

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 | <input checked="" type="checkbox"/> | Collar manufacturer | <input type="checkbox"/> |
| Dog Society | <input type="checkbox"/> | Local Authority | <input type="checkbox"/> |
| Cat Society | <input type="checkbox"/> | Veterinarian | <input type="checkbox"/> |
| Animal Trainer | <input type="checkbox"/> | Member of the general public | <input type="checkbox"/> |
| Animal Behaviourist | <input type="checkbox"/> | Retailer | <input type="checkbox"/> |
| Pet Owner | <input type="checkbox"/> | Other | <input type="checkbox"/> |

If 'Other', please specify

Please indicate where you currently reside.

- | | |
|---------------------|-------------------------------------|
| Scotland | <input checked="" type="checkbox"/> |
| England | <input type="checkbox"/> |
| Wales | <input type="checkbox"/> |
| Northern Ireland | <input type="checkbox"/> |
| Republic of Ireland | <input type="checkbox"/> |
| Other | <input type="checkbox"/> |

If 'Other', please specify country

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.

Details:

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.

Details:

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.

OneKind believes it would be difficult to bring a prosecution under section 19 of the Act in relation to the use of electronic training aids. It would require proving beyond reasonable doubt that the user had intended to cause unnecessary suffering and this could pose evidential difficulties. In addition, the section

includes a number of exceptions. With regard to electric shock collars, the pain inflicted might be presented as being “for a legitimate purpose”, as described at s.19 (4)(c); “proportionate”, as in s.19 (4)(d), or part of conduct that was, “in the circumstances that of a reasonably competent and humane person” as stated in s.19 (4)(e). We suggest that any of these defences might be offered by a person attempting to improve a dog’s behaviour, while conversely the Crown would be unlikely to offer evidence about alternative, positive training methods. Section 19 would therefore only offer the prospect of prosecution for overt abuse using an e-collar, rather than for the routine use, which can still have serious detrimental impacts on animal welfare.

Our concern with s.24 is that, while provision for the needs of an animal for which a person is responsible might reasonably be expected to include protection from repeated electric shocks, there would be difficulty in prosecuting an activity which is not, unfortunately, particularly unusual. An accused person would be likely to invoke the exceptions within the provision regarding what may be considered good practice (s.24(i)), the lawful purpose for which the animal is kept (s.24(2)(a)) and the lawful activity undertaken in relation to the animal (s.24(2)(b)). It might be argued that the use of the collar was made necessary by the need to protect the animal from injury (s.24(3)(e)). While OneKind would by no means support such an argument, as with section 19 we consider that it might deter a prosecutor from pursuing a case.

Without a clear ban on the use of e-collars, any deterrence under the Act would rely on the possibility of prosecution for a general animal welfare offence. However, this might not automatically be considered by enforcement officers and prosecutors, and it could be alleged that the use of a criminal offence was excessive in the absence of explicit guidance that certain electronic devices should not be used.

In our view, ss19 and 24, whilst useful in cases of clear misuse or abuse, would not offer a sufficient level of protection for animals against the potential pain and distress caused by using an e-collar that makes use of aversive stimuli.

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.

OneKind is of the view that there should be an outright ban on the sale, possession and ownership of e-collars that make use of electric shocks, chemical sprays (such as citronella) and/or are automatically activated (“anti-bark” collars). We have reservations generally about the use of collars that inflict an aversive experience

that the animal is unable to escape from. If a ban should not be forthcoming, we would support a statutory welfare code that addresses the points detailed below.

Anti-bark collars, including citronella spray collars – If anti-bark collars are not banned, the statutory code of practice created should state that these devices should only be worn by an animal during a training session and should be removed as soon as the training is over. The code of practice should state that these devices should not be left on an animal when there is no one present to assess the impact of the collar on the animal's welfare. The code should also state clearly that that use of anti-bark collars have the potential to negatively impact on the animal's welfare and may result in longer term anxiety issues.

Water spray and air puff collars – These devices may not inflict outright pain on the dog, and may not be as aversive as citronella spray, but they still rely on suppressing a dog's natural behaviour, rather than addressing the source of the problem. Similar to the citronella collars, these devices make use of aversive techniques which will be experienced differently by different animals. They can consequently have negative welfare implications and could lead to negative associations and exacerbate aggressive behaviours. We would like to see these banned. Failing a ban, a Statutory Code of Practice should cover these collars in line with the advice mentioned above on collars that employ citronella.

We do not believe that spray collars are ever required when a good, patient trainer will be able to understand the reason for excessive vocalisation. As long as they are permitted, air puff and water spray collars should be regulated so that they can only be used by a licensed trainer.

Vibration and noise emitting collars - For training collars that make use of vibrations or noises, we would at least like to see a code of practice that details best practice training methods. The government's existing Code of Practice for the Welfare of Dogs¹, already states that only positive, reward-based training should be used to train a dog and that owners should, "avoid harsh, potentially painful or frightening training methods." A welfare code on the use of e-collars should reiterate this point and ensure that the vibration or noise emitting collars are only to be used as part of reward based training.

Collars with the vibrate setting have been used successfully by dog trainers, particularly for training deaf dogs, when the vibration is associated with a reward. The vibration may, however, be interpreted by different dogs in different ways. Certain dogs may find that the vibration is aversive, in which case it would not be appropriate to train them in this way. If training a deaf dog, it will still need to be trained to regularly check in and recall without the cue of the vibrate collar. With this in mind, we are of the view that the vibrate collar would not be required.

Because some dog trainers do see a value in using vibrating collars, and the vibration does not necessarily have to be aversive to the dog and can be associated with a reward, OneKind would not be looking for an outright ban on these types of

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69390/pb13333-cop-dogs-091204.pdf

devices. We would, however, like to see a code of practice that covers specifically the use of vibrating collars and specifies that they are used as part of reward based, rather than aversive, training.

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 | <input type="checkbox"/> |
| Stricter regulations | <input type="checkbox"/> |
| A combination of bans and stricter regulations depending on devices | <input checked="" type="checkbox"/> |
| Scottish Government guidance or a statutory welfare code | <input type="checkbox"/> |
| Nothing, current legislation is sufficient | <input type="checkbox"/> |
| Don't Know | <input type="checkbox"/> |

Please explain why.

OneKind is of the view that the risks to the welfare of dogs and cats from the use of any type of shock collar and any type of anti-bark collar is such that their sale and use should be banned. Other devices have the potential to negatively affect an animal's welfare, however, it is possible to use them as part of reward based training. These can potentially include sonic and vibration collars. For such devices, we are of the view that a statutory welfare code detailing best practice training techniques should be produced that clearly illustrates how they can be used as part of reward based training.

OneKind's wish to see a ban on shock collars and anti-bark collars is supported by the vast majority of professional trainers that we spoke to. In preparation for the production of this consultation response, OneKind carried out a survey of dog trainers across Scotland and asked their views on the use of different types of electronic training aids (The full survey results are annexed to this consultation response). Of the total number of dog trainers that responded to the survey (23 out of 52 contacted), 91% supported a ban on shock collars, 83% supported a ban on anti-bark collars and 65% supported a ban on any collar that makes use of aversive training techniques. Not only did the majority of trainers feel that shock and/or anti bark collars are entirely unnecessary when there are reward based training methods that work just as well, many had had dogs referred to them with longer term welfare issues apparently caused by either the use of shock collars or citronella spray anti-bark collars.

Shock collars –

OneKind would like to see shock collars and anti-bark shock collars banned as they have the potential to inflict pain and do not provide a demonstrable benefit that outweighs the welfare implications of their use.

The main reasons that are used to justify the use of remotely activated training collars are to address poor recall and/or livestock worrying. The findings from research papers AW1402 and AW1402a, referred to in the consultation paper, suggest that the use of electric shock collars to train dogs that have poor recall when showing an interest in sheep provides no consistent benefits, but has greater welfare risks, over the use of reward based training.

Advice from pet behaviourists is that the shock from an electric collar may be associated with a separate, unconnected stimulus in the environment. Animals do not understand what caused the shock and may not know which behaviour they should avoid.

Examples from our survey of dog trainers in Scotland also highlight the inherent welfare risks associated with shock collars. A retired police dog trainer, offered comments drawn from his days working with police dogs and more recently through his pet training business.

“In over thirty years of working with and training dogs I have never had to resort to the use of an electric shock collar to rectify or remedy a behavioural trait, I have however had to deal with dogs with severe anxiety issues that were not present before electric shock tactics had been used, either by an inexperienced and naive owner or “lazy trainer” who should know better. I have also seen aggression put into otherwise balanced dogs by use of aggressive training techniques including electric shock collars.”

He also went on to say, “As regards the use of electric shock collars as an aid to training, my view is that aggression begets aggression and the use of any coercive or compulsion methods of training show lack of relevant knowledge in respect of the animal being trained.”

Anti-bark collars – We are of the view that anti-bark collars should be banned as they can only be effective if the animal subjected to them interprets the stimulus as aversive. The example provided by one of the dog trainers that we surveyed (see answer to question 6) showed that they can also create negative associations and exacerbate unwanted behaviours. Anti-bark collars are designed to suppress a dog’s barking. Another dog trainer advised us that:

“Often, a dog barks because their needs are not being fulfilled. You need to address the root of the problem, not just suppress their means of dealing with the situation.”

In the absence of a ban we would like to see regulations on proper use of these devices.

Aversive training is undesirable and certainly should never be carried out when the owner/trainer is not present. It is essential that the trainer is able to assess the impact of the training technique on the animal’s welfare in each instance and address any welfare issues immediately. Testing that the device is functioning on the animal before leaving cannot guarantee the animal’s welfare when there is no one present.

Freedom fences – We are also concerned about the development of boundary fences. It appears to us unethical to confine an animal to a small area without any visual definition which it can see or understand, and to inflict punishment when it moves beyond this area. If it is necessary to confine an animal for a short time, this can be done by using a crate or carrying box. No animal should be left in an invisible enclosure, the boundary of which is only defined by the infliction of pain. Scat mats are another more recent development and, again, one that we believe is without merit. Adequate supervision and physical barriers are usually sufficient to deter an animal from approaching an area, and any owner who feels that these are too much trouble, or undesirable from an aesthetic point of view, should really consider whether the keeping of a companion animal is appropriate for their circumstances.

We have concerns that the nature and design of remotely activated collars is open to abuse and misuse. Poor recall and chasing have been cited as the two most common reasons for using such devices in the UK². The ECMA have stated that aversive stimuli can only be effective if they are “sufficiently unpleasant” to get the animal’s attention.³ The ECMA recognises that the experience must be an unpleasant one for the animal for it to be effective, although they do not admit that these electric shocks can be painful.

Whilst it may be true that a sufficiently unpleasant stimulation may be required to distract a dog in a specific situation where its attention is already fully on a sheep and its excitement level is elevated, it is not true to say that rewards based training methods are ineffective at overcoming a dog’s propensity to chase sheep. AW1402a demonstrated that reward based training can be just as effective as shock collars at addressing issues related to sheep chasing.

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

² Blackwell E, Bolster C, Richards, GJ, Loftus B, Casey R (2012) *The use of electronic collars for training domestic dogs; estimated prevalence, reasons and risk factors for use, and owner perceived success as compared to other training methods.* BMC Veterinary Research 8:93-101

³ <http://ecma.eu.com/e-collar-training/>

- Sonic
- Vibrate

Boundary Fence Systems

- Static pulse

Don't Know

Please explain why.

OneKind is of the view that any device that inflicts pain on an animal, or that is purely aversive, should be banned. This includes collars of any type that employ electric shocks as well as any kind of anti-bark collar. Aversive training techniques are unnecessary when positive reinforcement techniques can be just as effective and in some circumstances are more effective. The authors of DEFRA's research project AW1402a concluded that:

"...the results indicate that there [are] no statistical[ly] significant nor clinically relevant differences in the efficacy of an e-collar training protocol combined with rewards and a reward based programme that does not use an e-collar for the management of dogs presented with comparable levels of livestock chasing, which is one of the most commonly advocated justifications for the necessity of e-collar training."

Not only do such devices have implications for the welfare of these animals, they are also unnecessary. As mentioned in the main consultation document, researchers in project AW1402a suggest that, "electronic collars are a potential risk to the welfare of some dogs when equally effective results can be achieved by other forms of training." These devices are widely available, are affordable and may be perceived as a quick fix to dog behavioural problems. One trainer surveyed by OneKind said;

"My work in behaviour often sees dogs that have had such devices used on them... It takes a long time, patience and commitment, not to mention costs to the owner, to put right what is often destroyed by one push of the button."

Proponents of shock collars deny that they cause pain to the animal. Electric shocks are usually referred to in the manufacturers' literature as "impulses", "stimulation" or "correction". However, the experience of behaviour experts and scientific studies provides clear evidence that the use of such devices is unnecessary, inhumane and can actually lead to long-term behaviour problems in dogs. In an assessment to determine the level of pain these devices inflict, human volunteers from the Kennel Club and the Association of Pet Dog Trainers tested a shock collar that had a shock intensity range from levels 0 to 100. A short impulse shock at level 20 on a volunteer's hand was painful and a shock at level 35, only a third of the collar's full

power, was “practically unbearable”⁴ Volunteers who tested the “continuous shock” function at level 20, delivering a continuous shock for 12 seconds, were unable to keep the collar on their hands for more than 2-3 seconds.⁵ Although the human volunteers were able to remove the collar when the shock became too painful, a dog would not be able to do so and would therefore be subjected to suffer this degree of pain for the full 12 seconds.

Experiments as far back as the 1980s showed that high intensity electric shocks given to dogs caused yelping, struggling, biting, freezing, withdrawal, hiding, running to the owner, cowering, trembling, defecation and urination – all of which are responses associated with fear and distress in dogs.⁶ Studies at the University of Utrecht published in 2004 showed likewise that immediate reactions of dogs to electric shocks suggested stress, fear and pain (lowering of body posture, high pitched yelps, barks and squeals, avoidance, biting, flicking their tongues). There was also evidence that dogs that had been shocked were more likely to show long-term stress-related behaviour such as lowered ears, tongue-flicking and lifting front paws during free walking or in training.⁷ Even dog training professionals who accept the use of shock collars admit that strong electric shocks can cause significant distress and emotional harm to a dog.⁸

More recent research from the University of Lincoln associated an increase in the level of shock delivered by an electric shock collar with an increase in vocalisations in dogs undergoing recall training. This research illustrates that the shock delivered by a typical shock collar under reasonable training conditions is sufficiently strong to result in an increase in the behaviours associated with experiencing pain.

This research also indicated that the way in which shock collars are used by owners and even trainers experienced in their use can vary greatly. The paper states that:

“Owners recruited to AW1402a 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. 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.”⁹

⁴ The Kennel Club, The Association of Pet Dog Trainers Supports the Kennel Club Campaign to Ban Electric Shock Collars. Press release 099.06, 21 March 2006

⁵ Holly lee, the Kennel Club. Personal Communication 23.03.06

⁶ D F Tortura. Understanding Electronic Dog Training, Part 1. Canine Practice 9(2):17-22 (1982) Cited in E Blackwell and R Casey, The Use of Shock Collars and their Impact on the Welfare of Dogs: A review of the current literature, University of Bristol, available from the RSPCA at www.rspca.org

⁷ M B H Schilder and JA M van der Borg. Training Dogs with the Help of the Shock Collar: Short and Long Term Behavioural Effects. Applied Animal Behaviour Science 85:319-334 (2004)

⁸ S R Lindsay, Handbook of Applied Dog Behaviour and Training, Vol. 3 Procedures and Protocols. Blackwell Publishing (2005). Cited in E Blackwell and R Casey, The Use of Shock Collars and their Impact on the Welfare of Dogs: A Review of the Current Literature, University of Bristol, available from the RSPCA at www.rspca.org

⁹ AW1402a, page 14. Studies to Assess the Effect of Pet Training Aids, Specifically Remote Static Pulse Systems, on the Welfare of Domestic Dogs; Field Study of Dogs in Training, University of Lincoln, 2010.

Research AW1402 also stated:

“Reports from end users... showed that a substantial number of dogs vocalised on initial and subsequent exposure to the stimulus and that stimulus levels were not always selected according to the advice in the manuals... This suggests that the guidance laid out in the manual is not always followed, which may be due to misunderstanding the advice, not reading it, or deliberately using a different approach. Potentially this can lead to welfare implications associated with the use of punishers used at inappropriate levels or poorly timed.”¹⁰

Not only are shock collars designed to inflict pain, they are open to misuse, whether intentional or not. The strength of the shock can be set higher than intended or set intentionally high to punish an animal. Angry or frustrated individuals may even choose to hold down the shock button in order to deliver a continuous electric shock. Different brands of collar have different lengths of time before the stimulus is automatically cut off, with some brands having no cut off at all. Regardless of how good the guidance in the manuals or in a statutory code of practice, their sale still allows them to be misused.

Timing the shock effectively is also acknowledged to be difficult. Even experienced trainers have been observed to give shocks immediately after a command without giving the dog time to respond, so that the dog is confused and associates the command itself with the shock¹¹. Similarly, some owners repeatedly shock a dog for running off even after the dog has started to return.¹² Incorrect and therefore ineffective use of shock collars is likely to be very common.

There may be situations where a more serious behavioural issue is causing the negative behaviour which makes it more difficult to train a dog. In these circumstances it may be tempting for some pet owners/trainers to resort to the use of e-collars. In circumstances where the dog has poor recall, more intensive positive reinforcement training should be used to overcome the issue. Patient and competent positive reinforcement training should, in most circumstances, be all that is required.

If the dog is chasing sheep and this behaviour cannot be overcome through the use of positive reinforcement techniques then, rather than reverting to aversive training techniques, the animal should be kept on a lead in areas where there are known to be sheep present. If this is not possible, or if the situation cannot be avoided because the owner intends to use the dog for work, then we would question the ethics of using that particular dog for that particular purpose.

¹⁰ AW1402, page 11. Studies to Assess the Effect of Pet Training Aids, Specifically Remote Static Pulse Systems, on the Welfare of Domestic Dogs; Field Study of Dogs in Training, University of Lincoln, 2010.

¹¹ M B H Shilder and JA M van der Borg. Training Dogs with the Help of the Shock Collar: Short and Long Term Behavioural Effects. Applied Animal Behaviour Science 85:319-334 (2004)

¹² E Blackwell and R Casey, The Use of Shock Collars and their Impact on the Welfare of Dogs: A Review of the Current Literature, University of Bristol, available from the RSPCA, who commissioned the review, at www.rspca.org

E-collars are capable of inflicting significant pain depending on their setting and the particular dogs wearing them, therefore excessive use resulting in causing the animal to suffer is a very real risk.

Sonic and Spray Collars

As already stated, OneKind has reservations about the use of sonic and spray collars due to the fact that once these collars are fitted onto an animal, the animal has no way of escaping the high pitched sounds or chemical sprays emitted. We believe that modern training methods, based on rewards, rather than punishments, provide the basis of good dog behaviour.

Citronella spray is used in both remotely activated and anti-bark collars. OneKind is of the view that spraying citronella in a dog's face has the potential to be significantly aversive to the animal, is a disproportionate method of controlling unwanted vocalisations and cannot be said to be sufficiently reliable, given the welfare risks inherent in their use.

Research conducted in 2011 on the effectiveness of a particular brand of citronella spray collar made some interesting observations. The researchers noted that the citronella spray collar was "effective at reducing problem vocalisation for only three of seven dogs...but it did produce stress reactions which varied in severity across the dogs." They also noted that, "the citronella was clearly more aversive for some dogs than for others... Dog S5 showed serious distress reactions, hiding under a veranda and trembling continuously during the latter sessions..."¹³ It is often stated that the use of citronella is a humane alternative to inflicting electric shocks on a dog. The example of dog "S5" does put this into question. The real concern should be the way the spray is experienced by the dog. It is easy to appreciate that this has the potential to be a significantly aversive experience for an animal that interprets the environment predominantly through the use of its sense of smell.

As with shock collars, the citronella spray can be sufficiently aversive as to cause aggression and create negative associations with external environmental factors. This has implications, not just for animals' welfare but for the safety of members of the public. One dog trainer that OneKind spoke to gave an example of the potential harm that anti-bark collars can have.

"I used the citronella spray years ago for my very exuberant puppy boxer. We stayed in an urban area and I was getting complaints from the neighbours about his excessive barking. I tried lots of things and the citronella collar was a new thing on the market at the time, so I decided to give it a go. He used to bark at children as they went past the window, but it was an excited barking. He wanted to go out and play. After using the collar for a week he went from being excited to being aggressive towards children. I spent a long time rehabilitating him and he is much older now, but ever since then I have not been comfortable having him anywhere near children."

¹³ Rebecca J. Sargisson, Rynae Butler, and Douglas Elliffe, "An Evaluation of the Aboistop Citronella-Spray Collar as a Treatment for Barking of Domestic Dogs," *ISRN Veterinary Science*, vol. 2011, Article ID 759379, 6 pages, 2011. doi:10.5402/2011/759379

This example illustrates the danger of using aversive training methods, particularly when there is no one present to monitor the effect of the negative stimulus on the dog. The formation of negative associations is a very real danger with anti-bark collars. If a statutory welfare code is implemented, it should state that anti-bark collars must not be left on an animal when the trainer is not present. The use of such a collar must be carefully monitored to ensure that it is not having an adverse impact on the welfare of the animal and is not exacerbating unwanted behaviours or creating unwanted negative associations.

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.

Whilst OneKind would like to see a ban on any training device that employs purely aversive stimulation, in the absence of a ban we would like to see increased regulation.

We set out in our answer to question 6 why we believe electric shock collars should be banned. Without supporting regulation in place of a ban, if shock collars are not banned then it would be essential to provide further regulation of their design to mitigate the welfare risks. The most common type of device available on Ebay, for example, does have round electrodes, but the end has been mechanically cut and so is still sharp enough to easily scratch the skin with which it comes into contact. Regulations should require that the ends of the electrodes are not just cylindrical in shape, but are also chamfered to ensure that they are

completely blunt. The duration of shock should be limited to prevent excessive activation and a cap on the amperage to limit the potential strength of shock delivered to the animal. It should be illegal to fit a shock collar and leave it on an animal for more than 12 hours at a time (as per ECMA guidance). Physical evidence of pressure necrosis should be sufficient to legally determine that a shock collar has been worn for too long, regardless of whether or not it was worn for greater than 12 hours. Such evidence should also be considered sufficient to prevent invocation of an exemption to section 19 of the Animal Health and Welfare (Scotland) Act 2006 (“unnecessary suffering” test).

Regulations on sonic collars should limit the volume, frequency and duration of sound emitted. The sound should distract the dog but should not be so loud or so high pitched that it causes the animal distress.

For vibration and sonic collars, regulations should stipulate that manufacturers’ manuals must include clear instructions on how to use them as part of a programme of reward-based training. The instructions should describe how to determine if the vibration/noise is being interpreted as aversive by the dog or if it is only a distraction, and advise using alternative training methods if the stimulus is being interpreted as aversive.

Manufacturers’ instructions that are included with shock, anti-bark and/or sonic or spray collars must specifically mention the risks to the animal’s welfare if used incorrectly or excessively, as well as the dangers of false association of negative stimuli with environmental factors.

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.

If shock, anti-bark and/or spray collars are not banned, their use should be restricted to experienced, accredited professionals. Pet owners with no training in dog behaviour should not be permitted to purchase, own or use these types of collars. If anti-bark and/or shock collars are regulated, then it should be an offence to leave an animal on its own with a collar fitted. The device should only be used as a training aid in the presence of a professional dog trainer and should be removed as soon as the training session is complete. Evidence of pressure necrosis on the animal’s skin caused by the collar should be sufficient to prevent invocation of a section 24 exception to a prosecution under section 19 of the Animal Health and Welfare (Scotland) Act 2006.

Licensing regime for dog trainers.

The code of practice discussed in question 4 should explicitly state that shock collars should only be used by professional dog trainers. Currently there is no regulation of or restriction on who can call themselves a dog trainer. If a ban on shock collars is not implemented, then we would strongly suggest that a system of accreditation for dog trainers be set up with the government’s backing, and the use of shock collars be restricted to accredited trainers. It should be clearly stated that improper

use of a shock collar, to the detriment of the animal's welfare, may give rise to the trainer's accreditation being removed.

As discussed in question 6 above, research project AW1402 highlighted that even experienced trainers often use shock collars in a way that is not consistent with guidance either from the device manual or from the ECMA code of practice. OneKind suggests that this lack of care and improper use, even in a setting where professional trainers know they are being monitored, demonstrates the need for such devices to be banned. Failing this, at the very least we would like to see increased regulation of the dog trainer industry to ensure that best practice training methods are fully adopted.

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.

OneKind is opposed to the licensing of remotely activated and anti-bark collars that make use of electric shocks or citronella spray as we believe their use in any circumstances to be unnecessary and disproportionate when there are less aversive training methods that can be just as effective when applied by a competent trainer.

We are of the view that a licensing regime should be implemented for dog professionals including trainers, breeders, walkers and sitters. Licences should be issued by the relevant local authority. The licence regime could theoretically be cost neutral and so should not add any further financial strain to local authorities. All local authorities will already have dog wardens and so should be able to draw from an existing pool of knowledge and experience.

There would have to be consideration of who would be eligible for a licence. It would be impossible to monitor the activities of ordinary members of the public acting in their own homes, so there would be no point in licensing them. Nonetheless, anecdotal evidence is that private use is the most likely setting where incompetent or brutal conduct might occur. We have suggested that there could be a ban on private use of the collars, with licensing confined to specialist users such as trainers. As discussed, however, trainers are not all equally humane or expert. Currently, it would be difficult to differentiate between suitable and unsuitable trainers. The licence regime should therefore be backed up by an additional accreditation system for dog trainers with only accredited trainers being permitted to apply for an additional e-collar licence.

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.

Comments:

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?

Remote training collars	Yes	No	Don't know
• Static pulse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Spray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Sonic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Vibrate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anti-bark collars			
• Static pulse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Spray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Sonic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Vibrate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boundary Fence Systems			
• Static pulse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Details:

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	
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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.

Details:

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?

	Yes	No	Don't know
Remote training collars			
• Static pulse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Spray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Sonic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Vibrate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anti-bark collars			
• Static pulse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Spray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Sonic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Vibrate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Boundary Fence Systems			
• Static pulse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

Details:

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?

Details:

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:

kjvkvavkvbavklba

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?

Annex 1

E-Collar Consultation – Survey of Dog Trainers and Behaviourists in Scotland

The following questions were asked by OneKind researchers in January 2016. Researchers communicated with 52 trainers and 23 agreed to respond to the survey.

Thank you for taking the time to complete this short survey. Please return the completed survey to gregor.yule@onekind.org

The full government consultation is available [here](#).

There are a number of types of “e-collars” on the market at the moment. They can range from devices that give the animal wearing them electric shocks, to ones that emit a startling sound, vibration, chemical spray or puff of water or air. The 5 main questions require a simple yes or no answer, but please feel free to clarify your position further if you wish to do so.

Q1 – Have you already or are you planning on responding to the Scottish Government’s consultation?

Yes/No

Q2 – Have you ever used any type of e-collar before to train a dog?

Yes/No

Q3 – Do you think that electric shock collars should be banned?

Yes/No

Q4 – Do you think that any collars that use aversive training techniques such as chemical sprays, loud noises or vibrations should be banned?

Yes/No

Anti-bark collars are designed slightly different, in that they are set off automatically if the dog barks. These are typically left round the dog’s neck when owners leave their dog on its own, in order to stop it from barking. Like other e-collars, anti-bark collars can make use of electric shocks, chemical sprays or other aversive techniques.

Q5 – Do you think that anti-bark collars should be banned?

Yes/No

Q6 - Do you have any other comments that you would like to make on these issues?