Potential controls or prohibition of electronic training aids in Scotland

CONSULTATION QUESTIONNAIRE

Please ensure that you have read and understood the consultation document before completing this questionnaire. If you have any queries, please contact us; contact details are provided in the consultation document. When returning this questionnaire, please ensure that you have enclosed your completed Respondent Information Form to ensure that we handle publishing your response in the correct manner. Thank you for taking the time to respond to this consultation.

Information about you

The following questions aim to gather general information about respondents that will aid in the analysis of the responses to this consultation.

Please indicate which of the sectors you most align yourself/your organisation with for the purpose of this consultation (please tick the one most applicable to you):

Animal Welfare Organisation	☐	Collar manufacturer	☐
Dog Society	☐	Local Authority	☐
Cat Society	☐	Veterinarian	☐
Animal Trainer	☐	Member of the general public	☐
Animal Behaviourist	☐	Retailer	☐
Pet Owner	☐	Other	☒

If 'Other', please specify

British Veterinary Association (BVA) and British Small Animal Veterinary Association (BSAVA).

Please indicate where you currently reside.

Scotland	☐
England	☐
Wales	☐
Northern Ireland	☐
Republic of Ireland	☐
Other	☒

If 'Other', please specify country

We are representative bodies for the veterinary profession, covering the whole of the UK.

Evidence on electronic training aids

This section gives you the opportunity to provide us with any information you may have on any misuse or positive outcomes of the use of electronic training collars

Consultation Question 1 Do you have evidence of any intentional or unintentional misuse or abuse of any type of electronic training aids in Scotland?

Yes ☐
No ☒

If yes, please provide details, including which type of collar or device.

We have no direct evidence of abuse. However, research has shown that while electronic collars of the same model produce repeatable stimuli, different e-collar models have large differences in their stimulus characteristics. It is also reported that the impedance of a dog varies from stimulus to stimulus and depends significantly on whether the dog is wet or dry. It was also noted that individuals may react very differently to the same electrical stimulation. Lines, J. A. and van Driel, K. and Cooper, J. J. (2013) *The characteristics of electronic training collars for dogs.* Veterinary Record, 172 (11).

These two factors mean that it would be possible for owners to inadvertently give a much larger shock than intended.

The CAWC report on The Use of Electric Pulse Training Aids (EPTAs) in Companion Animals states that there is some evidence to suggest that inappropriate use does occur in some groups such as certain populations within the military (e.g. Haverbeke et al., 2008)http://www.appliedanimalbehaviour.com/article/S0168-1591(07)00395-4/abstract) and police (Schilder and van Den Borg, 2004) These studies show that electric shock collars are open to misuse even in a controlled training setting. There was also evidence from the Defra study which states that:

'Owners recruited to AW1402 reported considerable variation in their use of e-collars, including use of high settings during training, and poor understanding of functions such as the warning cue. Most had used devices without formal training and instruction manuals varied considerably in guidance during training (Blackwell et al sub). Even where trainers used e-collars, there was evidence of variation from this best practice with only one trainer out of three recruited for the pilot study (Appendix 5) following a training programme that approximated to that used in this study, and the remaining two using high settings without pre-warning cues to discourage sheep chasing'.

Consultation Question 2 Do you have evidence of positive outcomes following the use of electronic training aids in Scotland?

Yes ☐
No ☒

If yes, Please provide details, including which type of collar or device.

We have no specific evidence of positive outcomes following the use of electronic training

aids however, there is a significant body of literature which shows that reward based training is more successful than punishment/aversive training e.g:

- Training methods and owner–dog interactions: Links with dog behaviour and learning ability NJ Rooney, S Cowan - Applied Animal Behaviour Science, 2011 – Elsevier
- Behaviour of smaller and larger dogs: Effects of training methods, inconsistency of owner behaviour and level of engagement in activities with the dog C Arhant, H Bubna-Littitz, A Bartels, A Futschik… - Applied Animal …, 2010 - Elsevier
- Survey of the use and outcome of confrontational and non-confrontational training methods in client-owned dogs showing undesired behaviors ME Herron, FS Shofer, IR Reisner - Applied Animal Behaviour Science, 2009 - Elsevier
- The relationship between training methods and the occurrence of behavior problems, as reported by owners, in a population of domestic dogs EJ Blackwell, C Twells, A Seawright… - Journal of Veterinary …, 2008 – Elsevier
- Effects of 2 training methods on stress-related behaviors of the dog (Canis familiaris) and on the dog–owner relationship S Deldalle, F Gaunet - Journal of Veterinary Behavior: Clinical Applications …, 2014 - Elsevier

Existing animal welfare protection

Currently, the Animal Health and Welfare (Scotland) Act 2006, sections 19 and 24, makes it an offence to cause a protected animal "unnecessary suffering" and to fail to meet the needs of an animal.

Consultation Question 3 Do you believe that this is sufficient to protect animals who wear electronic training aids?

Yes ☐
No ☒
Don't Know ☐
Please explain why.

We do not consider that the Animal Health and Welfare Act is sufficient to protect animals from the potential welfare risks of electronic training aids both because the majority of cases of their use will be unwitnessed and because proving an offence under the Animal Health and Welfare Act regarding the use of remote electronic training aids would be difficult, in view of the paucity of objective evidence.

It is very hard to accurately ascertain the impact the use of such devices – static pulse devices in particular - has on animals in terms of stress, emotional response and behavioural responses. Therefore it would be difficult assess when unnecessary suffering is being caused. The impact is also likely to vary between each individual animal, even within a particular breed (Vincent and Mitchell, 2006).

While there is little or no research into the effects of many types of electronic training aids, Defra's research (AW1402a which ended in 2011) concluded that electric shock collars

caused negative behavioural and physiological changes in a portion of dogs, were not more effective than positive reinforcement methods and were open to misuse, as owners either did not read the manuals or they were not provided.

In order to reduce the unwanted behaviour the user would need to apply the electric shock at a level that is sufficiently aversive to achieve an (negative emotional) response. Research by Shalke, Stichnoth and Jones-Baade (2005) showed that the application of electric stimulus, even at a low level, can cause physiological and behavioural responses associated with stress, pain and fear.

Yet as noted above, it is difficult for the user to determine at what point a negative emotional response would cause unnecessary suffering.

Therefore proving an offence under the Animal Health and Welfare Act regarding the use of remote electronic collars would not be straightforward and the legislation is not sufficient to protect animals from the potential welfare harms of electronic training aids.

We also note that the 2015 PDSA Animal Wellbeing (PAW) report found that 69% of pet owners were unfamiliar with their responsibilities under the UK animal welfare acts.

Consultation Question 4 Do you think that Scottish Government guidance or a statutory welfare code is required?

Yes ☒
No ☐
Don't Know ☐

Please explain why and what you would like to see in place.

While we acknowledge that Government guidance or a statutory code on the use of electronic training aids would be an improvement on the current situation we are not convinced that on their own they would be sufficient to ensure that electronic training aids do not cause welfare problems where they are used and think that some degree of regulation is required, especially in respect to electric shock collars

The failure to follow instructions on the use of electronic shock training aids was demonstrated by Defra research, (AW1402), which demonstrated that many owners and even trainers used the shock collars in a way that was not consistent with the manuals.

The report stated: 'Owners recruited to AW1402 reported considerable variation in their use of e-collars, including use of high settings during training, and poor understanding of functions such as the warning cue. Most had used devices without formal training and instruction manuals varied considerably in guidance during training (Blackwell et al sub). Even where trainers used e-collars, there was evidence of variation from this best practice with only one trainer out of three recruited for the pilot study following a training programme that approximated to that used in this study, and the remaining two using high settings without pre-warning cues to discourage sheep chasing.

Despite the Electronic Collar Manufacturers Association's (ECMA) efforts to raise the standards of instruction manuals and products, there is still the risk of the untrained user

failing to read or misinterpreting the instructions. It can also be difficult for a pet owner to understand exactly what effect the collar is having on the behaviour of a dog if they are not experienced in interpreting canine behaviour.

We therefore think that at least in respect of shock collars there is sufficient evidence of misuse and the potential for harm to call for a ban on their use. See below.

However, in respect of other types of electronic training aids the evidence is less clear, because research has not yet been undertaken, and statutory guidance may be appropriate.

If the decision is taken to introduce guidance or a statutory code we strongly recommend that this should advocate the use of positive reinforcement as the preferred approach to dog training and provide owners with detailed guidance on when to seek professional help. The code should also explain the potential problems with the use of aversive training methods, including not only electronic training aids but also other aversive training aids such as prong collars

We note that there is already advice available on training your dog in the Scottish Government Code of Practice on the Welfare of Dogs which states that:

'You should avoid punishment when training your dog as it teaches response out of fear; this is bad for its welfare and can cause behavioural problems later in its life'.

The introduction of a statutory welfare code (or guidance) should also help to provide best practice, set minimum standards for device instructions and aid prosecutions by establishing in court whether unnecessary suffering had been caused.

However we would caution over reliance on guidance or a code of practice as recent research by the Canine and Feline Sector Council has demonstrated that the majority of the public are unaware of the existence of the current Welfare Codes. We also note that the 2015 PDSA Animal Wellbeing (PAW) report found that 69% of pet owners were unfamiliar with their responsibilities under the UK animal welfare acts.

Ban or regulations

This section will allow us to gather views on a potential ban or stricter regulations.

Consultation Question 5 Thinking about the current legislation, which one of the following do you think is necessary?

A complete ban of certain devices	☐
Stricter regulations	☐
A combination of bans and stricter regulations depending on devices	☒
Scottish Government guidance or a statutory welfare code	☐
Nothing, current legislation is sufficient	☐
Don't Know	☐

Please explain why.

In terms of this consultation, we consider that there is sufficient evidence to introduce legislation banning remote static pulse training collars and by extension remote control static

pulse anti-bark collars, in order to help protect animal welfare.

We also note the current lack of research and evidence regarding the welfare implications of the use of other aversive methods of training and control including collars using a noise, vibration, ultrasonic sound or spray of water or citronella, which may be equally stressful for a dog. However, as there is general evidence in relation to aversive training we are calling for their use to be covered by a code of practice until there is scientific research to demonstrate that their use does not pose a welfare risk.
We are not currently calling for the sale of pet containment fences to be banned. However we recommend that further evidence is collected on their use and effectiveness, and that in the mean time they are covered by a code of practice

As a minimum we consider that stricter regulations should be introduced to control the sale and use of all aversive training collars and aids to help ensure any potential animal welfare implications or risks are minimised, This should include restrictions on the sale of these devices to ensure that purchasers are fully informed of the potential adverse effects of the devices and how to use them in accordance with the manufacturer's instructions. There should also be regulations on the level of aversive stimulus that could be delivered (including limits on the aversive stimuli like noise or vibration) and standardised instructions. Please see our response to Question 8 for further details.

Potential ban

Consultation Question 6 In your opinion, which, if any of the devices listed should be banned? (Please select all the devices you think should be banned.)

Please select all that apply.

Remote training collars

- Static pulse ☒
- Spray ☐
- Sonic ☐
- Vibrate ☐

Anti-bark collars

- Static pulse ☒
- Spray ☐
- Sonic ☐
- Vibrate ☐

Boundary Fence Systems

- Static pulse ☐

Don't Know ☐

Please explain why.

As previously mentioned, we are calling for a ban on the sale and use of remote electric shock collars and remote control electric shock anti-bark collars and controls on the use of other aversive training aids.

The veterinary profession recognises the importance of addressing animal behaviour problems. For example, BSAVA has produced a Manual of Canine and Feline Behavioural Medicine and offers various CPD courses on animal behaviour. However, like the Association of Pet Behaviour Counsellors (APBC) we have significant concerns about the use of all aversive training devices (including choke chains and prong collars) which may cause an animal fear or pain. These concerns are backed up by the website 'Welfare in Dog Training' which provides scientific information on the possible consequences of aversive training.

APBC has advised BVA that some shock collar users employ the devices for negative reinforcement, where the shock is administrated until the dog behaves in the way the owner wishes, which is likely to be even more open to abuse. APBC would not advocate the use of techniques that use pain and fear as a training tool and would welcome a ban on remote electric shock collars and anti-bark devices.

BVA has also been advised by an academic animal behaviourist specialist (Dr Rachel Casey RCVS and European Specialist in Veterinary Behavioural Medicine and Senior Lecturer in Companion Animal Behaviour and Welfare at the University of Bristol), who suggested that the use of 'aversive methods' is widely accepted in behavioural medicine to be a potential cause of problems rather than a good way of resolving them and she would support a ban on electric shock devices and more research into the implications of other types of collars.

A European Veterinary Specialist in Behavioural Medicine and a Certificated Clinical Animal Behaviourist both advised BVA that they would support a ban on electric shock collars. The latter also advised us that no one should need electronic collars 'as a last resort' to train dogs and there is no evidence to demonstrate the use of shock collar training works where other techniques fail.

There is evidence from research that electric shocks (and other aversive stimuli) may not only be acutely stressful, painful and frightening for the animals, but may also produce long-term adverse effects on behavioural and emotional responses. Animals may not associate the pain of the aversive stimulus with their behaviour but with their location or some other circumstance experienced by the animal when the stimulus was received.

We also note that the most recent Defra research into electronic training collars advised that "the study did find behavioural evidence that use of e-collars negatively impacted on the welfare of some dogs during training even when training was conducted by professional trainers using relatively benign training programmes advised by e-collar advocates." They also found that the e-collar was not more effective than rewards-based training for recall and chasing, even though this is the scenario that advocates of electronic collars particularly recommend the collars for.

Employing electric shock as a form of punishing or controlling behaviour and other means that rely on aversive stimuli are open to potential abuse and incorrect use of such training aids has the potential to cause welfare problems.

Apart from the potentially detrimental effect on the animal receiving shocks there is also anecdotal evidence that there is a risk to public safety from the use of shock systems, as they evoke aggression in dogs under certain circumstances. Instead we would strongly

recommend the use of positive reinforcement training methods that could replace those using aversive stimuli.

Therefore we consider that static pulse collars (including remote control anti-bark collars using a static pulse) should be banned.

We note that the Scottish Government Code of Practice on dogs supports this approach, advising owners to: 'Reward good behaviour with something that your dog finds enjoyable (such as play, food or attention) and make sure that you respond immediately. These positive training methods are based on a dog's natural willingness to obey. You should avoid punishment when training your dog as it teaches response out of fear; this is bad for its welfare and can cause behavioural problems later in its life'.

Defra's Code of Practice for the Welfare of Dogs similarly advises that 'good training can enhance a dog's quality of life, but punishing a dog can cause it pain and suffering … All dogs should be trained to behave well, ideally from a very young age. Only use positive reward based training. Avoid harsh, potentially painful or frightening training methods'.

Potential regulation

Consultation Question 7 - In your opinion, which, if any, of the devices listed require regulation? (Please select all the devices you think should be regulated.)

Remote training collars

- Static pulse ☒
- Spray ☒
- Sonic ☒
- Vibrate ☒

Anti-bark collars

- Static pulse ☒
- Spray ☒
- Sonic ☒
- Vibrate ☒

Boundary Fence Systems

- Static pulse ☒

Don't Know ☐

Please explain why.

As referred to in our response to Question 5, we note that while there is specific research in relation to shock collars there is a lack of specific research and evidence regarding the welfare implications of the use of other aversive training aids and boundary fence systems . However, we consider that there is sufficient general evidence in relation to aversive training to require regulation of these devices until there is scientific research to demonstrate that

their use does not pose a welfare risk.

Until research has been completed we consider as a minimum, these devices should be regulated, in terms of requirements in relation to manufacturer's instructions and their sale and use, to ensure that as a minimum those using them are aware of the manufacturer's instructions and the potential adverse effects of their use.

For further details please see our response to Question 8.

Consultation Question 8 - If the use of electronic training aids was regulated, what conditions should be required for the authorisation of their use? Please explain why you think that this is necessary.

Our preference is for a ban on remote control static pulse training collars and remote control static pulse anti-bark collars. We would also welcome a statutory Code of Practice for all aversive training aids, though as a general rule, non-aversive, positive training methods should always be used.

Regulatory options for other electronic training aids might include specifications for the design of the devices, limiting the aversive stimulus that can be delivered, requiring the incorporation of a predictive stimulus (e.g. warning tone before aversive stimulus is delivered), legal requirements on the precise content of the provided instructions and information about the potential impact of aversive training.

In addition, restrictions could be placed on where the devices might be purchased, such as only allowing their sale at permitted particular retailers such as pet shops and not online, in order to ensure that as a minimum purchasers are given explicit instructions about their use and the potential negative consequences of using aversive training. Potential purchasers could be required to answer questions along the lines of those currently used at shops such as Pets at Home to ascertain whether buyers are aware of how to properly care for the pets they are seeking to buy. It could be a statutory requirement to provide specific written and verbal guidance with the purchase. The retailer could also be required to recommend that the customer consult an accredited animal trainer for further assistance.

Furthermore, we wish to highlight the Companion Animal Welfare Council (CAWC) report on The Use of Electric Pulse Training Aids (EPTAs) in Companion Animals published in September 2012.

The CAWC report advised that if EPTAs weren't to be banned, there was a need for key product characteristics to be made freely available, including the reliability of the product, its electrical discharge features and its current and voltage output over a range of resistances. It further recommended that additional safeguards against their misuse should be added. These could include a voltage limitation feature within the device and a registration, licensing of practitioners, or a procedure for documenting each use of an EPTA.

We suggest that these proposed standards ought to be explored by the Scottish Government, should it decide not to ban remote control electric pulse training collars.

Consultation Question 9 If the use of electronic training aids was regulated, which bodies would be best placed to authorise the use of electronic training aids? Please explain why.

Our preference is for a ban on the sale of remote control static pulse training collars.

The use of other electronic training aids could be authorised via local authority licensed pet shops.

A pet shop would be permitted to sell the devices (as per our response to Question 8). The devices would not be available for sale online or on the shop floor, but customers would have to ask for them and the relevant statutory written and verbal advice provided. However, we recognise that this could place an additional burden on already stretched local authorities and pet shops.

Alternatively, a formal authorisation/'prescription' to buy an electronic training device (not including electric shock devices) from a retailer could be acquired from a suitably qualified person such as an accredited behaviourist or trainer (e.g. a member of the Animal Behaviour and Training Council) to address a specific training or behaviour issue, such as the use of vibration collars for deaf dogs.

Use and financial impact – Pet Owners

This section is seeking information to inform any business and regulatory impact assessment that may be required.

Consultation Question 10 - Have you ever bought an electronic training device?

Yes ☐
No ☒

If yes, please specify which device(s) you have purchased.

Remote training collars

- Static pulse ☐
- Spray ☐
- Sonic ☐
- Vibrate ☐

Anti-bark collars

- Static pulse ☐
- Spray ☐
- Sonic ☐
- Vibrate ☐

Boundary Fence Systems

- Static pulse ☐

Consultation Question 11 - From where did you purchase your device?

Direct from a manufacturer ☐
Pet store ☐
Online e.g. Amazon/eBay ☐
Other ☐

If 'Other', please specify.

Consultation Question 12 - How much did your device cost? Please use the price ranges below.

Under £50 ☐
£50 - £100 ☐
£100 - £150 ☐
Over £150 ☐
Don't know/can't remember ☐

Use and financial impact – Manufacturers/retailers

We would like information on how introducing a ban or regulations would affect your business in the collar industry.

Consultation Question 13 - Would your business/company be affected by any ban or stricter regulations put on the use in Scotland of any of the electronic training aids listed?

	Yes	No	Don't know
Remote training collars			
• Static pulse	☐	☐	☐
• Spray	☐	☐	☐
• Sonic	☐	☐	☐
• Vibrate	☐	☐	☐
Anti-bark collars			
• Static pulse	☐	☐	☐
• Spray	☐	☐	☐
• Sonic	☐	☐	☐
• Vibrate	☐	☐	☐
Boundary Fence Systems			
• Static pulse	☐	☐	☐

Please provide details of any effect on your business/organisation.

N/A

Consultation Question 14 - If known, how many of the listed electronic training aids has your business sold to users in Scotland within the 2014/15 financial year?

Remote training collars

Static pulse	
Spray	
Sonic	
Vibrate	

Anti-bark collars

Static pulse	
Spray	
Sonic	
Vibrate	

Boundary Fence Systems

Static pulse	

Consultation Question 15 - If known, please provide an approximate annual profit obtained from sales of electronic training devices per year. If possible, please indicate what proportion of those sales were in Scotland or the UK.

N/A

Use and financial impact – Dog trainers/behaviourists/manufacturers/retailers

This section allows you to provide information on the use of electronic devices in Scotland.

Consultation Question 16 - Would a ban or restriction in Scotland on the use of any of the electronic training aids listed have an effect on your business or organisation?

Remote training collars	Yes	No	Don't know
• Static pulse	☐	☐	☐
• Spray	☐	☐	☐
• Sonic	☐	☐	☐
• Vibrate	☐	☐	☐
Anti-bark collars			
• Static pulse	☐	☐	☐
• Spray	☐	☐	☐

- Sonic ☐ ☐ ☐
- Vibrate ☐ ☐ ☐

Boundary Fence Systems

- Static pulse ☐ ☐ ☐

Please provide details of any effect on your business/organisation:

N/A

Consultation Question 17 - Please describe what effect restricting the use of electronic collars to authorised persons would have on your business or organisation.

N/A

Use and financial impact – Pet behaviourists/pet trainers

We would like you to provide information on the use of electronic collars in Scotland.

Consultation Question 18 - Approximately how many dogs did you recommend the use of electronic training collars for in Scotland in 2014?

N/A

Consultation Question 19 - If you sometimes recommend the use of an electronic training collar, generally, do you provide the electronic training collars or do owners purchase the collar themselves?

I provide the collar ☐
Owners purchase themselves ☐
It varies ☐

About the consultation

While we have done our best to explain the issues facing us clearly, there may be aspects that you feel that we have not explained well or have not covered at all.

The following questions in this consultation paper are to provide you with the opportunity to raise such points, and to provide us with feedback on the consultation itself.

Consultation Question 20 – Please provide any other comments you may wish to add on a potential ban or regulation of electronic training devices.

Comments:

Consultation Question 21 – Do you consider that that consultation explained the key issues sufficiently to properly consider your responses?

Yes ☒
No ☐

Consultation Question 22 – Do you consider that you had sufficient time to respond to the consultation?

Yes ☒
No ☐

Consultation Question 23 – Do you have any other comments on the way this consultation has been conducted?

N/A