



**CONSULTATION ON THE USE, SALE, DISTRIBUTION AND POSSESSION OF  
ELECTRONIC TRAINING AIDS**  
**A RESPONSE FROM THE SCOTTISH COUNTRYSIDE ALLIANCE (SCA)**

**Question 1: Should sonic or spray collars be treated differently to devices which transmit an electric shock or static pulse? Please state your reasons.**

The SCA can see no reason for the introduction of legislation to control the use, sale, distribution and possession of sonic or spray collars.

**Question 2: Do you agree with what we intend to cover? If not, what should it be covered (and what should not be covered) and why?**

The SCA does not agree with what the Scottish Government intends to cover.

Electric fences are used for many purposes other than simply 'to contain livestock or horses'. The most notable other use, which we hope will not be covered by any new legislation, is to *exclude* animals (wildlife, livestock, horses etc) from certain areas. For example an electric fence may be used to keep grazing animals (deer or livestock) out of woodland areas or to prevent predators, mainly foxes, from gaining access to poultry units or game rearing / release pens. The SCA would urge the Scottish Government to make sure that all uses of electric fences are excluded from any new legislation.

**Question 3: Do you believe that the provision prohibiting “unnecessary suffering” in section 19 and the need to protect an animal from suffering and injury in section 24 of the Animal Health and Welfare (Scotland) Act 2006 are sufficient to protect animals who wear electric shock or static pulse collars or come into contact with “scat mats”? If not, why not?**

Yes. The SCA believes that the provision prohibiting “unnecessary suffering” in section 19 and the need to protect an animal from suffering in section 24 of the Animal Health and Welfare (Scotland) Act 2006 are sufficient to protect animals who wear electric shock or static pulse collars or come into contact with “scat mats” or “freedom fences”.

The SCA believes that if a person was misusing electric shock or static pulse collars or scat mats or freedom fences, and this misuse was causing “unnecessary suffering” to an animal then that person would be committing an offence under section 19 or section 24 of the Animal Health and Welfare (Scotland) Act 2006.

**Question 4: Should any of the devices listed in paragraph 16 be banned? If so, which ones and why? What evidence do you have to support a ban? If you believe that any of the devices should not be banned, why have you reached that decision and what evidence do you have to show that these devices do not adversely affect the welfare of the animals?**

No. The SCA does not think that any of the devices listed in paragraph 16 should be banned. We have seen no evidence to support a ban. We have reached the decision, that none of the devices should be banned, based on information gleaned from users of such devices. The information is presented here in the form of case studies which we believe illustrate that these devices do not adversely affect the welfare of animals.

The SCA decision to oppose a ban on the devices listed in paragraph 16 is also based on the fact that we see no need to introduce further legislation when a person misusing such devices, and thus causing “unnecessary suffering” to a “protected animal” would already be committing an offence under either section 19 or 24 of the Animal Health and Welfare (Scotland) Act 2006.

The following case studies have been submitted by members of the Scottish Countryside Alliance:

#### CASE STUDY 1 – FREEDOM FENCE

*“We have an invisible fence installed which we put in almost 20 years ago, and which is currently out of use as it is so successful.*

*A brief history is that we encountered these when we lived in the States, where they are particularly effective in keeping pets within a person's property where the boundaries are indistinct, which is typically the case in American suburbia. When we moved here, to a house surrounded by farmland, we had two dogs who were in the habit of wandering. We ordered the fence and coincidentally the day it arrived the dogs worried one of our local farmer's sheep. I made a special plea to allow us to try the fence, and the farmer kindly agreed. He has never regretted that decision.*

*The consultation committee must be clear in their minds how these work: during the installation/training phase the invisible fence is clearly marked by little flags or string just at the 'danger' point. The dog is not allowed out unless on a lead during training, and as it approaches the fence an audible buzz emanates from the collar. If this is ignored and the dog goes closer, the pitch changes and the device administers a small shock and the owner pulls the dog to safety by the lead.*

*In this way, the dog is trained to know that a buzz warns of impending 'danger', and the route to safety is away from the flags/string. I don't believe that our dogs were shocked more than a handful of times; though I am sure they frequently heard the warning buzz! Once the string/flags came down they were fully trained how to respond to a warning. From then on they were happy to roam about our property and we did not have to install huge fences and gates, the latter which would, even with the best intentions, let the dog out about once a year to get into all sorts of trouble.*

*After a year or so the fence fell into disuse and was no longer required for those two dogs. We are about to take on a new dog so I am preparing to recommission the fence. I cannot speak highly enough about it.*

*Here is an interesting parallel. When training a puppy, one speaks in a rough, disapproving voice when the dog misbehaves. This is the warning buzz. If it ignores this, one may have to administer a physical*

*punishment – usually a tap on the nose. This is the shock. It does not take long before the disapproving voice is all that is needed. None of us likes to spend their time ‘walloping’ puppies.*

*I can believe that these types of device are sometimes abused, but then so are sticks and there is no case to ban sticks. I believe there are already laws against cruelty to animals which cover this sort of abuse.”  
Mr DG, Kinross*

## CASE STUDY 2 – FREEDOM FENCE

*“We have used an electric collar with a fence to stop our lurcher getting out on to the road with great success - and no visible distress after one shock. Let us know if you want more details. It was definitely the last resort for us since our grounds are impossible to enclose completely.”  
B&S S, by email*

## CASE STUDY 3 - ELECTRONIC ‘SHOCK’ COLLARS

*“I got a two year old labrador x greyhound dog from a rescue centre some years ago. I used to walk every day on a footpath between fields where there was a lot of wildlife. Having greyhound in her, my dog could be three fields away before I even blinked, and went conveniently deaf when called back. I eventually got to my wits end and had to resort to having her on an extendable lead rather than giving her proper free exercise. I asked for advice from the gamekeeper and the gun dog trainer and I attended training classes all to no avail.*

*Finally I decided that an electric collar was the only solution. I bought this from Ireland and used it twice on medium level when on walks. I kept the collar on for several months, and had to use it as a reminder, once, six months later. It was not a pleasant thing to use, but this total of three shocks meant that my dog had her freedom on walks for eight years, until her death last year. I could happily let her off the lead and give her a proper run and a decent amount of exercise with the confidence that she would return when called. The quality of life which I was able to provide for her with the use of this training aid, in my opinion, far outweighed any ‘cruelty’ issues resulting from using it.*

*I am, however, a responsible dog owner (erring towards being too soft rather than too harsh), and I do have concerns about their use in the wrong hands - excessive use at too high a level. Dogs do, on the whole, however, learn quickly and so, on the whole, there is no need to repeatedly use the collar.”  
Ms VC, by email*

## CASE STUDY 4 - ELECTRONIC ‘SHOCK’ COLLARS

*“My experience is that we had a young labrador that started chasing sheep and actually killed one. We would have had to shoot the dog but with the aid of an electric collar we swiftly cured it to the point that I could walk through a flock of sheep with her without her showing the slightest interest. I would certainly advocate retaining their use.”  
Mr JB, Dumfriesshire*

**Question 5: If there was to be a ban, what are your views on whether the ban should be limited to a prohibition on the use of the devices or whether the ban should extend to the sale and distribution of the devices?**

The SCA does not think that there should be a ban either on the use, sale or distribution of the devices listed in paragraph 16.

The SCA has based its decision on the views expressed by our members in the case studies listed above. The SCA also believes that there is no need to introduce further

legislation as any person misusing such devices, and thus causing “unnecessary suffering” to a “protected animal” would already be committing an offence under either section 19 or 24 of the Animal Health and Welfare (Scotland) Act 2006.

**Question 6: Do you believe that a ban should extend to the possession of these devices? If so, for what reasons?**

The SCA does not think that there should be a ban on the possession of the devices listed in paragraph 16.

The SCA has based its decision on the views expressed by our members in the case studies listed above. The SCA also believes that there is no need to introduce further legislation as any person misusing such devices, and thus causing “unnecessary suffering” to a “protected animal” would already be committing an offence under either section 19 or 24 of the Animal Health and Welfare (Scotland) Act 2006.

**Question 7. Should any of the devices listed in paragraph 16 require a licence either by the operator or the seller? If so, which ones and why? What evidence do you have to support that such a restriction is required?**

The SCA does not think that any of the devices listed in paragraph 16 should require the operator to hold a licence.

If there is evidence that the quality of some types / brands of these devices is inferior or is being sold without adequate instructions / guidance notes (the SCA is unaware of such evidence) – and this is causing welfare problems (again the SCA has seen no evidence of such problems) then it may be appropriate to introduce legislation which licences the sale and / or manufacture of such products.

**Question 8. What criteria or conditions should be placed on the issue of a licence? Explain why you think that this is necessary.**

No comment.

**Question 9. Do you have any views on which body would be best placed to issue licences?**

The SCA does not believe that it is necessary to issue licences for the use or possession of the devices in paragraph 16. We are also, based on known evidence, not convinced that it is necessary to license the sellers of the devices in paragraph 16.

The SCA believes that any misuse of the devices listed in paragraph 16 could be dealt with under existing animal welfare legislation, specifically the Animal Health and Welfare (Scotland) Act 2006, and it would therefore be unnecessarily bureaucratic to introduce further legislation or licensing systems for such devices as listed in paragraph 16.

If the Scottish Government decides that a licensing system for such devices as listed in paragraph 16 is necessary and desirable (based on evidence gathered from this consultation exercise) then the SCA believes that a Scottish Government agency would be best placed to issue such licences.

**Question 10. What affect would a ban on the use and sale of electric shock or static pulse collars in Scotland have on your business or organisation? Please detail the affect for each of the training devices listed in paragraph 16.**

From an SCA perspective it is hard to place an economic value (as may be necessary for a RIA) on the effect of a ban on the use and sale of electric shock or static pulse collars. We believe the greatest impact is likely to be on the welfare of our members pet and working dogs.

A ban on 'freedom fences' and 'electric shock or static pulse collars' would result in many dogs, which will respond to no other method of training, being consigned to a life spent either tied up or on a lead. In the worst cases it could lead to dogs being destroyed for crimes such as livestock worrying or run over on roads. The SCA believes that the evidence we have presented (albeit from a handful of dog owners) in the form of case studies herewith, along with other such evidence which we have no doubt will be presented to the Scottish Government firmly shows that the use of 'freedom fences' and 'electric shock or static pulse collars', mostly as a last resort, trains dogs to go on to lead normal and happy lives. Banning such devices would have a negative affect on animal welfare and may actually cause "unnecessary suffering."

**Question 11. What affect would restricting the sale of electric shock or static pulse collars to licence holders have on your business or organisation? Please detail the affect for each of the training devices listed in paragraph 16.**

From an SCA perspective it is hard to place an economic value (as may be necessary for a RIA) on the affect of restricting the sale of electric shock or static pulse collars licence holders. We believe the greatest impact is likely to be on the welfare of our members pet and working dogs.

Given that any licence is likely to cost money, and if it is to be a meaningful licence, take time to apply for etc, we believe that such needles red-tape will prove prohibitive for many dog owners. In the case of livestock worrying a dog owner may need to use a collar almost immediately to cure a dog. Sometimes this can be an ultimatum from a farmer; "get that dog under control, or else keep it on a lead." Thus a dog owner needs a collar asap, albeit as a last resort, and will not have time to go through a long drawn out licence application process. In our experience the use of electric shock or static pulse collars is only necessary for an extremely short time, often a collar may be borrowed from another dog owner used once or twice on the dog and then returned to the original owner. Dogs can often be 'cured' very quickly from undesirable behaviour with the use of a collar.