



**SELECT COMMITTEE  
OF  
TYNWALD COURT  
OFFICIAL REPORT**

**RECORTYS OIKOIL  
BING VEAYN TINVAAL**

**PROCEEDINGS  
DAALTYN**

**ANIMAL WELFARE  
(PETITION FOR REDRESS)**

**HANSARD**

**Douglas, Friday, 24th July 2015**

**PP2015/0125**

**AW, No. 2**

*All published Official Reports can be found on the Tynwald website:  
[www.tynwald.org.im/business/hansard](http://www.tynwald.org.im/business/hansard)*

**Members Present:**

*Chairman:* Mrs K Beecroft MHK  
Mr D C Cretney MHK

*Leave of absence:* Mrs B J Cannell MHK

*Clerk:*  
Mrs M Lambden

**Contents**

Procedural.....	31
EVIDENCE OF Ms Lyn Renshaw, Sanctuary Manager and Mr Adrian Cannell, Welfare Officer, MSPCA; and Mr Raymond Cox, Principal, Milan Veterinary Practice and MSPCA Vet .....	31
<i>The Committee sat in private at 12.08 p.m.</i> .....	55

## Select Committee of Tynwald on Animal Welfare (Petition for Redress)

*The Committee sat in public at 10.30 a.m.  
in the Legislative Council Chamber,  
Legislative Buildings, Douglas*

[MRS BEECROFT *in the Chair*]

### Procedural

**The Chairman (Mrs Beecroft):** Good morning, everybody. Welcome to this public meeting of the Select Committee on Animal Welfare, Petition for Redress. This Committee was set up on 19th November 2014 by Tynwald in response to a Petition for Redress presented by  
5 Ms Roseleen Harrison at St John's on 7th July 2014, requesting that Tynwald considers the introduction of animal welfare legislation in the Isle of Man, comparable to that contained in the UK Animal Welfare Act 2006.

I am Kate Beecroft MHK and I chair this Committee; with me is fellow Committee Member, Mr David Cretney MLC. Mrs Brenda Cannell MHK presently has an extended leave of absence.  
10 Our Clerk is Marie Lambden, Third Clerk of Tynwald.

Can I please ask that you ensure your mobile phone is switched off, not just on silent, as it interferes with the *Hansard* recording. Also, for the purposes of *Hansard*, I will be ensuring that we do not have two people speaking at once.

This is the second oral evidence for this Committee and we welcome Lyn Renshaw, Sanctuary  
15 Manager of the MSPCA, Adrian Cannell, Welfare Officer of the MSPCA and Mr Raymond Cox, Principal of Milan Veterinary Practice, as the MSPCA's veterinary surgeon.

Welcome to you all.

### EVIDENCE OF

**Ms Lyn Renshaw, Sanctuary Manager and Mr Adrian Cannell, Welfare Officer, MSPCA; and  
Mr Raymond Cox, Principal, Milan Veterinary Practice and MSPCA Vet**

**Q81. The Chairman:** First of all I would be grateful if you would each please state for the record what your position is with the MSPCA, when you took up the role and what the role  
20 involves.

Ms Renshaw?

**Ms Renshaw:** Hello, Lyn Renshaw, Sanctuary Manager. I have been sanctuary manager since 2003 and my daily duties are the day-to-day running of the sanctuary, that is looking after the  
25 animals at the sanctuary along with the staff.

**Mr Cannell:** Good morning, I am Adrian Cannell the Welfare Co-ordinator for the MSPCA. I have been in that position since January 2014. My day-to-day duties are investigating complaints that are received by the sanctuary regarding any potential cruelty or neglect issues involving any  
30 of the Island's animals.

**Mr Cox:** Good morning, I am Raymond Cox and I am the principal of Milan Veterinary Practice and have been so since 1997, although I first moved to the Isle of Man in 1987, so I have practised here for some years. My practice has provided veterinary services to the MSPCA since 1997. We will provide routine veterinary care to any animals and we will also then provide expert opinions on cases of cruelty, and attend any potential cruelty cases with the welfare officer.

**Q82. The Chairman:** Thank you.

We will be asking you a series of questions but please feel free, whoever feels most able to answer... we do not know which particular skill set will be relevant to which question in advance, so if that is okay with you?

Could I ask first of all what qualifications do MSPCA officers have and does the organisation as a whole consider these to be sufficient? If not, what qualifications should be followed and would there be sufficient resources to gain the desirable qualifications?

**Ms Renshaw:** We obviously have life and work experience through being at the sanctuary. There are a number of staff who have been at the sanctuary for a number of years and it is life skills that they have. We do have staff now coming in that do have certain qualifications that they may have sought at university, and we have other staff that are dealing with online courses.

We also get guidance from relevant parties on the Island – obviously Milan Vets, the Police, etc – and help has been offered from the RSPCA in Horsham. We are also looking into having staff trained and to be able to shadow some of the inspectorates over there. Also, if possible they might be able to come over to us to do some courses at the sanctuary. So we are looking into having our staff go over to Horsham, if possible.

Adrian, do you want to say anything?

**Mr Cannell:** No, that is fine, that covers it.

**Q83. The Chairman:** Do you feel that the MSPCA has sufficient powers? What actual powers do you have – or does any other party have – to assist an animal which is suffering at the moment? How does this differ from the UK?

**Mr Cannell:** We, as the sanctuary and me as an officer, do not have any powers. When we see an animal suffering we are reliant on police intervention, to be able to come in and assist us where we feel there is a requirement for them to take over because they can prosecute for any offences – neglect and cruelty.

We are solely reliant on our ability to be able to communicate with people reasonably; we can try and educate them and see if there is a solution through education rather than a requirement to bring it before a court.

**Q84. Mr Cretney:** How does that differ from the RSPCA?

**Mr Cannell:** The RSPCA does not have any further powers than we do, other than the fact that in certain circumstances they are directed by their local authority and they will take more appropriate action. They will get involved more and they have a wider knowledge base through Horsham, where they train their inspectors to a greater level than I currently have.

**Q85. The Chairman:** So the way that they can go a bit further than you, is this because they have been asked by the local authorities to perform that role?

**Mr Cannell:** The local authorities were given powers under their own Welfare Act to actually appoint inspectors, but they have not sought to do that; and by way of not doing that when a

85 matter comes up where they have not got any staff available, or anybody who is trained, they refer it to the RSPCA – even though the RSPCA do not have the power to fulfil the duty as stated in their Act.

**Mr Cox:** The 2006 Welfare Act in the UK has actually legislated for powers of entry onto a property to inspect. There are no powers to enter a private dwelling or any part of the property that is used as a private dwelling, but it is enacted that they can go on to the property – what I mean by that is an inspector. That may or may not be an RSPCA person in the UK, because it is down to the local authority to appoint inspectorates, but of course many of the local authorities have not done that in the UK and that is highlighted in the Wooler Report.

95 This really is the document that perhaps we should look at very carefully in our progression of this Welfare Act, because whilst the 2006 UK Act is a good piece of legislation and has addressed a lot of the issues that we have come across, the flaws have been highlighted in the Wooler Report; therefore, we would like to see us taking the good bits out of the Wooler Report and saying, 'Right, let's now put in *our* Act, the correct way forward.'

100 But the short answer to 'What powers do the MSPCA have?' is 'Zero'. And the short answer to 'What powers would we like to see?' is 'Powers akin to that in the 2006 Act'.

**Q86. Mr Cretney:** Can I ask, on a practical basis, how things work in terms of if you are required to call in the police on any matter? We are all aware that everybody is busy, busy, busy – but do they respond in a timely manner, etc?

105 **Mr Cannell:** To be fair to them, yes they do.

I know they are extremely pushed on other matters, but we have built up a really good relationship in the last few years where we try and do a lot of what we would call their leg work, a lot of the running around for them, on their behalf. Collating the best paperwork we can give them to progress the matter to a court phase if it needs to head that way.

110 A lot of the policemen will come to us in the first instance if they receive a complaint direct to them, for us to assist them and ask for a viewpoint and see if there is anything that we can do. Again, by way of education, a lot of the time the cruelty that we have reported to us is not so much cruelty, it is more an absent-minded approach where somebody has neglected to do something by way of forgetfulness – it is not what you would call a directly cruel act.

**Q87. The Chairman:** Does the MSPCA have any views on DEFA – the Department of the Environment, Food and Agriculture – setting up a forum to include authorised inspectors each with a different type of animal specialisation?

120 **Ms Renshaw:** We do agree with that because we feel that it would give a wider spectrum of inspectorates for the Island. There are people who are specialised on the Island in certain animals – you have the Horse Council who are specifically very good, and trained to deal with that side of it. We are obviously more the companion animal; and you have DEFA who will be dealing with the livestock.

125 We, as a society, do believe the forum would be of benefit because it would give a wider spectrum generally for the Island.

**Q88. The Chairman:** Would either of you like to say anything on that?

130 **Mr Cannell:** No, exactly that: a collective group of professionals is better than one person trying to wade through a series of books... I think that is the easiest way.

135 We have all discussed at length, prior to coming here, what we would like out of that. Obviously we have the knowledge of a wide spectrum of animals but we are not professional on an individual... but we have got Mr Cox and other professionals on the Isle of Man that we can

turn to – and we do. Every time I go to something that is obvious, I turn to our local vet and we ask him for advice, we call him out if necessary or we bring the animal to the sanctuary and we seek the relevant professional advice. Again, the same with horses, we can call out pony or horse experts and they come to assist us.

140

**Q89. Mr Cretney:** You get involved in much more than companion animals though, don't you? I am aware that you get hedgehogs and all sorts brought to you, don't you?

**Ms Renshaw:** We do, yes, we get a wide variety and we do what we have within our powers; but because there is quite a wide range of knowledge on the Island we can call on these people, and I think it is better to have a wide pool of people.

Yes, they can be experts in their field and also you have to think of the animal as well because they can give you knowledge. Also, we will speak to people in the UK if we feel that we do have something outside of our remit that we have not dealt with before, so we will speak to people in the UK and seek their advice. Even, sometimes, the general public can offer advice but we would normally go through the channels of the vets... but we have used the Wildlife Park. There is a wide spectrum of people out there, so I think definitely a forum is a very good idea.

150

**Q90. The Chairman:** Good.

Does the MSPCA support the idea of a register of offenders to make the information on past offenders of animals more easily accessible to the public?

155

**Mr Cannell:** Yes, I would agree with a register. However, there are a lot of practical implications behind that with regard to data protection, and also 'collateral intrusion' I think they call it in the police, where you have crossover information. It is easy to say having a register would be a very good idea, but being able to maintain it to the standards within the Data Protection Act might be the stumbling block. But, on the face of it, yes.

160

**Q91. The Chairman:** Yes, so subject to be able to find a way to comply with data protection you would be in favour of the principle of it?

165

**Mr Cannell:** The principle of it, yes.

**Ms Renshaw:** Yes, absolutely.

170

**Q92. The Chairman:** And presumably you would be in favour of it just for cases of absolute cruelty rather than the neglect side, where it was unintentional; or would you want a broader remit?

**Ms Renshaw:** I think initially it would be for the cruelty and the banning of animals, because we may have somebody come to the sanctuary and we do not know, we have not got a clue. So I think initially it would be for the cruelty and if they have been banned.

175

I don't know? How do you both feel?

**Mr Cannell:** I would go with Ms Renshaw's suggestion, obviously for cruelty only. As I explained before there are a lot of cases I deal with which is just people losing their way in life – they have lost their job, or they have lost their ability to care for the animal to a high enough standard, and people would see that from a distance as being cruel. I would suggest there is a balance there to be found in the middle.

180

**The Chairman:** Yes, they probably just need a bit of help at that stage.

185

**Mr Cannell:** Yes, and that is, in essence, what a large part of my job is... to go out and to try and educate, and help.

190

**Q93. The Chairman:** Yes, good.

Concerns have been expressed about the importation to the Isle of Man of puppies bred on puppy farms, and the importing of furs. DEFA has informed us that these issues are covered under EU legislation.

195

Does the MSPCA believe that the importation of either puppies or fur is a problem on the Isle of Man?

**Ms Renshaw:** Firstly, puppies. Yes, we do believe there is a problem.

200

We know that puppies are brought onto the Island and we have dealt with them ourselves. Proper checks need to be done at the ports, and again we have discussed this at length and it is actually having proper criteria in place. We know there are EU laws in place, but if they actually come by boat onto the Island what checks are done at the ports? We are not aware of any checks that are done at the ports – but that could be through manpower, etc.

205

We thought that anybody who is looking at getting a puppy may have to obtain a permit first to bring the puppy onto the Island – a bit like if you bring a car onto the Island you have to have it registered when you get here. It could be that they had to go to the vet to get the puppy checked and made sure it is healthy and that all the paperwork is in place, because there has got to be a paperwork trail – which there is not.

210

We know there is the legal side, that they have to be a certain age and that you can only bring so many in, but it is very hard for people to tell how old puppies actually are. I think that is a real major stumbling block. Also, where do they bring them in from, because again you just do not have a paper trail at times. Those are the problems that we face.

215

**Q94. Mr Cretney:** Is there an additional issue in terms of... I have noticed recently that dogs, not puppies, seem to be coming from further afield – obviously some countries do not respect animals as much as we do.

**Ms Renshaw:** Yes, and again it is a problem.

220

We understand why people do it but it is a problem for the dogs here on the Island, because they do miss out on getting a home. But bringing the dogs over you have to look at disease as well – what diseases may come onto the Island.

225

Most people do bring them through the right channels, we are not saying they do not, but you have got to have these checks in place to make sure that everything is done correctly for the people. So there are very limited ways for us of doing that at present, we do not really have any ways of doing it, do we?

230

**Mr Cox:** The EU legislation for the importation of dogs and cats has been strengthened as recently as December 2014, whereby the minimum age limits for the transportation of dogs was raised because they all must be vaccinated at 13 weeks of age as a minimum. They then must have a 21-day period after that vaccination before they are allowed to be imported into the UK. So, *de facto*, that pushes the age of the dog to at least 16 weeks.

235

Without being... and I don't know how I can put this, but in the UK we tend to make rules and we tend to follow them. Some of our brethren in the UK and further afield do not seem to attach the same significance to pet passports. I had a client who arrived into my clinic not two weeks ago, with a pet passport issued in an Eastern European country for a dog that was on the Isle of Man. So in other words his mate in Romania provided the passport! So that happens, and we recognise that; and I think in the UK we recognise the weakness of the outer borders of the EU for a whole variety of things.

240 So if we just talk about the dogs – which is what we are about today – we have dogs coming into the UK and therefore into the Isle of Man. Transportation from the UK to the Isle of Man is without restriction, and we do not foresee ever being able to apply any restriction to that because it is a two way street, as it were. We are going to the UK all the time and this morning, I am sure, there are lots of people who have taken their dogs on the Ben and *vice versa* they are coming in the other way. So we would not envisage being able to restrict things along those lines; but the dogs that are coming in from further afield may be adhering to the minimum UK or EU legislation, i.e. vaccination against rabies, identification via microchipping, and the Echinococcus – which is a type of tapeworm treatment.

250 They are adhering to the bare legal minimum, but that actually would be a very little part of the disease risk with these animals coming in – we are talking about other diseases, which are *not* legislated for. Dogs coming in from the Mediterranean basin particularly will bring diseases into this country, into the UK and then the Isle of Man, which we do not routinely have – but we will have if we continue to bring these dogs in. They are all coming from poor sources – they are the stray dogs, the neglected dogs and therefore their health status is at the bottom of the pile. That is one aspect which is a worry for us on the Isle of Man, particularly. How we address that with legislation is maybe another whole difficult area but... okay, that is one part of it.

255 The second part of it is dealing with the puppy farms, which is the issue that really was the nascence of this grievance, wasn't it? It was the actual managing of these puppies which were coming in from both Southern and Northern Ireland. If it is Northern Ireland, obviously it is part of the UK, and if it is Southern Ireland it is part of the EU – so there is a slight variation as to how, technically, the dogs should have been brought into the UK and the Isle of Man. But of course freedom of movement across the border in Ireland is the norm – there are absolutely no restrictions whatsoever.

260 The puppies that we are dealing with, which Roseleen became concerned about, were puppies that were coming from the south of Ireland, or puppies coming from the north of Ireland, it did not make any difference – they were coming in the back of a van and arriving here. That is the part that I think we should be trying to focus on. That is something that we can do something about, in other words enforcing the legislation that is already in place.

265 What I mean by that is, again, the minimum age for vaccination at 13 weeks, microchipping and then having the correct paperwork brought in with them. But if they come in from the south of Ireland to the Isle of Man directly, which is what happened, nobody at any point will make a check on that – there is no system in place whatsoever for that to happen. We perceive that to be the weakness and we think that is something that should be addressed in our Welfare Act – and it should be possible to do so because we are not reinventing the wheel, we are merely saying we have got to put the structure in place to enforce these regulations.

270 **Q95. Mr Cretney:** Back to a similar situation, I think I have seen stuff on television where Eastern Europeans brought puppies to the UK in the back of a van and were seen selling them in supermarket car parks – it is that kind of thing where there is virtually no control over them that needs to be strengthened.

280 **Mr Cox:** Yes, for sure.

285 We are bringing in compulsory microchipping to the Isle of Man so already we are doing something which is very good, and off the back of that we can strengthen our Welfare Act because, as Lyn was saying, we need a permit to bring a dog to the Isle of Man... that is not as unworkable as perhaps it might sound.

290 **Q96. The Chairman:** Can I ask, is it just transmittable diseases that concern you; or is it the genetic problems that some of these animals can have and the worry, if they are bred, that the genetic problems can be passed on and then stay here?

**Mr Cox:** First off, the disease risk is very real and percentage-wise is out there. I read my colleagues' reports in the south of England, I am talking about leishmaniasis – heartworm – particularly. These are conditions that we just do not recognise in this country.

295 In other words if somebody came into my clinic this morning with a dog with one of these exotic diseases I would be hard pushed to diagnose it – because I have never seen it. I have never been trained to see it and that is a real difficulty for us in the profession. Eventually after a while we would be saying, 'Hang on, we are not making progress here' – and we would probably get the diagnostics done quickly. But we do feel as a profession there is a weakness here.

300 We all worry about rabies because it is a bit scary disease and it has got very nasty connotations, but statistically the risk of your dog catching rabies is minuscule. The risk of your dog coming back from the family holiday in France with heartworm is very real. I am talking about really well-looked after dogs born and bred on the Isle of Man, the people are *very* good clients of mine, they take the best advice – but they still have a risk. They are advised of that risk, of course, and we try to meet that risk. So, transmissible diseases is a real and not a theoretical risk – and that is an immediate risk.

305 When you talk about genetic problems and whatever, yes that would be an issue but given that most rescue societies have a fairly strict neutering policy... the worry about bringing dogs in from these exotic places in the Mediterranean basin, as a rule of thumb they are neutered fairly early on. A lot of them are neutered before they come to the Island and that is a solid policy – so therefore we limit the transmission of the genetic diseases.

**Q97. The Chairman:** I was thinking more of the puppies coming in from puppy farms within the UK who had genetic problems, I am thinking of the ones with the hips and things like that. People do not always realise what they are buying and that they are buying a puppy with a problem.

**Ms Renshaw:** And that is the problem, they do not... they see a cute little fluff ball and they do not understand the health problems that puppy is going to have. Not all of them do, but sadly some do and, yes, it is an issue and how we can get over that. We have got to have some type of legal side that these puppies can be checked, so there is a paper trail on where the puppy came from. It protects the new owner as well so they can actually go back and make sure it is a reputable breeder that it has come from.

I don't know, what is your view on that?

325 **Q98. Mr Cretney:** Sorry to keep referring to the telly, but there was a programme on just last night about dogs, and people were breeding dogs even though the vet had advised otherwise because this boxer had a problem with his eye... but it was a source of income.

**Ms Renshaw:** Sadly it happens on the Island as well. We do get people who will breed on the Island and sometimes those dogs do have issues.

330 We try to advise people – and I know the vets do as well – but I think, again, it is also the education. Education is one of the main things to really hit home to people what pitfalls you can face. I think there is always going to be a call for people wanting puppies from... and they are cheaper, and that is what it boils down to, sadly. It is the education and having the paperwork trail in place for that not to happen.

**Mr Cox:** The control of breeding premises would be part of our Welfare Act, so we might be able to control things on-Island better.

340 Being able to control things off-Island is outside of our control, except for education – trying to advise people to be very wary of where they go to purchase a puppy. But we should be able to control the breeding premises and have registration of people breeding dogs on the Isle of Man.

**Q99. The Chairman:** Thank you.

345 Moving on to traffic accidents: in the event of it not being possible to legislate for the reporting of traffic accidents involving cats and dogs, is there any system which you feel should be put in place? And if there is, how do you think it could be achieved?

**Mr Cannell:** The police have the massive issue of how on earth they could possibly legislate for every cat that was killed on the roads of the Isle of Man, and the ability to be able to report or look into every accident – or collision, as they call it these days – in respect of that.

350 You could provide the stations, or the police, to register that you have hit a cat without fear of repercussion – that would be the simple answer. But to legislate anything else I think would be impractical because late in the evening and in dark hours how on earth would you know you have hit a cat? A lot of the time, even during the day time, I would imagine that most motorists – especially the way they drive these days – would be hard pushed to know whether it would be a cat or a rabbit.

355 You are stepping into a whole different area, and again I would imagine the police would be up in arms to argue the point that they could not control anything that was legislated to cover cats. But a system in place where they have to register the accident, or register that they have hit a cat with the local police office or even ourselves would be a way forward, or a middle ground.

**Q100. The Chairman:** Do you think people would be more willing to come forward to say, 'We have had an accident', or whatever, if they knew that –

365 **Mr Cannell:** Without fear.

**The Chairman:** – there were going to be no repercussions?

370 From what I have been hearing, people are more concerned that an animal has been hit and is lying somewhere injured, and the bit that is concerning people is that nobody is letting anybody know that this animal is just lying there suffering, really.

**Mr Cannell:** Sadly that happens quite a lot in our working week, we would be called by members of the public who have stated, 'I have hit a cat, it is still alive' – but they have carried on.

375 That is not acceptable from our point of view, or from the general public I would suggest. It is their duty to inform us as soon as they can, so we can deal with it. But what time limit do you put on it that is reasonable and that can be... not enforced, but certainly impressed on people to do it? Obviously a lot of the cats these days are microchipped so it is becoming much easier to find the owner, which is a good step forward, because getting them back to their owners and allowing them to do the right thing by their cat is a big driver.

**Q101. The Chairman:** When an animal is rehomed, it is understood that confidential information should not be passed on to the new owner. However, is there provision for information relevant to the animal's experiences in life – and therefore the cause of particular behaviours – to be passed to the new owner to ensure a more successful transition?

**Ms Renshaw:** Yes, we do that ourselves already.

390 When an animal comes into us for re-homing – that can be anything such as cat, dog, rabbit etc – and we will keep the name of person who has given the animal to us totally confidential. That is not passed on. We will obtain vet records, so the vet will have that information when they get to the sanctuary; but when the animal is rehomed, we do not tell the new owner any of those details. They will have the vet information, but everything is blocked out so they cannot see any details of the previous person.

395 We do, with the new owner, go at length into any behaviour issues that may have been highlighted by the previous owner, or that we may have picked up ourselves while it has been at the sanctuary – and also what we have done with it and how we have tried to help the animal overcome it. We have done that for many years, so it is a day-to-day thing for us that we will always pass on the correct information, but not confidential information, to any new owner.

400 Sometimes the old owner will give an animal to us for very sad reasons and it is hard for them, so we are not going to breach their confidentiality by passing on information that the new owner does not need – bar illness or behaviour, etc.

**Q102. The Chairman:** Do you have anybody who helps you with behavioural problems – particularly with dogs... that would be the most normal thing wouldn't it?

**Ms Renshaw:** We do, and we are looking into that further. We are looking at behaviourists in the UK at the moment as well, because we are finding dogs are coming in with more behavioural problems – and that is an ongoing trend that is seen in the UK too.

410 We are looking at a number of behaviourists and we have got a lady from the Dog's Trust coming over, hopefully, in August or September to do a week's training with us on the behavioural side. But we are looking at having a behaviourist come over, hopefully, every other week to the Island. We do have somebody at present but they are more on the training side, so if the dog has got major behaviour issues we need to widen our circle... and, again, there is the expertise out there.

415 We are looking at actually going for a behaviourist, because there is such a wide pool. We belong to the Association of Dogs and Cats Homes, which is UK-based – including Jersey and Guernsey – so there is a wide pool of people there that we can use, who have actually got behavioural training and have done the courses, etc. So we have got people who we can call on and who we will be using.

**Q103. The Chairman:** Have you any idea why the trend in behavioural problems is growing?

425 **Ms Renshaw:** I think a lot of it is, sadly, people do not have time. I really think that sometimes can be the case. Sometimes people will take – and, again, it is mainly dogs – a dog on and they may not have researched the breed correctly, so they have not looked at what the breed is and whether it fits into their lifestyle. That is a real major issue.

430 We try to do that when people come to the sanctuary, we try to direct them in getting the right dog to fit into their lifestyle. We have some really good people on the Island that work with the problems, but we find normally it is caused mainly through people's lack of education and they are not looking everything. Again, sadly, somebody may get a puppy and of course they will do everything with it in the first few months they have got it, but then once it starts getting into the juvenile period it can wear a bit thin for people and they will lose interest – and that is a fact. People *will* lose interest.

435 Lots people don't though, lots of people work *really* hard at it – but we do get the ones that may have not been socialised properly. Again, you could go back and look and research whether those who have got a problem are from the puppy farms – those that have missed that really vital period that they should have had in the puppy weeks. We get the ones that really have not been socialised very well and you've really got to go back to puppyhood with them, to get them.

440 But the volume of dogs that we get with behavioural problems is increasing, sadly.

**Q104. Mr Cretney:** Is it related in any way to 'fashion dogs'?

445 **Ms Renshaw:** Yes it can be, definitely.

**Q105. Mr Cretney:** I have been to Battersea – and you see it on the television – and sadly it is full of ‘Staffies’. I just wonder is that common over here as well?

450 **Mr Cox:** It used to be border collies, then Staffies; and now it is going to be Inuits, huskies.

**Ms Renshaw:** We have had a few chihuahuas that have had real attitudes.

**Mr Cox:** Just because they are little does not mean they cannot have attitudes, of course!  
455 But the issue is, when it comes to danger: if you have got a powerful dog with a behavioural issue, it will kill you.

The chihuahua will give you a hard time, but he will probably not endanger life. We have dealt with dogs that have the potential to kill, and they are the large breed types. But trends, for sure: the rottweiler trend, that was big –

460 **Ms Renshaw:** That was a while ago –

**Mr Cox:** Yes, the 1980s, 1990s... But the Inuits and the huskies are really beautiful dogs, but they are working dogs and they need tremendous exercise regimes, which any of us here with a full-time job would be hard pushed to meet.

465 So it is the suitability, as Lyn says, matching the breed type and its requirements with your lifestyle.

**Mr Cretney:** Yes, match a husky with a Parish walker, I think!

470 **Q106. The Chairman:** Yes, and boiling it down to education seems to be the big thing on that one again, isn’t it?

**Ms Renshaw:** Yes, and we always say to people if they are looking for a particular breed, go and research it, go and talk to people who have got that breed; go and talk to the Kennel Club –  
475 there are people out there who have got that particular breed of dog. People on the Island will have a particular breed and we may put people into contact with them, because those people have got the expertise and they are very good owners.

The stuff is out there and it does all boil down to education – and that is not just for the adult, that goes right through to the child who will be in the house with the dog as well, as a family member. So it is educating the whole family.  
480

**Q107. The Chairman:** Do you find you have dogs brought to you and you actually cannot control the behavioural traits that they have developed?

485 **Ms Renshaw:** Not really. The previous owner may have said that to us but we always look at it when the dog comes in.

Somebody may say that it constantly chews the whole time – ‘I can’t do anything, I can’t leave it’ – or it constantly barks or rips the carpet up. We look at it as a blank canvas because there is normally a reason *why* the dog is doing something. We try to break everything down as  
490 to what the issue actually is.

We do have people who will maybe foster a dog for us and we sometimes have a pool of people that we can foster a dog out to for a short-term period, just to see if we can identify the problem – because a dog in a kennel is totally different to a dog in the home. A dog in the kennel might be really well behaved, but when it goes into the home it can be really naughty because it is just trying the new owner.  
495

It is really good and we do have facilities now at the sanctuary – we have a play barn, which really helps. We have a room set up there and people go in and spend time with the dog. It can give you an indication of how settled the dog is.

500 So I would say, no, we normally do not have an issue. We will work with any new owner on that side if we think the problem will... sometimes you will never get rid of the problem, but you can work with the problem and you can manage the problem. And it is getting the right person to actually manage that problem and understand that with the correct training they are going to give the dog, you can overcome that problem.

505 **Q108. The Chairman:** Thank you.

Does the MSPCA consider that the arrangements between DEFA and the MSPCA regarding the picking-up of stray dogs are effective? And, does it work financially for the MSPCA?

510 **Ms Renshaw:** We have been doing this for just a year now – it was July – and in the contracted hours it is fine.

At the moment we have got 90 dogs recorded in the contracted hours; the dogs that we have picked up *out* of contracted hours, though, we have had to bear the costs ourselves. We have actually got 62 that have come back to the sanctuary – that does not include dogs we have picked up, where we have been able to find the owner immediately.

515 It is a problem for the sanctuary, there is no question about it. We offer a service to the public, and the previous dog warden used to work 24 hours. It was not in his contract, he chose to do it, but he was aware there was a service to the public – and so are we. But you cannot tell a dog not to go missing after eight o'clock at night and on a Saturday afternoon, and on a bank holiday. It does not happen, sadly.

520 The public ring us first... even in the daytime now, the public will normally ring the sanctuary first, saying that they have a stray dog. We say they must ring DEFA first because they are the people we deal with.

525 So it is a problem for the sanctuary. It is a service that is needed and it was really left to the sanctuary to pick up any dog after eight o'clock in the evening until eight o'clock the following morning. It is there, dogs will go out after that time. The people that do dog warden duties at the sanctuary will be out at two or three o'clock in the morning. The police ring us if they have got a dog that has been brought to the police station. The police cannot hold the dog overnight, they do not have the facilities, so they ring the MSPCA.

530 Through the daytime it works brilliantly, no problem at all – the gentlemen are extremely good at DEFA, picking the dogs up and bringing them to us. The kennelling works fine, we have to jiggle it around sometimes, but we work it out. But it is after eight o'clock, bank holidays, Sundays and Saturday afternoons that is the problem for the sanctuary.

535 **Q109. The Chairman:** Do you have an emergency number that people are contacting you on?

540 **Ms Renshaw:** There is a mobile number, so after DEFA closes at 5 if somebody rings their number it gets diverted to our mobile. After eight o'clock we have a night phone, which we have always had, for many years. The police have that number as well, so they automatically ring us if they have a dog. And I think, because we have been doing it for the past year, the number has got out into the public; and, again, we do not have a problem with that because we have got to offer a service to the public – that is what this is about. Our main aim is for the dog to be returned safely to its owner. So we do have emergency numbers and people will ring us because they know that the MSPCA will be the ones to help – and we will not turn round and say, 'No, we cannot do that.'

545 **Q110. The Chairman:** Do the police have a reader for the microchip... I am not quite sure how that works?

Would that help? Would they be able to just take the dog straight back to the owner rather than contacting you?

550 How does that work?

**Ms Renshaw:** If they have access to the... because the microchip that you have at the main database, the DEFA men have the scanners – and obviously we have scanners, and vets have scanners – but you have still got to access the database.

555 Our problem is the dog licence database, because DEFA can get into that immediately and we cannot get into that database. So for us it would eradicate a lot of problems. Obviously, we pick dogs up in the evening with a dog licence, and they might not be microchipped – but we can't access the database. We have to bring the dog back, which can be stressful for the dog – and we have to wait until the morning. Hopefully, an owner may have rung us in the meantime, but if  
560 not we have to contact DEFA – which we do. We give them the dog licence number and then they access the database. So it is accessing the database that is a real problem for us.

**Q111. The Chairman:** Is it data protection that is the issue?

565 **Ms Renshaw:** It is. When we spoke to them, they looked into it but there was a problem that when we rang them to get the information, they had to go through the system each time – so there was a problem behind it. I think they are actually still looking at that side of it.

But if dog licences are no longer going to happen at some stage, then it would eradicate that problem completely – and microchips are the way forward – so the police would have to have  
570 the access. But, again, they do not have anywhere to hold the dog and I think that is one of the main issues. They do not have facilities at the stations.

**Mr Cannell:** That is the contracted hours, it is straight on the phone to our dedicated dog warden. Three times this week I have been called out at midnight, or after, because they just do  
575 not have the facilities to handle it.

And we will turn out, it is not an issue, it just needs a bit more working on for the future.

**Q112. Mr Cretney:** Would you say, in terms of strays, is it still as a bad problem as it once was? It seems to me that, in areas of my constituency, there used to be strays all the time; but it  
580 seems to me, just looking, that it is not quite as bad as it once was.

Has it improved?

**Ms Renshaw:** It varies at different times of the year. At this time of the year it is really busy because people are out and about, it is lighter, etc.

585 So you have peaks and troughs, of when it can be a problem. Sometimes we can pick up three or four strays a day, but then we might go for a week and we do not get any at all. I think the sad thing is when you get a stray in and you know it is not going to be claimed, because with most people if their dog goes missing they are on the phone to us within an hour – five minutes, sometimes.

590 But we do still get dogs that come in, even from the previous dog warden, and they are not going to get claimed. We have had two recently, both brought in quite closely together – not that they were together – but they have not been claimed. It is very sad because we would rather that people come to us and say, 'We can't keep the dog.' And the problem we have there is we cannot do anything with that dog for up to seven days, because we have to wait the seven-  
595 day period in case the owner comes forward.

So we are in an absolute no-man's land with that particular animal. Likewise, unless it needs emergency treatment, we cannot go ahead with microchipping if it is not chipped, we have to wait the seven days. And that can create a problem for kennelling space as well, because we have to keep it in case the owner does come forward.

600 **Mr Cretney:** I should have said my *former* constituency – *your* constituency.

**Mr Cox:** I have had consultation via the microchipping proposal, and that exact issue about access to the information should be addressed within the new system that is to be looked at – via access straight into the UK database. I do not think we should be looking at reinventing the wheel on this one. If there is already a system in place for registering microchip numbers, we should continue to use that.

605  
610 What your question would be is who can access that database. We as veterinary surgeons have a code, the MSPCA have a code and we are allowed to get straight in, 24 hours a day, on the internet and straight into the database. The Constabulary can have that, a new dog warden system can have that. So, in other words, that is very easy to do and that is how we will solve that problem – if we put in the next bit of legislation correctly, i.e. the ‘Microchipping Act’... or whatever.

**Q113. The Chairman:** Thank you.

615 The public have sent us some questions, some of them actually dovetailing in with some of the others, but I thought I would keep them separate.

620 Does the MSPCA agree that the Farm Animal Welfare Council’s ‘Five Freedoms’ – the freedom from hunger and thirst, freedom from discomfort, freedom from pain, injury and disease, freedom to behave normally, and freedom from fear and distress – should be the criteria that any Bill should focus upon?

**Ms Renshaw:** Yes, it should. We believe in that very strongly, as a society.

625 The RSPCA have that; so for the sanctuary, yes, it is something that must be included in the Bill. It is a template, it is there; we must have that in there. It is so important, isn’t it?

**Mr Cox:** Yes. It is a one word answer: yes.

**Q114. The Chairman:** Does the MSPCA believe that introducing a series of codes of practice to assist the public with animals’ basic needs would be beneficial to the Island?

630 And do you think it necessary if the law is changed regarding animal welfare?

**Ms Renshaw:** Yes.

635 **Mr Cox:** In order to enact and make sure that the five freedoms are enshrined, then you have to say, ‘How do we have freedom of fear and freedom of distress’... and whatever? The codes of practice tell you *how* to do that. So, in other words, there are codes of practice already written which I think should be part of our Welfare Act.

640 So, therefore, when somebody says, ‘Well, how do we stop that... a horse having some form of discomfort?’ Well, minimum stabling sizes and things like that. So there are codes of practice for that.

There are codes of practice for farm animal welfare, and there are codes of practice for the dogs and cats. So that is certainly where we would see our Act to be better than the UK one, because we should enshrine the codes of practice.

645 We, the MSPCA, would feel having minimum recommendations for enclosures and things like that, and have species by species recommendations – which would effectively be a code of practice. So if you are going to have a llama, here is the code of practice for it – and whatever...

650 **Q115. The Chairman:** Does the MSPCA believe that those inspecting property, etc. should have a right to issue an improvement order to owners or carers of animals who are neglecting their animals?

655 **Mr Cannell:** Yes, in simple terms it goes back to, as I described before, it is much easier to educate and help than it is to threaten with prosecution. If you give them an improvement notice over several days then they are given a fair chance. And even if they say, 'Well, I don't get paid for another two weeks' – extend your order if you need to.

660 We do often help out with bedding and food to people who do fit our own personal criteria, or they do need our help just to get to that next pay day, or while they are going through this black hole in their life. That improvement notice just gives us the ability to put some form of control into it actually happening. But we verbally do that now, really, with a lot of the people I visit. It is just giving them a chance and where we can help, we do.

**Q116. The Chairman:** But this would be a more formal measure of actually what you are already doing, really? (*Ms Renshaw and Mr Cannell:* Yes.)

665 Who does the MSPCA believe those entitled to inspect property, where an animal may be suffering, should be?

670 **Ms Renshaw:** Obviously, appointed inspectorates need to be able to have that. Again, you are going to need the police to go into the property – and that is where we find the major problem is not being able to go into properties. You have that...

**Mr Cannell:** Yes, if you do get the occasion where a door is closed, your hands are tied and you are reliant on just trying to win them over by offering them help, and by trying to show them there is no prosecution at the back of what you are trying to do.

675 As I say, a lot of the cases are just silliness, they are not actually designed on hurting the animal – realistically, how many people get an animal to hurt it? The vast majority – 99% I would guess, if you wanted to put a figure to it – would have an animal to *have* an animal, not to specifically be cruel... so they have lost their way. But you do get the odd occasion where you will see somebody that will throw up a wall to authority straight away.

680 So, having that power to inspect a property through a local authority, or an appointed inspectorate, as Miss Renshaw has detailed, would be just another string in your bow.

685 **Q117. The Chairman:** Yes, I suppose there are going to be some people who will automatically put the door up to authority even if there is not a problem, it is just because that is the way they react to authority, isn't it?

690 **Ms Renshaw:** Yes, and that's it. They know if we go there at the moment we cannot go in, and people know that and it can be sometimes... you can normally tell if it is a major issue on welfare. You can normally tell with the information you have been given, so we normally put the police on standby anyway. But it would help if that was in place for that person to be able to go in.

As I say, sometimes people just do not like to be asked the question, 'Can I come in?' 'Well, what right do you have?' etc. And it would be really good for the animal as well. Normally it is through education that people have the problem.

695 Sometimes it will come to a point that the person has had a problem and they are actually embarrassed by letting somebody into their property. We have come across that before and it has taken a lot of time standing on a doorstep talking to the person, to let them know that we are their friends and we are not there to judge them but to help them. But having that power to go in would eliminate quite a few problems.

700 **Q118. The Chairman:** Does the MSPCA have an opinion on whether or not the live export of farm animals for slaughter should be banned on the Island, due to there being no guarantee that the animals will be treated properly?

705 **Mr Cox:** The MSPCA at this point does not have an official stance on the exportation of animals for slaughter; however, we do recognise that in the UK there is very extensive animal welfare legislation in place – the UK is probably the most heavily-regulated country in the world to move an animal. However, we would perceive that there is a weakness in the enforcing of that.

710 So whilst the legislation is very strong and very robust and the *good* people adhere to it, there is that gap, isn't there, at the bottom of every society that has to adhere to regulations? And they will be the ones to abuse it, and they do not seem to be tackled. So we would perceive that there is a weakness. And certainly the RSPCA has a very strong opinion on where perhaps enforcement should be beefed up, as it were.

715 So from the point of view of, is it cruel to export an animal for slaughter? That would not be the stance of the MSPCA; but to export and adhere to all the regulations that are in place, then we would agree to that – but we feel that perhaps the enforcement of those regulations could be stronger on the other side.

720 **Q119. The Chairman:** I think, as well, there is some concern that an animal goes to the UK from here as a live export, but it gets exported further again.

Do you have any opinions on that, where it goes into some areas of the EU where the person originally doing the exporting would not necessarily export their animals direct?

725 **Mr Cox:** If we export an animal... and we are talking about cattle now particularly, aren't we? Cattle and sheep would be the species involved here. I am unaware of exporting any horses for slaughter – it may happen of course, but I am unaware of that. But the cattle and sheep are exported to a destination. So, in other words, if they are exported right now for slaughter – and I as a veterinary surgeon would inspect these cattle before they go out – it is stated on the export document that it must go to 'Smith's Abattoir in Preston', or whatever. So those animals must  
730 be slaughtered at that point, and those animals are not re-exported further.

If the animal is to go to the UK, but *not* for slaughter, then it comes under different regulations and it must have various testing and other verification and certification done on our side. It goes to 'Mr Smith in Yorkshire', but of course he may sell the animal the next month...  
735 but you would not have any control over that. But when you talk about slaughter the exports are, as it stands right now, to a designated abattoir, and they cannot just decide to go elsewhere – of course, they might do, but that brings me back to who enforces it on the other side?

**Q120. The Chairman:** Okay, thank you.

740 So is there no other area that you think should be looked at with regard to exporting?

**Mr Cox:** No, at this point it really boils back down to... as I said previously, the regulations are there and they are very good regulations governing the transportation of animals in the UK – if they were enforced.

745 **Q121. Mr Cretney:** Can I jump in and ask about a topical subject right now?

In terms of the welfare of animals going to slaughter on the Isle of Man, and in particular those who may be subject to... they get stunned, but then halalled. Are you content that the welfare of the animal, because it has been stunned in advance of the process, is appropriate?

750 **Mr Cox:** There is just a slight confusion in what you have said there – and that is very important. When we talk about ritual slaughter, the animal is not stunned.

**Q122. Mr Cretney:** No, I know that. But over here...?

755 **Mr Cox:** Yes, but ritual slaughter involves non-stunning. That is something that is abhorrent, as far as I am concerned. So in other words, the stance on ritual slaughter without stunning... our stance is that it absolutely should not happen.

I cannot understand how we can decide that, for a certain section of society, the cruelty is maintained; and then for a smaller section we decide that, 'Oh, yes'. And that is something I have never understood. I qualified in 1984 and that was the last time I saw an animal have a ritual slaughter, when I was in college, and it stuck with me and I just could not understand it.

I know of nobody in my profession who would stand over this as being anything but... it should not go on. But I understand, of course, it is a very difficult area.

765 **Q123. The Chairman:** But of course it is illegal here, isn't it?  
Every animal by law has to be stunned?

**Mr Cox:** That is as I understood it to be. I have had some information and e-mails that might indicate that is not necessarily the case. But I do not know whether it is the case or not, I have not been able to verify it in the short timeframe I have known about it.

**Mr Cretney:** Thank you – sorry to drop that in. I think we all agree with you in terms of your position.

775 **Q124. The Chairman:** Yes, the sentiment, definitely.  
Can the MSPCA put forward any better suggestions for people to communicate – perhaps anonymously – any incident of neglect or cruelty towards animals?

**Ms Renshaw:** They already can with us. People can ring up and they can do it anonymously, which we do – and we get a lot of calls where people do not wish to leave their contact details, as long as we have a very clear description of the animal, of where it is, etc. We do not have an issue over that at all, we are more than happy to take anonymous calls.

So far this year we have seen a 22% increase in calls made to the sanctuary and the majority of those will be anonymously done. We are looking at other things though, we are redesigning our website so there will be a dedicated area for people to put things on there and we have looked at having a welfare page on Facebook. But a lot of the time people do like to ring up and actually talk to somebody, so we do have a dedicated welfare phone line as well so people can ring and speak to somebody on that welfare line. So we do provide that service already for people.

790 **Mr Cannell:** Ultimately that line is held by me, it is on 24 hours a day. Obviously, when we go on different rescues we might not be able to get to it straight away, but a lot of the people who complain to me are neighbours, and for obvious reasons it is very difficult for them to put pen to paper, and to put names to the address – they just say, 'I am passing', but you know full well it is somebody next door. But you can understand that and we do not push for any details.

We give them the option, and we give them an option to ring back at a set time and get a result over what is going on – and I think that is the best ground you could probably achieve at this time.

800 **Q125. The Chairman:** How do you actually deal with the complaints? Can you deal with all of them or is there a salient process which works and deals with complaints efficiently?

**Mr Cannell:** It is very much an ongoing process and last year we dealt with 186 written complaints, all of which were closed off – there would only be a handful of those which you could have progressed to a court room. There is obviously a lack of witnesses and a lack of evidence in a lot of those cases, so the police cannot pursue them without either one of those.

810 This year we have had 104 to date, so we can already see by month seven we are going to exceed the 186. But it does go, as Lyn said, in peaks and troughs with weather... you will come into the summer months and people will see animals panting in the back yard, and they have got no water – so they will be on the phone. Then it comes to winter when you see them in the back yard and they have got no bedding or the bedding is dirty or wet. So it goes up and down.

815 We are expecting that we will probably exceed that by a good percentage by the end of the year – with 186, we will probably get into the two hundreds. But we deal with it, inasmuch as we take the complaint, we assess what we need to do... do we need to just do an educational visit, do we need to do some more evidence-gathering with respect to photographs?

820 We have recently started to develop more photographic booklets for the police, because obviously photographs are key to a lot of the evidence we produce. Some involve the vet, in other cases, and also if we can potentially work with the owner maybe to bring the animal into our care for a period of time to improve their health. We have dealt with a number of cases with dogs where people have fallen by the wayside, and again they cannot afford things and so we have offered to take them for a bit of respite and bring them into the kennels or into the ‘small animals’ for a few weeks at a time.

825 **Q126. The Chairman:** Thank you.

Why has the MSPCA not chosen to approach the Government prior to this petition?

830 **Ms Renshaw:** We have spoken to DEFA before – that was a good few years ago – and we were under the impression that they were looking at amending the Act, that was the information that we were told. So we were in communication with them and I know when we were talking to them regarding the dog warden, they said that they were looking at it. But with things that they had on, and cutbacks, etc... I think things had happened with them as well, so it all got pushed back further down the pile than they wished it to. But we have spoken to them about it and been in contact over the years about it.

835 **Q127. Mr Cretney:** Did you say 15 years ago?

**Ms Renshaw:** I don’t know about 15, but it was a number of years ago.

840 **Mr Cretney:** Oh, a number of years... legislation does take a long time, but you would hope it would not be that long.

**Q128. The Chairman:** Do you think offering a reduced rate for neutering and spaying would have any impact on the situation on the Island?

845 If this could be subsidised would it be beneficial, and how do you think it could be implemented?

**Ms Renshaw:** We already do that – and working very closely with Pet’s Aid League we cover the cost of neutering and spaying cats. There are other charities on the Island also, and I know Mann Cat did a recent neutering and spaying campaign.

850 We do work a lot with the public, having their cats neutered and spayed. We have helped people with dogs as well. The main issue we have, though, is feral cats because on the Island we are the ones that predominantly will cover the cost of neutering and spaying. The farmers wish to have the feral cats on their farms, but we will cover the cost. And we talked about a figure before we left... how many was it so far?

855 **Mr Cannell:** I have personally dealt with in excess of 40 feral cats this year alone, where we have brought them in because people have got feral cats in and around their premises, but when you challenge them on who owns them they deny all knowledge because they are feral. So

860 to try and bring them under control we bring them into the sanctuary and get them spayed or  
neutered, then release them back to the area. But getting somebody to pin their colours to  
those cats belonging to them is notoriously difficult, which means that we then stand the cost  
for at least those 40 cats.

865 **Q129. Mr Cretney:** It must be a challenge getting hold of them in the first place, is it?

**Mr Cannell:** It is a challenge, it has drawn a lot of blood.

870 **Ms Renshaw:** We work very closely with the farmers as well, because a lot of farmers want to  
keep the cats – and that is great, because that helps us, and a lot of the farmers will take the  
feral cats from us. But obviously we cover the cost of the neutering and spaying which is really  
important; and I have to say they were quite controlled over the past few years but there seems  
to be an influx now and the number seems to be increasing again. I don't know whether it is  
something Government can look at, to have some type of budget, because the problem is not  
going to go away – and it is no fault of the cats, either.

875 They have the right to be out there and they do keep control of the vermin, and a lot of  
people do actually want them. But they want to have assistance in the neutering and the  
spaying, which is the responsible thing to do. So we help domestic cats already, along with other  
charities on the Island; with feral cats we cover the full cost of it for people who want them, but  
do not want to pay for those bits and pieces.

880

**Q130. Mr Cretney:** Sometimes the vets themselves will undertake an initiative to assist,  
won't they?

885 **Mr Cox:** We work primarily with the MSPCA in my practice, but we tend to tackle an area... it  
tends to be we will go into such-and-such a farm, we get the traps out, as Adey was saying, and  
we just go at it. But there is a real... 'I'll just keep one or two back' – in case they run out of cats!

890 And of course, as Lyn said, we had a *very* effective campaign some years ago, and we really  
noticed a decrease in the number of kittens coming in, because at this time of the year, now, we  
get the batches of kittens, one after the other. That decreased, but of course the one or two  
kept back are creating the population again.

**Mr Cannell:** At one property we recently dealt with there were 17 cats that we brought in  
from that one property.

895 **Q131. Mr Cretney:** Seventeen?

**Mr Cannell:** Yes, 17, and he just basically decided he could not afford to do anything about it.

900 **Q132. Mr Cretney:** Some people hoard animals, don't they? I have seen that on telly as well.  
It's strange, isn't it? (*Interjections*) I do, I do... I need to get walking more.

905 **Mr Cox:** But that would maybe stray into an area where we would see... There was a question  
on the paper about how we would see the 2006 Act and if we use that as our template, what  
would we do to improve it. Well, one thing would be actually to limit... if we have minimum  
space per animal, *de facto* you cannot have the 20 cats in a one-bedroomed house – and that is  
where the hoarding comes in.

People sometimes with very good intentions start rescuing animals. The problem is if you  
keep rescuing the next one and the next one, you actually generate a scenario whereby you are  
causing a huge disease risk and whatever... so the original ones you saved, you are now making

910 them ill. The papers in the UK will carry stories every so often of somebody being prosecuted for cruelty, whereas they initially started off trying to save everything.

So it is difficult to turn away the next one, but of course if we limit the resources that you must have, or if we put restrictions on, saying 'This is what you have got, you may only have x number' – I think that would be a way forward to stop the scenario that we dealt with quite recently of *many* cats in a quite restricted area.

**Q133. The Chairman:** In that case, overcrowding would be classed as cruelty and action could be taken then, couldn't it, to stop it?

920 **Ms Renshaw:** Yes.

**Mr Cox:** Yes.

**Q134. The Chairman:** Could I ask a question just for curiosity and my own information?

925 When we are talking about feral cats... they are obviously cats that have lived in the wild all their lives, and you cannot domesticate a lot of those ones; but are the kittens actually wild, or if you have them from kittens are they domestic cats? I suppose that is what I am asking.

930 **Ms Renshaw:** You can. They will still have the feral trait in them but you can bring them –

**Mr Cox:** They are frisky, I'll tell you. They may be only four or six weeks of age, when they come in, because mum might be caught and we might catch them, and straight away their innate response is going to be 'Grrr!' But because they are so young and because they are not strong enough or fierce enough to cause damage, the girls in the cattery can start getting their confidence and we turn round most of them, don't we? (**Ms Renshaw:** Yes.)

935 There would be the odd one, though, that just *is* feral, and that's it. But when the adults come in that are feral, they *are* feral and to be quite honest the percentage that we turn round of ferals would be the reverse. So, in other words, we would expect to turn around most of the kittens but we expect to only turn around very few of the adults. That is why we like to neuter them and send them back to their environment where they are comfortable. And once we have determined that they are not carrying any transmissible diseases and once we have prevented them from reproducing... well then great, go back to their environment and do good – with vermin control, of course.

940 But the kittens even from the word go, they just come out *fighting*...

945 **Q135. The Chairman:** That is what I thought – is that the nature versus nurture thing here again, or had I got it wrong? So thank you for clearing that one up for me anyway.

950 Could you just clarify, what is the MSPCA's relationship with the police over incidents of animal cruelty or neglect? Do you have a good relationship with the police over these?

**Mr Cannell:** As we stand at the moment we have a very good relationship and it is getting stronger. We have got an understanding now of what they need in their papers to progress anything to court, should it need to. But also we have recently developed a link where we have offered our services to go in and help the new recruits and the control room staff, and show them what to do in a situation where a dog is aggressive, or if you have got cats... and we try and impart some of our knowledge to them, of how we deal with matters when we go to them ourselves.

955 So we are going in to... not so much to teach them in the classroom, but show them what we do when we turn up, because more often than not some of the police when they turn up say, 'What do we do with this dog? How do we handle that?' We just try and show them how we deal with it. Then we give them an *aide-memoire* of what to do if they have a dangerous dog

cornered, and simple things like that just to help them through their duty, which in turn has built up a good relationship as it stands.

965 We also work with some of the Government Departments now – and the adult mental health team is a recent one, which is a very good link to have made. We are now going to be sitting round the table with all the other groups and discussing people we come into contact with, who have got problems themselves, and it has been proven that where there is some kind of cruelty to an animal, it can progress through to other matters in the home. That has been a fantastic link to start up – the first one was in August.

970

**Q136. The Chairman:** Yes, good, thank you.

We have some recommendations with regard to relevant sections of the Animal Welfare Act 2006, if we can just go through them could you comment on whether they are all necessary and if they are sufficient to meet the needs of the Island?

975

Recommendation 1 is to legislate for the extension of protection of animal welfare to all vertebrates and any other animal by order.

**Mr Cox:** Yes, is the short answer.

980

**Q137. The Chairman:** Thank you. I am happy with short answers but if you would like to elaborate on any please feel free to do so.

985

**Mr Cox:** As I say, the premise here is that we would like to see the Welfare Act of 2006 as the starting-off point. As I said earlier, reading the Wooler Report is very important as well, so when I say yes it is because we figure this is good and the Wooler Report can pick up any problems.

The MSPCA do not have any issues with it because they have already dealt with this for nine years, haven't they, so therefore that is why I say yes in terms of it should be *all* animals – why should we be making distinctions? In the past that has been a weakness of legislation on the Isle of Man. For some reason we legislate for this bit, but not that bit... and I refer to species specifically. We think it should be the lot.

990

**Q138. The Chairman:** Okay.

Recommendation 2: to legislate to provide that the responsibility for animals falls onto the controlling individual.

995

**Mr Cox:** Okay, yes is the short answer again, with respect to trying to link particularly with the dogs if we are going to go with the microchipping, that will solve a lot of the day-to-day issues that we deal with.

1000

Mr Cretney reports that there are less stray dogs knocking around. There are stray dogs and there are dogs that live an outdoor lifestyle – but they are owned. And then there are the ones that are just dumped, and they are owned – and we actually *know* where they come from! The officers are very adept when I am presented with an animal for examination, they will say, 'Well, of course, that will be from the litter of that bitch in so-and-so'. We know where they come from but we can prove nothing, so they cannot be returned.

1005

So, in other words, with the ownership we say yes, and then the strengthening of that through the microchipping scheme will solve a lot of the problems, won't it Adey?

**Mr Cannell:** Yes.

1010

**Q139. The Chairman:** Okay.

Recommendation 3: to provide controls for pet shops and sanctuaries.

**Ms Renshaw:** Yes.

1015 **Mr Cox:** Yes, and that brings me back to the overcrowding. Without having the resources you cannot save every single one, therefore I would really try to back that one up. In other words the MSPCA are open to inspection the same as any other organisation... so I think yes, for sure, that should be included.

1020 **Q140. The Chairman:** Thank you.  
Recommendation 4: to prevent the sale, transfer, prize gifting of animals to those under 16.

**Mr Cox:** I might be wrong, but I thought that was already covered. I thought it was against some form of regulation – it is the fairground scenario isn't it?

1025 **The Chairman:** I think it is, yes.

**Mr Cox:** The goldfish in a plastic bag?

1030 **Mr Cretney:** That happened on the Isle of Man fairly recently, and Barbara came down and we managed to persuade the fairground operator to give a fluffy teddy bear away rather than a goldfish.

**Mr Cox:** So that is not already currently legislated on, then?

1035 **Mr Cretney:** I am not sure.

**Mr Cox:** Well, if that is the case then the answer is yes –

1040 **Mr Cretney:** It was a matter of policy with the case that we got involved in, I think, but I do not know whether it is legislated for, or not.

**Q141. The Chairman:** And recommendation 5: to identify those over 16 as being responsible for their children's pets.

1045 **Ms Renshaw:** Yes.

1050 **Mr Cannell:** It is reasonable to suggest that is the case. There has got to be a degree of responsibility for the pets, because ultimately you are responsible for your children so you are responsible for the pets they hold.

**Q142. The Chairman:** Yes, that makes sense, doesn't it?  
Recommendation 6: to enhance control of animal fighting.

1055 **Mr Cox:** Yes, the sections that are mentioned here, for sure. Section 18 is mentioned but it does not appear to be relevant to dogfighting, so I could not really follow that one.

So when we talk about section 8 which deals specifically with dogfighting and the videotaping of it and participating in it, all of that is very sound. Section 18, I do not think relates to dogfighting, so whether that is a typographical error –

1060 **The Clerk:** 'Powers in relation to animals in distress'.

**Mr Cox:** Oh right, yes, that would relate to the animal that was fighting – 'in distress'. Yes, okay I see where the link is now. So yes, absolutely.

1065 **Q143. Mr Cretney:** Have you any evidence of dogfighting going on?

**Mr Cannell:** I have not come across anything in my short time of doing the job, but there is certainly nothing obvious from the records I looked at.

1070 **Mr Cox:** I think fortunately, even anecdotally, I have never heard of an arranged fight, let's  
say. Dogs fight, make no mistake about it, I have patched up a lot of dogs in my day... but any  
that gave me suspicion that something else was going on? Never, not in my time in the Isle of  
Man.

1075 **Mr Cretney:** Good.

**The Chairman:** This would be just precautionary really, to make sure it never does.

1080 **Mr Cox:** But I think maybe just to put a general comment in here, the degree of cruelty on  
the Isle of Man is *low*; but maybe we should not be smug about that, and all self-content, but  
genuinely it is low. When we look at comparable populations in the UK we have a lot fewer  
problems, definitely.

1085 The vast majority of them, as Adey says, are not actually cruelty – yes, there are cruel acts by  
neglect, and personal circumstance, and we have a lot of that. So, therefore that said, the  
legislation should just empower an inspectorate – or whatever body that is deemed to be – to  
actually sort out the small number of problems that we have.

So yes, you could argue it is a lot of legislation to sort out a very small number of issues, but  
at the same time you have got to have it to sort out those issues.

1090 **Q144. The Chairman:** Yes, let's face it, one case of absolute cruelty is one case too many, I  
think you are right.

Recommendation 7 is to provide powers for regulations to: (a) promote the welfare of  
animals and their progeny; (b) impose specific requirements for the needs of animals; and (c)  
require a welfare advisory body.

1095 **Mr Cox:** Okay, yes, again – we keep saying yes because, as I say, this Act is a sound piece of  
legislation.

1100 Again, what we would look to see when we talk about the forum... this is where we can  
improve upon that. So in other words in this section when we talk about education and  
whatever, it will be that Animal Welfare Forum, and it would be empowering that a little bit  
more in Isle of Man legislation. But the bottom line is, yes.

**Q145. The Chairman:** Yes, some of these are going back a little bit over what we have spoken  
about, but I would still like to get it in *Hansard* if you do not mind, on the specific  
recommendations.

1105 Recommendation 8: to license and register certain animals providing for the gradual repeal of  
boarding, breeding, riding establishment Acts as they are replaced by appropriate provisions.

1110 **Mr Cox:** At the moment, obviously, we have a system whereby riding schools and breeding  
establishments are inspected – and it is a patchwork, isn't it? Therefore if a new piece of  
legislation came in, yes the gradual repeal of those old legislations would make sense but only  
when we have a fairly *robust* bit of legislation ready to replace it.

1115 And that brings us back to 'all species' because these recommendations are piecemealing it  
up, whereas livestock were managed in one way, horses were in another, dog breeding, etc...  
We would look to say bring it all in together, and again the enforcing of each section would  
come back to the forum, and would come back then to the appointing of an inspectorate.

The position of the MSPCA is not that the Government is going to appoint the MSPCA as the  
inspector of all the issues that would be borne of a Welfare Act. What we want to see is a robust

1120 piece of legislation that covers all species, and the enforcing of that is not going to be left – like they did in the UK – to a nebulous local authority which may or may not appoint anybody, and then the default situation was the RSPCA picked it up and they found themselves in huge difficulties. We would not like that to happen on the Isle of Man.

1125 So, the position is that the MSPCA is not saying, ‘We want to be it.’ No, we want to see an inspectorate legislated for; and that inspectorate... because of our small population size, and looking for that degree of expertise in every single area, it would be very difficult to be able to have one inspector to be able to do that. So what we would envisage through that Animal Welfare Forum is appointing vested groups that have a little bit more expertise.

1130 To be quite honest, none of us would be able to profess that we are super-expert in any area, but at the same time we just know a little bit more. And whether that is dealing with a seal that is washed up on the seashore, or it is a pony or livestock, we do have those individuals that are experts – and that is how we would like to see the Act enforced through a robust *inspectorate*, not an *inspector*.

**Q146. The Chairman:** Thank you.

1135 Recommendation 9 is to produce a welfare code for animals beyond livestock and associated facilities to include gamebirds, primates, circuses and pet fairs.

**Mr Cox:** Yes, that comes back to all invertebrates and the five freedoms – so why should one particular animal not to be entitled to the five freedoms?

1140 **The Clerk:** This is a repeat of number 8 and 10, although it is different sections – it is only the sections which are different.

**Q147. The Chairman:** Yes, you have the recommendations in front of you, don’t you?

1145 **Mr Cox:** Yes.

**Q148. The Chairman:** I have recommendation 10 which seems to repeat again, but it is different sections that are quoted at the end.

1150 **Mr Cox:** I would just feel as if the previous answer stands on that one.

**Q149. The Chairman:** Yes, there is nothing further that you want to add?

1155 **Mr Cox:** No.

**Q150. The Chairman:** Right, that is fine.

Recommendation 11: to provide powers to control feral populations of domesticated species.

**Mr Cox:** Well, yes, again.

1160 We referred to dealing with the feral cat situation, but there are other species that cause grief on the Isle of Man. We have had the Santon chickens and the Bulgham Bay goats, and there are certain circumstances where normally domesticated animals have reverted to a more natural and wild lifestyle, but they are breeding indiscriminately and then having an impact on people’s back gardens – they do not like the chickens coming in and messing up their back gardens. And it could be goats crossing the road and causing road traffic accidents.

1165 So there are some real issues that will crop up, and therefore actually having a mechanism by saying, ‘Yes, when this gets to this level we must intervene and do something about it.’ I think that just makes sense.

1170 **Q151. The Chairman:** I suppose it is where you set that level, whether it is a nuisance level or whether it is more serious where, as you say, the goats are crossing the road and endangering people in vehicles.

I suppose it is where you set the level before you have the powers to control, isn't it?

1175 **Mr Cox:** That is a big issue, and we will not sort it out this morning but we would recognise that it would be an issue, of course.

**Q152. The Chairman:** Thank you.

And to provide provisions to charge relevant fees for functions under the Act?

1180

**Mr Cox:** My answer to that one was a question mark – I actually did not quite grasp that one and I did not really follow it too much. I have to confess I got lost on that one, I did not know where to go to look for that.

1185 **Mr Cretney:** Government is always looking for a way to charge fees.

**Mr Cox:** Oh is it? Right!

Well then, if you think it is a good idea, David, go ahead. *(Laughter)*

1190 **Q153. The Chairman:** I think we have covered everything in our papers.

Is there anything that any of you would like to add that we have not covered, or would you like to expand on anything that has been covered?

1195 **Mr Cannell:** From a personal point, no, I think we have covered all aspects on my side. I don't know how anybody else feels.

**Ms Renshaw:** I don't think so.

Sorry, there was one thing actually to do with snares – that has not been mentioned at all, although it has been highlighted that snares are being used on the Island –

1200

**Q154. The Chairman:** On what?

**Ms Renshaw:** – again, to catch animals.

1205 We have been called out in the past to animals that have been caught in snares, and if they are not checked upon you can get cats caught in them. Even the animals they are trying to catch, if they do not check on them then the animal will have a very slow, horrific death or severe injuries. So that is something ideally we would like to see not happen.

**The Chairman:** I must admit I did not think people still did that.

1210

**Ms Renshaw:** Yes, people still do, yes.

**Mr Cox:** It is a lot less than it used to be I think, that is for sure.

1215 I have a couple of little bits and pieces that I picked up on from the UK legislation, and whether or not we are going to consider bringing them in over here.

1220 The first would be tail-docking of puppies – obviously that is legislated as against the law of the land in the UK, but whether or not that is going to be something that will be considered for the Isle of Man? It was an interesting question for me because obviously there are exemptions provided for within the UK Act. In reality over here, because we are members of the Royal Veterinary College and they have a strict code of ethics which we must adhere to, in a

roundabout way we are already adhering to that Act – but whether or not that would be legislated for?

1225 I had a guy in my clinic last week discussing the docking of a working breed, therefore would it come under the exemptions? In other words he has got a shotgun licence so, as a working breed, the dog could be docked by me quite legally in the UK – and ethically, more importantly, on the Isle of Man. Basically, on *ad hoc* basis he thought his mate might do it – and that is it, so off he goes. As it stands right now there is nothing to stop that from happening, therefore maybe we should be... It is in the 2006 Act so again if we are going to use that as a template, we would assume that would be addressed.

1230 The access issue – that was the sort of thing that Adrian has talked about – and it is just to clarify what ‘access’ means. It does not mean entry into a private dwelling, it just means getting onto the property. In the past we have walked along public footpaths and been able to see animals in distress over a fence, and things like that. So it *is* important that the inspectorate has the access... And, again, we are not necessarily empowering one individual to be allowed to enter anywhere at all, but put in the context of... yes, gaining reasonable access to outbuildings or backyards, that is what we would say there.

1235 The whole empowering of inspectors and how it actually works in the UK... again, I have mentioned it before and this is just to reiterate that the Wooler Report is a very good document – and obviously this Mr Wooler has spent a lot of time and effort into examining how it could be improved, so for the empowering and how we manage our inspectorate I would refer back to that.

1240 Then the last thing was to say that the *licensing* of sanctuaries I think is something we should look at. You can just bang up a board tomorrow and say you are a sanctuary and attract public donation, but it is without regulation – therefore I would perceive that is something we should do, and then all of us are subject to the same regulation.

1245 **The Chairman:** Yes, okay.

If nobody has anything further to add, I would just like to say thank you very much for giving up your time this morning to come and share your knowledge; and the information that you have given us is very much appreciated and we thank you.

1250

*The Committee sat in private at 12.08 p.m.*