertaken for justifiable medical reasons (individual) while another suggested (Animal Concern) that it should only be carried out for 'justifiable medical reasons'. However, others also thought that it could also be undertaken by adequately trained para-professionals who have proved their competence (Dogs Trust). In contrast, some did not believe that it should be undertaken by lay persons (Council of Docked Breeds, individual)

A number of responders commented on the need to develop and introduce a code of practice. One kennel suggested that 'a code of conduct' was 'appropriate'. The Bearded Collie Club of Scotland recommended that it 'would be appropriate to introduce a code to regulate, but not ban, non-vets continuing' this practice. The National Working Terrier Federation also agreed to a code of good practice for non-veterinarians. One individual considered that 'the cruelty of ... removal of dew-claws by unqualified persons needs to be addressed'.

All the responders who commented on ear cropping agreed that it should be banned or made an illegal procedure.

The mutilation of farm animals was commented on by a small number of responders. The Scottish Agricultural College noted that 'many more farm animals are subject to mutilation than are dogs. These include tail docking, castration, de-horning and tooth clipping.' Although a number of these procedures were permitted for management reasons, with the most common ones being the tailing and castration of lambs, castration and de-horning of calves and tail docking and tooth clipping of piglets, others were prohibited under legislation such as the Welfare of Livestock (Permitted Operations) Regulations 1982. A number of responders recognised that mutilations had a number of welfare benefits. The Scottish Agricultural College suggested that 'the benefits of carrying out any procedure that is classed as a mutilation must outweigh the disadvantages'. For example, the tail docking of sheep and pigs at an early age was regarded to have 'very positive welfare aspects' (Union of Country Sports Workers, Moredun Research Institute). Scotlean Pigs considered that it was essential that tail docking in pigs should be permitted where there was judged to be a future risk of tail biting occurring.

Some responders expressed concern at the mutilations that were undertaken on livestock. Animal Concern regarded the docking of tails of lambs and pigs to be an indication of poor farm welfare standards. The Scottish Hawk Board questioned 'where is the welfare benefit in punching calves' and lambs' ears to fit so many eartags that then get torn out on wire fences?'. The Scottish Agricultural College noted that livestock suffered 'acute and chronic pain resulting from the procedure' and there was 'ample evidence that all these procedures cause pain and distress to the animals'. It suggested that these mutilations should be reviewed as 'the status quo has not been questioned':

A valid approach would be on the basis of 'the 3 Rs' whereby the use of the procedure should be reduced (fewer lambs or calves castrated), replaced (alternatives should be found) and refined (better methods should be sought). On many farms single lambs of fast growing breeds are routinely castrated. This is often unnecessary as these lambs are finished well before the reach sexual maturity. Improved environments will allow pigs to be kept in a manner which prevents tail biting and so avoid the need for tail docking. The use of polled breeds of cattle will avoid the need for calves to be de-horned. In the United Kingdom, the rubber ring method has evolved as a method of choice for castration and tail docking. This is despite its use being restricted by law to lambs under one week of age. Several research groups have developed novel methods of castrating lambs in a more welfare friendly fashion. These include the use of local anaesthetic or improved castrators which damage nerve fibres in such a way that the lamb no longer feels the sensation of its dying tissues. We recommend that the provision include the option that Scottish Ministers could take powers to ban or restrict certain mutilations and introduce a code to regulate the competency of non veterinarians to undertake these mutilations.

IFAW also suggested that a revised and comprehensive list of prohibited operations and procedures should be introduced. It suggested that this should include all existing procedures and also the following ones:

- o Tail or ear docking of a dog,
- o Declawing of cats,

- o Removing teeth, claws, stings, spines, scent glands, or any other mechanism for defence or attack in any animal, in order to facilitate managements,
- o Removal or damage to the vocal apparatus in order to reduce noise,
- o Any other surgical procedures undertaken solely for cosmetic purposes,
- o Surgical procedures, which do not benefit the individual animal in question. This refers to the controversial topic of organ transplantation. In this instance IFAW would support the RCVS position in stating that removal of an organ (in this instance a kidney from a young healthy stray cat), for transplantation directly contradicts the veterinary professions' ethical position. This organisation also suggested that all surgical procedures must be carried out under adequate anaesthesia and/or analgesia, the only exceptions being where substantiated scientific research indicates that the procedure, as undertaken, carries no risk of discomfort. It strongly encouraged a review of the current provisions based on recent scientific findings.