



Veterinary Ireland Position Paper

Tail Docking in Dogs and other Acts of Mutilation in Animals

NB: This position statement should be considered in conjunction with the Veterinary Ireland Position Statement - Mutilations of Animals, adopted by the Veterinary Ireland National Council, 10th February 2005

Veterinary Ireland, its Animal Welfare Committee and its Companion Animal Society (VICAS), support a complete ban on the docking of puppies' tails.

In conjunction with this Veterinary Ireland seeks an introduction of a ban on showing of dogs which were docked subsequent to the introduction of any such ban on tail-docking as this, we believe, is the best way to ensure that such a ban on the act of docking will be effective.

Veterinary Ireland also seeks a complete and specific ban on all other acts of mutilation in animals and the showing of animals on which these procedures have at any time been performed.

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Definitions:

Tail docking is the term used to describe the shortening of an animal's tail by amputation. Docking is carried out in a number of animal species but here we are only referring to the docking of puppies' tails, a mutilation that is carried out with no anaesthesia or pain relief.

The terminology used to describe docking can be confusing. The procedure should be described as:

- **Therapeutic docking:** a procedure carried out under anaesthesia by a Veterinary Practitioner to correct or repair an injury. This is an essential surgical procedure and is quite acceptable.
- **Non-therapeutic docking** can be divided into:
 - **Cosmetic docking:** a procedure performed so that the dog conforms to the 'Breed Standard' and/or what the breeder may consider as 'normal' for that breed.
 - **Preventative/prophylactic docking:** certain working breeds are docked as a precautionary measure based on the premise that the tail may suffer damage in later life when the dog is working.

An '**Act of Mutilation**' means any non-therapeutic or non-beneficial* procedure which interferes with, incises, removes, amputates or destroys any living and/or sensitive structure of an animal and/or which may be reasonably considered to inflict any pain or suffering on an animal. Such procedures include, but are not confined to, tail-docking, ear cropping, dew claw removal and de-vocalisation in dogs and de-clawing in cats.

**Non beneficial' in this circumstance can be defined as an act which derives no net physical or psychological benefit to the animal in question, to the group of animals with which that animal normally resides, to the persons handling the animal if the prime motivator of the act is to reduce any danger associated with handling that animal or, failing these, where this act derives no net benefit to society as a whole.*

What specifically would Veterinary Ireland like to see in any new legislation?

We would ask that legislation be introduced to render it a specific offence to:

- perform an Act of Mutilation on any animal (*except for those procedures specifically allowed by law in for example some food producing animals*)
- to have or have had responsibility for an animal at the time at which this act were performed
- to bring an animal to another jurisdiction with the sole purpose of having any of these acts performed. This includes bringing a pregnant bitch to another jurisdiction to whelp so that the new born pups can have any of these acts performed upon them.
- to show any animal which has had any of these procedures performed upon them except for therapeutic reasons or, referring only to tail docking, except where this procedure was performed prior to the introduction of any legislation banning this procedure in this jurisdiction or in the jurisdiction in which the animal normally resides, which ever date was earlier.

A: Tail Docking: Key Facts

1. What actually is the tail and what function does it serve?

The tail is not a limb but an appendage and is the end part of the spinal column comprising approximately 20 coccygeal vertebrae, muscle, nerves and a blood supply. The muscular structure plays an important role in body shape, function and communication.

The tail is used as a counterbalance in various locomotory activities: running, walking and squatting to defecate.

The tail is used to communicate the mood and attitude of the dog: its emotional state, assertion of social status, acceptance of a subordinate or equal position, or willingness to fight. We also believe that the use of the tail to communicate is essential to a dog's well being.

2. What breeds are docked and at what age?

Dogs such as Boxers, Doberman Pinschers, Spaniels, Poodles, Terriers and many other breeds have traditionally had their tails removed or shortened at 3 – 5 days old.

3. Why is it done?

Most dogs are docked for cosmetic reasons as breeders believe they are more likely to win when showing their dog if it has been docked. Other reasons for cosmetic docking are to conform to what the breeder may feel is 'normal' for that breed. This is non-therapeutic **cosmetic docking**.

Some working breed dogs are docked to ostensibly prevent any possible future injuries when working. This is non-therapeutic **prophylactic docking**.

Finally some adult dogs may be docked because of tail injuries sustained in accidents, tails trapped in doors for example. These operations are done under general anaesthesia by a veterinary practitioner and extended pain relief is administered to the dog as well as the provision of professional aftercare with regular examinations and inspections of the surgical site. This is **therapeutic docking** and is considered quite acceptable if the practitioner deems this is the best course of treatment to take for any individual animal.

4. How is tail docking done in puppies?

In general when a non-vet performs this act they use no anaesthesia or pain relief. It would be unlikely that they adequately prepare and disinfect the surgical site or use sterile instruments and surgical gloves/drapes etc. Obviously there is no professional aftercare or provision for antibiotic therapy should an infection set in.

Usually a knife is used to cut the tail at a point considered 'acceptable' by the breeder. A **Stanley knife** is often used but commonly a 'crushing/cutting' device such as pliers is used. Less commonly a **rubber band** is applied around the tail thus cutting off the blood supply to the part of the tail distal to the band which then dies and falls off in several days to a few weeks.

5. Does it hurt?

The initial pain from the direct injury to the nervous system caused by cutting or crushing the tail in a young pup is intense. The reactions of the pup to the procedure (whimpering, squealing and wriggling the tail stump or the whole body and sometimes urination), indicates quite clearly that the procedure is painful.

We believe that scientific evidence shows convincingly that puppies feel pain during the process of docking. Any doubts raised about pain by proponents of docking should be dealt with under the precautionary principle that, where there is doubt, the animal should be protected from a potentially painful process.

6. Who can legally perform this act in puppies?

Currently any person is legally entitled to dock the tail of a puppy up to one month of age. *Ref: Schedule to the Protection of Animals (Amendment) Act 1965.*

7. Will vets perform tail docking on puppies?

In a recent article in the Irish Veterinary Journal, Veterinary Ireland informed its members that any request to dock puppies' tails should be refused. It is the sincere hope of Veterinary Ireland that no member of the profession would perform this act.

Furthermore and as indicated in this article the Veterinary Council of Ireland has specifically confirmed that any act of tail docking (except for therapeutic reason) performed by a registered Veterinary Practitioner would be deemed as unethical. In particular it was confirmed that tail docking for so-called 'prophylactic' reasons is considered unethical.

Therefore, should a Veterinary Practitioner perform such an act, they would be in breach of the Guide to Professional Behaviour and would thus be open to disciplinary action by the Veterinary Council.

Veterinary students in Ireland are no longer taught how to dock tails.

8. Why not make allowances for prophylactic docking for working dogs only? Is it not better to remove the tail as a puppy rather than leave it open to injury later in life?

There is no scientific evidence to show that undocked working dogs damage their tails any more than undocked non-working dogs. A seven year study at the University of Edinburgh Royal (Dick) School of Veterinary Studies showed insufficient evidence of statistical significance to suggest a positive association between tail injuries and undocked tails (*Darke et al, 1985*). In other words the risk of tail injury is equal in working dogs compared to non-working dogs and thus there is no argument to say that an exception should be made for working dogs only – all dogs whether working or not are at equal risk to tail injury.

This refutes any argument which may be put forward to make allowances for the 'prophylactic' docking of certain working breeds so as to reduce the incidence or severity of future tail injuries.

Furthermore most of the dogs from a litter of the 'working breeds' that have traditionally been docked would end up as pet dogs in a family home setting.

In Scotland where a total ban on docking was recently introduced the above arguments were accepted by Parliament and there was no provision made for prophylactic docking.

9. What happens in other EU countries?

Tail docking has been banned in a number of countries including the UK (except Northern Ireland), Sweden, Norway, the Netherlands, Finland, Germany and Denmark. Several other European countries including Cyprus, Greece, Luxembourg, Switzerland and Austria have also ratified a European Convention that prohibits the cosmetic docking of tails (RSPCA 2005). Tail docking is also banned in Australia.

Furthermore the policy of both the World Small Animal Veterinary Association and the Federation of European Companion Animal Veterinary Associations is that non-therapeutic tail docking should be banned.

Specifically a ban on tail docking has recently been introduced in England, Wales and Scotland. A ban on the showing of dogs that have their tails docked subsequent to the introduction of this legislation has also been introduced and as mentioned there was no provision made for prophylactic docking in Scotland. It is illegal to bring a dog from Scotland to another jurisdiction for the purpose of having its tail docked even if the procedure is legal in that other jurisdiction.

10. Why ban the showing of dogs docked after the introduction of any legislation banning docking?

Experience from Sweden and Germany - where no such ban on the showing of docked dogs was introduced after the ban on the act of docking was introduced there - demonstrates that not restricting by law the showing of docked dogs, results in continuing demand for them and thus creates incentives to find ways around the ban.

For example breeders from these countries travel to other jurisdictions where docking is legal to have their puppies' tails docked in that jurisdiction. As this is done legally there is no consequence apart from an increase in the value of the litter in their home country. These puppies can then be legally brought to shows in their home country – even though it is illegal to have them docked in that country. The same applies to puppies which are illegally docked in that country. There is no real and tangible disincentive to having the procedure performed. This loophole is clearly not a situation we would find acceptable here.

Furthermore as the showing of docked dogs is now illegal in Britain, Ireland would become the preferred location for disgruntled pro-docking dog owners from there to show their (illegally) docked dogs.

For these reasons we believe that introducing a legislative ban on the showing of dogs which were docked after the date of the introduction of the legislation banning the procedure (as was done in Britain) is the most if not only effective way of ensuring that people will not continue to have this procedure done illegally here or travel abroad for the procedure to be done.

Our logic is: If a person cannot show a docked dog then the demand for docked puppies will disappear as no one will place any monetary value in a dog they cannot show. This will affect the people who most matter and who actually do the docking – breeders. If they cannot sell their ‘product’ then they will stop performing the procedure as there will be no market for docked dogs. Eliminate the demand and the supply will fall off.

If however one can continue to legally show dogs which were docked after the introduction of the ban on docking then the demand for docked dogs will continue and breeders who (illegally) dock puppies will in effect be able to charge a premium over breeders who adhere to the law and do not dock puppies’ tails.

This is akin to how the ivory trade was stopped. It was made illegal to sell ivory so the demand by middlemen for the product disappeared. Once the market for tusks was gone then there was no point in the poachers hunting elephants for their ivory and as such the hunting of elephants reduced dramatically.

Finally there is the moral dimension – is it morally acceptable to continue to permit the public showing of dogs on which an illegal act of mutilation was performed? Is it acceptable to effectively turn a blind eye?

This piece of the legislation is vital and on it rests the success or failure of any effective ban on the procedure of docking. Without it people the demand for docked puppies will continue and with that the supply will continue.

11. Now that docking has been banned in mainland Britain are there any UK residents coming to Ireland to have puppies’ tails docked?

First of all it is illegal for any resident of Scotland to bring any dog to another jurisdiction for the sole intention of having their tails docked – even if this procedure is legal in that other jurisdiction.

Despite this Veterinary Ireland has already been contacted by UK residents enquiring as to the possibility of bringing puppies over here to be docked. Thus far these people have been told that the Veterinary Council of Ireland would consider it unethical for a Veterinary Practitioner to perform such an act. However - and while this would not be mentioned to these callers – as previously stated the Schedule to the Protection of Animals (Amendment) Act 1965 specifically permits the docking of tails in puppies up to one month of age by non-veterinarians. If this became public knowledge in the UK an influx of people seeking to have their puppies docked may well happen - as happened in countries neighboring Germany and Sweden. This is not a vista that any of us would like to see opened and would give a very poor impression of Ireland to our European partners.

B: Acts of Mutilations (other than tail docking): Key Facts

1. What are 'Acts of Mutilation'?

These are cosmetic surgical procedures that are performed on animals for no other reason than an attempt to 'improve' the looks of the animal or to prevent unwanted 'side effects' of owning this animal such as noise or damage to furniture. These procedures do not derive any net benefit to the animal and the procedure destroys or removes part of the animal's normal anatomy in such a way as to cause pain or discomfort to the animal and/or increase the risk of infection, permanent deformity or death.

2. What sort of things are done and why?

These procedures include – but are not limited to – ear cropping, dew-claw removal and de-vocalisation in dogs and de-clawing in cats. Clearly the definition of mutilations would also cover tail docking.

- **Ear cropping** was commonly done in Doberman Pinchers. The ears are trimmed as puppies to make them smaller and 'better shaped' and ensure they 'stand up' as opposed to flop down when showing and thus achieve higher scores. This obviously serves no function whatsoever to the animal and is a purely cosmetic procedure that, when performed by non-vets, is done with no anaesthesia or pain relief using a sharp blade or scissors.
- **Dew claw removal.** This is a procedure to remove what are essentially the equivalent of the thumb and large toes from the medial (inside) aspect of the front and hind limbs respectively. These structures perform no real function and very occasionally can cause problems with snagging and overgrowth of the nail (as it does not get worn down when walking). As such this procedure could be defined as a 'prophylactic' procedure but the incidence of injuries in dogs with intact dew claws is quite low.

These structures are usually connected to the underlying bone by a joint so their removal is essentially a surgical amputation of a toe and is therefore painful. Again when performed by non-vets no anaesthesia or pain relief is used and it is usually performed with a scissors or often a garden pruner.

Occasionally this procedure is performed by a Veterinary Practitioner for therapeutic reasons when there is injury etc to the structure that requires amputation. This clearly is quite acceptable.

- **Devocalisation** is not commonly performed but is a procedure whereby the vocal chords of an animal are surgically altered in such a way so as to render them effectively silent. This is done to prevent unwanted barking in dogs. While understandable that an owner may be in a very difficult position with a constantly barking dog in an urban setting it derives no net benefit to the dog unless euthanasia was the only other option. If this was the case a Veterinary Practitioner may decide that the best course of action for this individual dog is to perform this procedure but only after all other efforts at reducing the barking to an acceptable level by training etc had been exhausted. The action of the Veterinary Practitioner would be governed by the Guide to professional Conduct and he/she would be

answerable to the Veterinary Council of Ireland if such a procedure were performed except as a very last resort where the only other option was euthanasia of the dog.

- **Declawing** (cats only) is where the entire third phalanx (last bone), including the claw (nail) of all of the digits, are surgically removed. This is done so that the animal will not damage furniture during its normal behaviour of attempting to sharpen and maintain its nails (essential for hunting for food and defence). Clearly this act of mutilation derives no net benefit to the cat and is only done for the benefit of the owner. In actual fact this procedure leaves a cat defenceless in the face of an attack by another cat and it therefore recommended that cats that have had this procedure performed upon them be kept inside for life. It is a very painful procedure requiring intensive pain relief and bandaging for several days to weeks. While commonly performed in the USA it is not performed in Ireland and any Veterinary Practitioner performing this act would clearly be open to disciplinary action by the Veterinary Council of Ireland.

3. Who can legally perform these acts?

All of these acts fall into the definition of the Act of Veterinary Medicine as defined in Section 53 of the Veterinary Practice Act 2005 and as such may only be legally performed by a registered Veterinary Practitioner. As such any non-registered persons performing these acts are liable to prosecution under the aforementioned Act.

However the Veterinary Council of Ireland would consider it unethical and in breach of the Guide to Professional Conduct for any Veterinary Practitioner to perform any of these acts for non-therapeutic reasons and as such these acts when performed for cosmetic or prophylactic reasons are effectively illegal in all circumstances.

4. If they can only be legally performed by vets, and if vets cannot perform these acts for cosmetic or prophylactic reasons, then do they need to be specifically banned?

In reality the only acts of mutilation performed by non-vets are dew claw removal and ear cropping. While technically it is illegal for a non-vet to perform any of these it would prove quite difficult to prove that any person actually performed one of these acts unless they were seen in the act by a witness who would testify or they admitted to performing the act and plead guilty.

However the wording of a specific ban could render it illegal for a person to have, or have had, responsibility of an animal at the time of the performance of any of these acts. It would thus be far easier to prosecute for example a breeder of a litter of puppies who had their ears cropped. To escape prosecution the breeder would have to successfully argue that another person had responsibility for these puppies at the time the act was performed and he (the breeder) had no knowledge that these acts were to be performed or he (the breeder) attempted but failed to stop the procedure.

Furthermore any legislation could render it illegal to show any animal who has been mutilated. As per tail docking this would have the effect of eliminating any demand for such animals and eliminating any influx of animals from jurisdictions where the showing of such animals is banned.

In this case there would be no need to only ban the showing of animals that have been mutilated after the introduction of any legislation specifically prohibiting these acts as unlike tail docking it was in effect always illegal to perform these acts. An allowance could be made for animals that had therapeutic surgery performed upon them by a registered Veterinary Practitioner to for example remove an injured dew claw provided the owner produces a veterinary certificate declaring same.

Reference:

Darke PGG, Thrusfield MV, Aitken CGG. Association between tail injuries and docking in dogs. *Veterinary Record* 1985; 116: 409