

Guidance on Dog Training Aids

Review

June 2021

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Summary

Introduction

A commitment was made to the Scottish Parliament in January 2018 to issue guidance on electronic training aids under Section 38 of the Animal Health and Welfare (Scotland) Act 2006. This commitment was fulfilled in October 2018 when Scottish Government Guidance was issued that outlines the expectations of the Scottish Government as regards dog training methods, and highlights the risks, to dog welfare and of potentially committing an offence, of using aversive training methods (see Annex A).

The guidance makes it clear that causing unnecessary suffering through the use of any type of aversive training aid, including electronic training aids, may be an offence under the Animal Health and Welfare (Scotland) Act 2006, depending on the circumstances of the case.

It provides advice on all dog training aids for both dog owners and enforcement agencies and may be considered relevant by the courts in any prosecution of an offence under the Animal Health and Welfare (Scotland) Act 2006 relating to inappropriate training methods. This will depend on the facts and circumstances of the case and the guidance may not necessarily have any bearing, for example if harm was not inflicted using the training aid in question.

The Scottish Government also committed to reviewing the effectiveness of the guidance in helping to prevent the mis-use of aversive training methods after 12 months in light of the practical experience of Scottish enforcement bodies. Work was delayed because of other priorities during the Covid pandemic; however, this report now fulfils that commitment.

Method

This review began in November 2019 when a survey (Annex B) was sent to a variety of organisations including animal welfare organisations, Dog trainers/Animal behaviourists, those involved in the manufacture/supply of electronic collars, Local Authorities and the veterinary profession. A total of 41 invitations were issued

An initial deadline for responses was set of 10th January 2020. This was later extended to 21st February 2020 in order to maximise responses from Local Authorities in particular, as the lead enforcement authority for animal welfare laws in Scotland.

Data from all the responses was collated and is presented in this document. Some information provided was not considered for the purposes of this report for reasons of data protection, appropriateness, or relevance. A few of the comments provided were considered more relevant to a different question to where they were provided in the survey, and where comments were not obviously directed to a specific question a judgement was made as to where they seem to best fit.

Results

25 responses were received in total, some from organisations or individuals that stakeholders had passed the survey on to for consideration. Completed surveys and in many cases additional information was received from 4 animal welfare organisations, 3 dog owners, 8 dog trainer/animal behaviourists, 8 Local Authorities, 1 e-collar manufacturer, and 1 veterinary organisation. A list of those who responded is provided in Annex D, with some anonymising for data protection purposes. Analysis of these responses is presented in this report.

Conclusions and next steps

The purpose of this review was not to address the use of training aids itself, but the usefulness of the Scottish Government's Guidance on Dog Training Aids. However, it appears that views on both of these matters are inextricably linked.

It is clear from both the numerical data and the comments provided by respondents that there remain two polarised points of view regarding dog training aids. At one end, some respondents consider that only reward-based training should ever be used, any aversive techniques are likely to create more behavioural problems than they solve, and e-collars should be banned. At the other end some respondents consider that dogs, like humans and other animals, naturally learn from a combination of reward and consequence and that e-collars should be strictly regulated and used, where appropriate and with supervision, as one part of a mainly reward-based training programme. Both view-points are based on wanting to ensure the safety and welfare of the dogs concerned, and of any people or animals around them.

Both of these view-points also clearly influenced what many respondents thought about the Scottish Government's guidance. Those holding either of the polar viewpoints generally thought the guidance was of little use. There were some respondents that thought the guidance was fine as it is, and enforcement agencies in particular seem to have found it useful where they have had occasion to speak to dog owners about dog training aids. However, this in itself appears to be a rare occurrence for most Local Authorities that responded.

Public awareness of the guidance appears to have been very limited, and it is difficult to assess whether or not the guidance has had any impact on the casual use of aversive training aids. Data provided on sales of dog training aids was very limited and probably not representative of actual sales in Scotland. There do not appear to have been many welfare complaints involving aversive training aids in Scotland among those enforcement agencies that responded. Neither the number of complaints nor the estimated sales of dog training aids appeared to have been affected by the publication of the guidance from the limited data provided.

The issue is currently being considered by the Scottish Animal Welfare Commission as part of their wider review of dog training. It is expected that the Scottish Animal Welfare Commission will then make recommendations to Scottish Ministers on possible future legislation or guidance on dog training and dog training aids.

1. Introduction

A commitment was made to the Scottish Parliament in January 2018 to issue guidance on electronic training aids under Section 38 of the Animal Health and Welfare (Scotland) Act 2006. This commitment was fulfilled in October 2018 when Scottish Government Guidance was issued that outlines the expectations of the Scottish Government as regards dog training methods, and highlights the risks, to dog welfare and of potentially committing an offence, of using aversive training methods (Annex A).

The guidance makes it clear that causing unnecessary suffering through the use of any type of aversive training aid, including electronic training aids, may be an offence under the Animal Health and Welfare (Scotland) Act 2006, depending on the circumstances of the case.

It provides advice on all dog training aids for both dog owners and enforcement agencies and may be considered relevant by the courts in any prosecution of an offence under the Animal Health and Welfare (Scotland) Act 2006 relating to inappropriate training methods. This will depend on the facts and circumstances of the case and the guidance may not necessarily have any bearing, for example if harm was not inflicted using the training aid in question.

The Scottish Government also committed to reviewing the effectiveness of the guidance in helping to prevent the mis-use of aversive training methods after 12 months in light of the practical experience of Scottish enforcement bodies. This report fulfils that commitment.

2. Method

This review began in November 2019 when a survey aimed at gathering a range of views about the usefulness of the Guidance on Dog Training Aids (Annex B) was sent to a variety of organisations including animal welfare organisations, Dog trainers/Animal behaviourists, those involved in the manufacture/supply of electronic collars, Local Authorities as the main enforcement authority for animal welfare laws in Scotland and the veterinary profession. A total of 41 invitations were issued and a list of those invited to participate in the review is attached at Annex C.

An initial deadline for responses was set of 10th January 2020. This was later extended to 21st February 2020 in order to maximise responses from Local Authorities in particular, as the lead enforcement authority.

Data from all the responses was collated and is presented in this document.

3. Results

Twenty five responses were received in total, some from organisations or individuals that stakeholders had passed the survey on to for consideration. Completed surveys, and in many cases additional information, or free-form responses were received from 4 animal welfare organisations, 3 dog owners, 8 dog trainer/animal behaviourists, 8 Local Authorities, 1 e-collar manufacturer, and 1 veterinary organisation. A list of those who responded is attached at Annex D, with some anonymising for data protection purposes.

Some information provided was not considered for the purposes of this report for reasons of data protection, appropriateness, or relevance. In particular, many respondents took the opportunity to provide sometimes detailed views and supplementary information regarding the wider issues of electronic collars and aversive training methods. Not all of these are presented in these results as the review is aimed at assessing the effectiveness of the Scottish Government's Guidance on Dog Training Aids, not at addressing these wider issues. A few of the comments provided were considered more relevant to a different question to where they were provided in the survey, and where comments were not obviously directed to a specific question a judgement was made as to where they seem to best fit.

Dog owners were not directly approached for views in what was a survey targeted at professionals and enforcement agencies. It appears that some of those professionals that were targeted passed the survey on to some of their dog owning clients. Responses from these owners are included in this report as examples of the views of dog owners who have had positive experiences of electronic training aids, however it should be noted that in 2016 a much wider Scottish Government 'Consultation on potential controls or prohibition of electronic training aids in Scotland' highlighted extremely varied views on the use of electronic training aids amongst a much wider dog owning sample.

Results are presented for each question in the survey in the form of tables with numerical summaries of responses, commentary on these and the key views presented in the comments, and the relevant quotes provided listed by sector. It should be noted that due to the limited number of respondents the results cannot be considered representative of views of the sectors concerned.

3.1 General usefulness of the guidance

3.1.1 Usefulness for own dogs

The question asked was: **Have you personally found the guidance useful when considering training methods for your dogs? Please explain.**

There appeared to be some confusion between this question and the next question regarding providing advice to dog owners, with several responses referring to providing advice. This may be because many respondents did not have any dogs of their own and chose to provide alternative information.

Responses to this question were mixed, including within sectors. Overall 10 respondents considered that the question did not apply to them, 7 considered the guidance was not useful for their own dogs, and 4 did find the guidance useful for their own dogs.

Some animal welfare organisations' policies prohibit the use of such devices so the guidance was considered of no use or not applicable to dogs in their care. Those dog owners that responded were already using e-collars in what they consider to be responsible manner as one part of generally reward-based training regimes, and it is unlikely that the guidance added anything beyond information they already had. Some Local Authorities found the guidance useful as a basis to talk to dog owners, but the majority of those that responded have had no occasion to use it. Training aid manufacturers found the guidance confusing and of no use.

While some dog trainers/behaviourists were happy with the guidance and found it useful to clarify/explain the situation surrounding e-collars, the majority found it of no use or not applicable. The reasons why appeared to depend on whether they supported responsible use of e-collars (concerns raised included that the guidance was confusing, misrepresents e-collar use and does not explain how to use them properly) or supported a ban on e-collars (concerns raised included that guidance is hard to enforce, is unclear and endorses e-collar use).

Sector	Found useful for own dogs
Animal welfare organisation	1 Not applicable 2 No 1 No answer provided
Dog Owner	1 Not applicable 2 No answer provided
Dog training/ Animal behaviour	4 No 2 Yes 2 Not applicable
Local Authority	6 Not applicable 2 Yes
Training aid manufacturer/supplier	1 no
Veterinary Profession	1 No answer provided

Quotes from animal welfare organisations

Scottish SPCA "Our own policies prevent the use of any device that can inflict pain on an animal as a means of training, and we are responsible for the care of over 3,000 dogs per year. We care for almost every breed of dog with a range of temperaments and are able to rehabilitate them with great success, with the use of positive, reward based training".

Edinburgh Dog and Cat Home "We always use positive re-enforcement techniques, so while we fully support the message of the guidance it does not directly apply to

our work and training of the many dogs in our care at Edinburgh Dog and Cat Home.”

Dogs Trust “As an organisation, Dogs Trust cared for approximately 14,300 stray and abandoned dogs last year through our network of 20 rehoming centres across the UK and Ireland, using only positive reward-based training. In 2019, we successfully rehomed nearly 800 dogs in Scotland without using aversive training techniques. Dogs Trust believes the use of aversive training devices and techniques including electronic shock devices is both irresponsible and ineffective. Every dog should be trained using kind, fair and reward-based methods. Under no circumstances do we condone the use of equipment or techniques that use punishment, pain or fear to train a dog. The use of such aversive training techniques is likely to compromise the welfare of dogs and may in fact worsen behavioural problems. Furthermore, aversive training devices have been shown to be unnecessary for the effective training and rehabilitation of dogs. Dogs Trust Dog School is a network of positive reward-based trainers running classes right across the UK. Dogs Trust Dog School’s experienced trainers aim to provide high quality, welfare friendly advice on dog training and behaviour during our fun, educational classes. We want to help dog owners to form a life-long bond with their dogs, have a good understanding of the behaviour of their dog and avoid the common pitfalls that can turn into problem behaviours, which can often lead to people handing their dogs into our centres. The guidance has not proved relevant to our trainers in Dogs Trust Dogs School class content or Dogs Trust’s ethos of working, as mentioned previously we do not use any aversive methods in our classes or organisation. Should the guidance be replaced with an outright ban of aversive training devices such as electronic shock collars, prong collars, Sonic and spray collars, this would prove more relevant as trainers could inform attendees that not only does Dogs Trust not use any aversive techniques the use of aversive training aids has been made illegal by the Scottish Government. This would be hugely positive and useful in increasing awareness of positive reinforcement and the promotion of dog welfare. The change in guidance has not altered our approach which is heavily evidenced based. Owners who attend our training classes will have been spoken to on the phone prior to attending so are unlikely to turn up with those training aids, however our trainers continue to look out for owners at our classes who may arrive with aversive training devices. We have a number of experienced and qualified training and behaviour advisors (TBAs) based at our rehoming centres in Glasgow and West Calder who would never use aversive training devices or techniques and so the guidance change will not have impacted their day to day advice and practice. Despite their knowledge, interest and expertise in dog training several of the TBAs reported that they were not 100% sure if the new guidance was enforceable or just advisory, which demonstrates that there is confusion surrounding the guidance, even within the dog training industry itself. Overall the issuing of guidance on Dog Training Aids has had little impact on Dogs Trust and our work in Scotland as we do not use aversive training aids. We remain concerned even with the new guidance that there is great potential for the misuse of equipment that uses punishment to train dogs, either through ignorance or deliberate intent. We strongly urge the Scottish Government to reconsider their approach and move to introduce the ban via secondary legislation as is the case already in Wales, via the Animal Welfare (Electronic Collars) (Wales) Regulations 2010. The Westminster Government has also committed to banning these devices and the decision was upheld following a

recent judicial review, demonstrating ample precedent in banning aversive training aids.”

Quotes from dog owners

Dog owner 1 “I thought I would write to you to express my support for their use within a training environment, providing that the user is properly trained themselves on their usage. As the owner of a hound, with all the usual instincts he possesses, I have a dual responsibility to the welfare, both physical and mental, of my dog and the safety of other animals, particularly farm stock. His joy is to run, and my joy comes from seeing him do what he loves. However, I must be aware that this is inappropriate in certain circumstances and I take my responsibilities very seriously to that regard. Correct usage of the collar makes it an essential yet gentle tool allowing freedom for my dog to express natural behaviour in a safe way for both him and other animals. It is a small, but important, element of the training methods I use and is a supplement to the reward-based training of treats and praise, not a substitute for it; this is the correct way of using the collar.” “I consider the current guidance to be fit for purpose and effective to cover the misuse of these methods.”

Dog owner 2 “I have used the e collar on my GSD and it has proved invaluable. He has a very highly developed sense of smell and has ended up twice on a very busy road investigating something squashed on the road...this despite continual training for recall etc. The e collar used on a very low setting has remedied this completely. It has given me much more confidence to walk further afield with my dog and has possibly saved his life. I was taught to use it correctly by a very experienced dog handler and would recommend this to anyone who has a dog intent on following scents, chasing livestock etc. My dog comes very willingly to get his collar on and shows no sign of discomfort. I think the present guidance is adequate and should be retained.”

Dog owner 3 “Like other dog owners in a similar position to us, we tested the electronic collar on ourselves and are more than confident that – used correctly – no harm is inflicted. If the use of those devices is made illegal altogether it will make no difference to those individuals who are prone to use cruelty and force to get a dog what they want him to do. There will always be those who don't have the patience or don't want to take the time to train a dog. And there will always be those who are frustrated and angry, and who simply like to hurt animals. The means available to them are limitless, as we all know. Also, those who are determined will still be able to get hold of the devices even if they are made illegal. There is almost nothing, illegal or legal, that can't be ordered from abroad or from illegal traders online. Cruelty to all animals and in this case to dogs often happens away from the public eye. Abuse of animals happens in peoples' homes or off the beaten track. Farmers and game keepers, for instance, can get away with almost anything because of the nature of their - often remote – location. How much of this abuse is actually reported and prosecuted, not matter how it happens? We seriously doubt that making certain devices illegal will make a difference. Those who use them indiscriminately will keep on doing so. Making those devices illegal will predominantly punish those who try to help and are willing to spend a lot of time and money on the rehabilitation of a dog.”

Quotes from dog trainers/animal behaviourists

Association of Responsible Dog Owners “Whilst ARDO absolutely applaud the Scottish Government for their objective decision to issue stricter guidance regarding the use of electronic training aids in the training and behaviour modification of dogs, the actual guidance itself – and indeed the Scottish position, has (in our experience) lacked public clarity. For example, following the decision, I have personally had to correct presenters on live national television and radio, where they have stated that Scotland have ‘banned’ electronic training aids, with other media sources citing ‘an effective ban in Scotland’. This has caused confusion in owners who are wishing to address entrenched, reward-resistant and welfare compromising behaviours in their dogs, who do not know whether acting upon their desire to protect their animals (and indeed those within which they come into contact) would make themselves criminals. Having personally worked with approximately 1500-2000 dogs and their owners, I consider the guidance itself to be unclear, inadequate and misleading. Confusion is compounded through the use scientific terminology (positive) in non-scientific terms. For example, “Reward-based (positive) training” implies that ‘positive’ means ‘good’ or ‘better’, with ‘negative (reinforcement)’ being presented as synonymous with ‘physical punishment’ – thereby suggesting ‘bad’ or ‘worse’. Scientifically, ‘positive’ means to add and ‘negative’ means to remove, with ‘punish’ meaning to reduce frequency and ‘reinforce’ meaning to increase frequency. Good or bad, better or worse are determined by comparison of results, rather than procedures themselves. Reward-based training is not conclusively ‘positive’ in either sense of the word, since some dogs will not increase or decrease a behaviour for the ‘reward’ on offer, with ‘reward-based training’ requiring the animal to ‘desire’ or ‘require’ the reward (usually food) in order to abate hunger – or ‘need’ – which in itself is a biological notification of ‘deficit’ - a ‘negative’ state. In short, ‘positive’ reinforcement and ‘negative’ reinforcement are each necessary, inseparable and mutually dependent of ‘reward-based’ training. The guidance opens (accurately) with the statement that: “Successful dog training is expected to deliver dogs that consistently demonstrate appropriate social behaviours with both other dogs and people. It should also meet legal requirements and public expectations in terms of control that an owner has over their dog’s behaviour” before going on to state that “The most effective method of training dogs is reward-based (positive) training”. This additional sentence is inaccurate; unnecessary; and misleading – thereby confusing. Of the many hundreds of dog-owner teams I have trained in order to modify undesirable or unreliable behaviour in the dog, almost every single one had followed (and continued to follow) ‘reward-based’ training, yet it had proved unsuccessful (and so ineffective) in meeting appropriate social and legal expectations and demands. Each and every one of these owners would testify to the fact that ‘reward-based’ training alone had failed to provide the ‘effective’ results the existing guidance claims it is ‘most effective’ at providing. A live ‘user-survey’ for electronic training collars at www.joinardo.com provides first-hand experiences of over 700 owners, the majority of whom have been unable to conform to public expectations, social requirements and legal demands via ‘reward-based’ training alone. The existing guidance makes absolute statements but lacks contextual consideration. For example, recalling a predatory, adult rescue dog with a strong history of chasing prey through the sole use of ‘rewards’ is neither proven achievable, nor demonstrably ‘effective’; whereas doing so through the professionally supervised inclusion of electronic training collars in conjunction with reward-based training, is (video footage available). Instilling

'avoidance' in place of 'approach' in a confirmed livestock chasing/killing dog, independent of owner involvement, is both scientifically and empirically proven effective (videos available), through the professionally supervised inclusion of electronic training collars into a holistic modification programme; but for 'reward-based' training only, it remains unproven and therefore ineffective by comparison. The existing guidance also states (regarding aversive training 'devices'): "These 'techniques' compromise dog welfare" Again, there is confusion as to whether it is the device itself or the technique (which remains unexplained) that will "compromise dog welfare"? The statement is absolute too; there is no 'may', 'could' or 'potentially', which is again misleading and confusing, since no evidence exists to support such an 'in all circumstances' claim, which in its present form has the potential to repel owners from securing the best interests of their dog and other animals. As it stands, the existing guidance appears to take and project a 'telescopic' view of animal welfare; that being only the interests of the dog itself that are presently taken into consideration. We feel that the view of welfare ought to be presented as extending beyond the immediate impacts upon the dog itself, to the broader and longer-term impacts of both the dog and other animals/members of society with and within which the dog is expected to safely and legally coexist. I/we strongly believe that a restructuring of the existing guidance could prove more beneficial, through the provision of clearer, more accurate information, presented either scientifically or in lay-person language (not a mixture) to those seeking to better understand the Scottish Government's position in relation to electronic training aids and why that position is held."

Dog trainer/animal behaviour 1 "Personally, no, because I would never use any type of training aid in a way that would cause unnecessary suffering."

Dog trainer/animal behaviour 2 "Useful to explain to clients who are unsure of status of ecollars."

Dog trainer/animal behaviour 3 "It provides a useful tool when discussing with clients about the responsibilities they have in using all training methods responsibly."

Association of Pet Behaviour Counsellors "For the guidance to be useful for the public, it is believed by the APBC that it would be more beneficial if it were written in a clearer and easier to understand format. In its current form it could be open to misinterpretation as the guidance is not clear. It should be noted that no members of the APBC, based in Scotland or elsewhere, would use e-collars in the modification of unwanted behaviours in pet dogs. The APBC does not agree with the use of e-collars being a legal activity in the training of dogs. The APBC believes that e-collars cannot be used on dogs without having a negative impact on the welfare of those dogs."

Association of Balanced Dog Trainers "The guidance that is provided is not correct when it comes to dog training and the best type of training to use when training your dog. The guidance is misleading when it refers to Positive reinforcement training and aversive training. There is factually no such thing as just positive reinforcement training and is only part of operant conditioning. Just because you are not using positive reinforcement, doesn't mean you are being aversive. For any individual or

organisation to say they only use positive reinforcement is scientifically and factually not possible.”

Quotes from Local Authorities

Scottish Borders Council “Scottish Borders Council does not undertake the training of dogs.”

Clackmannanshire Council “We have not had to use the guidance.”

Aberdeenshire Council “As a local authority we have no need for such collars and would not allow them in our Training Classes.”

Shetland Islands Council “The guidance clarifies the current legal thinking about the efficacy and suitability of these types of training aids in relation to the statutory protections that exist with the 2006 Act. It is useful for enforcement officers to have this level of guidance available when passing advice to any persons that they may be speaking to in relation to dog behaviour and training techniques.”

East Ayrshire Council “Dog was trained before guidance issued. Methods used were as those recommended in the guidance.”

Argyll and Bute Council 1 “Dog owners periodically ask for advice on training aids, quite often related to barking and they buy products from E Bay. The guidance is useful for dog owners and the related partnership agencies to educate and often find more suitable approaches.”

Argyll and Bute Council 2 “Never ran into a situation where the dog owners / trainers are abusing the dogs through the use of e collars or prong units since starting the post in 2015.”

Quotes from training aid manufacturer/supplier

Electronic Collar Manufacturers Association “The usefulness of the current content of Scotland’s “Guidance on Dog/Electronic Training Aids” (“Guidance document”) has caused confusion and criticism to the highest levels amongst even those who are well versed in legislative interpretation. In particular, this reference is to Judges & Barristers who, in 2019, specifically turned their attention to Scotland’s’ guidance document. As a consequence, the use & usefulness of the current guidance in its current format is compromised and arguably counterintuitive to the stated aims and objectives of the Scottish Government. With the intent of assisting the Scottish Government in identifying the issues with the current guidance document in its current form which have, in turn, resulted in confusion and counterintuitive outcomes. ECMA has provided further information relevant to this question in ECMA’s (a) further responses on this questionnaire and (b) particularly the attached document “Considerations for amended guidance”.”

Quotes from veterinary profession

No comments

3.1.2 Usefulness for providing advice to dog owners

The questions asked were: **Have you or your organisation found the guidance useful when providing general advice on aversive training aids to dog owners? Please explain** and **Roughly how many times have you or others in your organisation referred people to the guidance when providing advice on dog training methods?**

Overall, 7 respondents found the guidance useful when providing advice, 7 did not find it useful, 2 were not sure, and 5 considered the question not applicable to them.

Sector	Found useful to advise owners	no. times referred to guidance when giving advice
Animal welfare organisation	1 Yes 2 No 1 No answer provided	1 -15 1 – 0 1 – no answer provided
Dog Owner	1 No 2 No answer provided	1 - Not applicable 2 – No answer provided
Dog training/ Animal behaviour	4 Yes 3 No 1 Not applicable	1 – 0 1 – 2 1 – 10 1 – 30 1 - 250 references to SG position 3 – No answer provided
Local Authority	2 Yes 2 Not sure 4 Not applicable	5 – 0 1 – 6 1 – 10 1 - 15
Training aid manufacturer/supplier	1 No	1 – No answer provided
Veterinary Profession	1 No answer provided	1 - 379

Again, views were very mixed, including within sectors. For example, within the animal welfare organisations, one organisation found the guidance useful to refer to when investigating complaints and providing advice, while another considered referring to Government guidance too intimidating when talking to dog owners. Dog trainers/behaviourists either found the guidance useful to base discussion around and/or to clarify the legal status of e-collars, or found it confusing and/or incorrect. Local Authorities who have had occasion to speak to dog owners found the guidance useful to refer to, while the manufacturing respondent found it confusing and incorrect. The veterinary respondent considered that the guidance does not go far enough to prevent use of aversive methods.

The rough estimate of the number of times the guidance was referred to by an organisation generally ranged from 0-30, with 2 organisations reporting much higher

figures in the hundreds relating to hits on a website or references to SG's wider position on e-collars.

Quotes from animal welfare organisations

Scottish SPCA "Since the guidance was released in October 2018 the Scottish SPCA has received 15 calls to its Animal Helpline relating to the use of electronic training aids. On all occasions, advice has been given and in some instances when inspected the collar was a vibration only model."

Edinburgh Dog and Cat Home "Again we never promote aversive training for our staff or potential new owners. Though it might be a useful tool to help reinforce the message that aversive training is not acceptable when we rehome a dog to a new owner. The staff of Edinburgh Dog and Cat Home work tirelessly to rehabilitate our animals using positive reinforcement techniques, until they are ready to be rehomed. It is these techniques that we would like to promote to the public, and show that there is no place in responsible pet ownership for punishment-based training methods."

Dogs Trust "Dogs Trust advocates only positive reward-based training, based on robust research and knowledge. As such we would never recommend the use of aversive training aids or offer advice on how to use them as we believe positive training to be far more effective. Furthermore, in general, if we are advising owners we prefer not to refer to Government guidance as this can be a little confrontational and intimidating and we choose to discuss welfare and behavioural disadvantages of using these training aids and allow owners to come to their own conclusions that they shouldn't be used. However, if aversive training aids were to be banned outright, via secondary legislation as we have been advocating, it would be much easier for our trainers to politely but assertively explain that such devices are illegal and not to be used. This would be much more clear-cut than the current guidance which simply advises against their use and would allow our TBAs and trainers to broach the issue with dog owners without hesitation."

Quotes from dog owners

Dog owner 2 "The guidance leaves out crucial facts."

Quotes from dog trainer/animal behaviourist

Association of Responsible Dog Owners "Following a full behavioural, medical and training history for the dog, I personally (and responsible dog trainers incorporating the use of electronic training aids into holistic programmes where considered necessary and proportionate) will routinely provide a full theoretical input for dog owners, covering alternatives; justification; legality; potential consequences/effects before even considering the actual application of electronic training aids. The Scottish decision (along with other recent decisions such as Victoria in Australia and the Kiwi Aversion Training project in NZ) is often referred to when assuring owners that the highest ethical authorities accept that there is a justified place for electronic training aids, provided that they are used in accordance with ethical and professional guidelines."

Dog trainer/animal behaviour 1 “Yes because I would emphasise to dog owners that training aids should never be used in a way to cause unnecessary suffering.”

Association of Pet Behaviour Counsellors “Some members of the APBC are based outside of Scotland, the guidance therefore would not be applicable, however no members of the APBC would use e-collars or recommend them, as per the above.”

Dog trainer/animal behaviour 2 “Useful to explain to clients who are unsure of status of e-collars.”

Kennel Club “We have promoted the fact that the Scottish Government introduced the Guidance which condemns the use of electronic training devices as it has added weight to our organisations’ campaign for the use of electric shock training devices to be banned across the UK, and to the advice we provide that it is never acceptable to train a dog with electric shock devices. The Guidance has also been useful for Scottish KCAI members who provide advice to the dog owning public as to how to effectively train their dog/s as the Guidance supports the Scheme’s standard in this area.”

Association of Balanced Dog Trainers “I’m unsure as to what you mean by aversive training aids, any tool can be used as an aversive. Also your description of remote collars is not factually incorrect when referring to it as an aversive training aid. I have not referred anyone to the guidance on dog training aids as the information you provide with regards to remote collars and your preferred type of training is not correct.”

Dog trainer/animal behaviour 3 “It provides a useful tool when discussing with clients about the responsibilities they have in using all training methods responsibly.”

Quotes from Local Authorities

Scottish Borders Council “Scottish Borders Council has not provided general advice on aversive training aids to dog owners but would refer to the guidance if the opportunity arose. Scottish Borders Council: Scottish Borders Council does not advise on training methods and always directs dog owners to practicing professional dog trainers.”

Clackmannanshire Council “We have not had to use the guidance.”

Shetland Islands Council “In our organisation we have a number of officers responsible for enforcing legislation relating to animal welfare and the control of dogs within the local authority area. In this respect I can’t answer for any other officer but I have been able to discuss the suitability of certain dog training aids that fall within the scope of this guidance note and have informed the owners about the legal position the owners might be in should the training aids cause harm to their animals. The discussions resulting from the guidance have given me opportunities to engage with owners and offer advice about taking part in more traditional training classes run by our local dog clubs.”

East Ayrshire Council “Not usually called upon to give advice on dog training. If subject raised in conversation then positive reinforcement methods are what is encouraged. “

Argyll and Bute Council 1 “We use the guidance to steer dog owners away from aversive techniques whenever possible , so again it has been useful”

Argyll and Bute Council 2 “Highlighting the problems associated with such training methods and potential outcomes for animal and the owner / trainer”

Quotes from training aid manufacturer/supplier

Electronic Collar Manufacturers Association “See the response to question 6 above regarding the misunderstandings and mistakes of fact which have led to considerable confusion, criticism and avoidable compromise of the current guidance document’s usefulness. With the intent of assisting the Scottish Government in identifying the issues with the current guidance document in its current form which have, in turn, resulted in confusion and counterintuitive outcomes. ECMA has provided further information relevant to this question in ECMA’s (a) further responses on this questionnaire and (b) particularly the attached document “Consideration for amended guidance”.

Quotes from veterinary profession

British Veterinary Association/British Small Animal Veterinary Association “We consider that the guidance in its current wording does not go far enough to advise owners and trainers against the use of aversive training devices. While we recognise that the guidance states that the Scottish Government ‘does not condone’ these methods, nowhere in the guidance does it explicitly advise against them. For example in Defra’s Code of Practice for the Welfare of Dogs the guidance explicitly states: “[...] good training can enhance a dog’s quality of life, but punishing a dog can cause it pain and suffering ... Only use positive reward-based training. Avoid harsh, potentially painful or frightening training methods.” In a series of parliamentary questions asked by Colin Smyth MSP in 2018, we note ambiguity in the Scottish Government messaging surrounding the legal implications of the guidance for trainers and dog owners. Question S5W-19660: Colin Smyth, South Scotland, Scottish Labour, Date Lodged: 29/10/2018 To ask the Scottish Government whether it considers that it has delivered on its commitment made in January 2018 to "effectively and promptly ban" the use of electric shock dog collars. Answered by Mairi Gougeon (07/11/2018): The commitment made to Parliament in January 2018 was to issue guidance on electronic training aids under Section 38 of the Animal Health and Welfare (Scotland) Act 2006. This commitment was fulfilled on 15th October and the guidance has been welcomed by the Kennel Club, Dogs Trust and other groups that had been campaigning for a ban. The Environment, Climate Change and Land Reform Committee of the Scottish Parliament have also noted their support for the guidance. Question S5W-19654: Colin Smyth, South Scotland, Scottish Labour, Date Lodged: 29/10/2018 To ask the Scottish Government whether its new Guidance on Dog Training Aids will have the same effect as a full legal ban. Answered by Mairi Gougeon (07/11/2018): The use of electronic training aids is not prohibited; however the Guidance makes it clear that

causing unnecessary suffering through their inappropriate use may be, depending upon the circumstances of the case, an offence under the Animal Health and Welfare (Scotland) Act 2006 if the user knew (or ought to have known) that the action would cause unnecessary suffering. A separate offence may be committed, depending upon the circumstances of the case, if a person does not take such steps as are reasonable in the circumstances to ensure that the needs of the animal for which the person is responsible are met to the extent required by good practice. These needs of the animal include its requirement to be protected from suffering and injury, its need for suitable environment and its need to exhibit normal behaviour patterns. The Guidance may also be considered relevant by the courts in any prosecution of either of these two offences relating to inappropriate training methods, but the relevance of the Guidance will depend on the facts and circumstances of a particular case. These answers recognise that the use of electronic training aids is not prohibited and signal to owners and trainers that they may legally continue to use them – a message that contradicts the initial messaging disseminated by the Scottish Government . These answers also demonstrate a missed opportunity to reiterate the fact that the Scottish Government does not condone these devices and advise against their use. However, following this in the original press release regarding the guidance (issued 24 January 2019, subsequently removed from the Scottish Government website), the Cabinet Secretary, Roseanna Cunningham MSP said: “After carefully considering the concerns raised by stakeholders and the public about electronic training collars for dogs, particularly the ready availability on the internet of cheap devices which can be bought by anyone and used to deliver painful electric shocks, I have decided to take steps to effectively and promptly ban their use in Scotland.” Many news outlets then reported the guidance as a ban or effective ban.”

3.1.3 Proportion of dog owners aware of guidance

The question asked was: **What proportion of the dog owners that your organisation has dealt with in relation to training aids do you think were already aware of Scottish Government guidance on dog training aids?**

Respondents were also asked to provide recommendations for increasing awareness in the general dog-owning public.

Sector	Proportion of owners already aware
Animal welfare organisation	2 – None 1 - Don't Know 1 – No answer provided
Dog Owner	1 – Some 2 – No answer provided
Dog training/ Animal behaviour	1 – None 2 – A few 1 – Most 3 – Don't know 1 - No answer provided

Local Authority	4 – None 3 - Don't Know 1 – Not applicable
Training aid manufacturer/supplier	1 - Some
Veterinary Profession	1 – No answer provided

The most common answers to this question were none (7) and don't know (7), suggesting that the guidance has had little impact on general dog owner population.

Suggestions for increasing awareness of the guidance in the general public included:

- A Government awareness raising campaign
- Press/magazine advertising
- A public awareness campaign involving dog trainers, breeders, rescue centres and general dog owners
- Publicity to be disseminated by animal welfare organisations to new owners who rehome a dog
- Posters and leaflets in places dog owners would see them, e.g. vets, pet shops, packaging of dog training equipment.

Although suggestions for raising awareness were provided, this was sometimes in conjunction with the respondent disagreeing with the message in the current guidance as they would prefer a ban or regulation, depending on whether anti or pro collar use.

Quotes from animal welfare organisations

Scottish SPCA “At present the Scottish SPCA only offers advice on this matter when approached by the public either at our centres or when responding to a call that has been received via our animal helpline. There needs to be a public awareness campaign that involves in particular dog trainers, breeders and general dog owners.”

Edinburgh Dog and Cat Home “As an animal welfare charity which a strong emphasis on dogs very few of our staff were even aware of this guidance. We feel this guidance needs more publicity which we could potentially help disseminate to new owners who rehome a dog from Edinburgh Dog and Cat Home.”

Dogs Trust “Our TBAs and our Dog School trainers report that the guidance has never been mentioned by owners in classes, and overall, they believe that owners are unlikely to be aware of it. When researching training and recommended classes it is unlikely, from our interactions with dog owners, that they would think to check Government issued guidance for such advice or recommendations, unless better promoted, for example through a government awareness raising campaign. It is worth noting that Dogs Trust's target audience is may be biased against these training techniques and so our experience is likely to be different from some other organisations. Responsible dog owners, we believe are more likely to do their research and come to Dog Trust for advice and training techniques, so it is vital there

is clear and enforceable legislation banning aversive training devices preventing those less likely to come to reputable dog trainers for help, from using aversive devices. To make advising the public easier and more straight forward, we urge the Scottish Government to introduce a formal ban via secondary legislation which would allow for better enforcement and make prosecution possible.”

Quotes from dog owners

No comments

Quotes from dog trainers/animal behaviourists

Association of Responsible Dog Owners “Currently, the general public is influenced almost entirely by animal charities within the companion dog sector. Almost all of these ‘interested parties’ share a unified – yet empirically (and in the case of predation by dogs) scientifically unsubstantiated and profound objection to any use of electronic training aids under any circumstance. This ‘blanket refusal’ to acknowledge the potential for quality electronic training aids used under competent and professional guidance, together with grossly misleading, ignorant sensationalistic claims such as ‘barbaric’, ‘cruel’, ‘abusive’ and ‘shocking dogs’ effectively trigger a visceral response in a naïve public, which makes it difficult to then ‘increase awareness’ in the objective and pragmatic position held by the Scottish Government. We believe that the Scottish Government could increase not only awareness, but also understanding and considered, effective application of electronic training aids (thereby eliminating the potential for misuse) based on principles of necessity and proportionality, if it were to perhaps ‘endorse’ the idea of having a minimum ‘approved quality’ product standard (to discourage inferior/unreliable equipment purchase and use), together with the recommendation that training (certainly initially) is overseen by a professional trainer with experience and knowledge in successfully incorporating multiple aspects of dog training and behaviour modification. The ‘free text’ responses from the Association of Responsible Dog Owners user-survey, reveals widespread support for some kind of regulatory approach, thereby demonstrating that the majority of existing, electronic training aid users support ethical and responsible access for specific behavioural deficits. Select trainers at the Association of Responsible Dog Owners would be keen to work collaboratively with interested parties to assist the Scottish Government in any way possible in establishing the core, desirable qualities for trainers in establishing a programme promoting knowledge, application and ethical compliance regarding electronic training aids.”

Association of Pet Behaviour Counsellors “The dog-owning public should be made aware of the welfare implications of e-collars when used on dogs. This could be done via press/magazine advertising whilst also through dog/puppy training classes, rescue centres, breeders etc. However, no guidance on the use of e-collars is of use, as the only guidance should be not to use them. They cannot be used without a negative impact on the welfare of dogs. Those using them rarely have the required level of understanding of their mode of action (if they did they would not use them).”

Dog trainer/animal behaviour 2 “Misinformation abounds regarding the correct and appropriate use of electronic training aids. Publicity and education are essential. These aids can save the life of dogs, sheep and other animals.”

Dog trainer/animal behaviour 3 “Posters, leaflets in places dog owners would see them, vets, pet shops, packaging of dog training equipment.”

Kennel Club “The Guidance itself is a difficult message to explain to the public. As the Guidance is not statutory, and not legally binding, a general awareness raising exercise may not achieve the desired outcome. Whilst our organisation quotes the Guidance as stating: “Particular training devices that the Scottish Government does not condone are: electronic shock collars, electronic anti-bark collars, electronic containment systems, or any other method to inflict physical punishment or negative reinforcement” in terms of a general awareness campaign, perhaps led by the Scottish Government, we would have to be mindful that unfortunately the Guidance goes on to state: “This Guidance is advisory” i.e. is not statutory. We note the Scottish Government state here that guidance is to prevent the misuse of aversive training methods. However the guidance explicitly states “Scottish Government does not condone electronic shock collars...these techniques compromise dog welfare.” We have referred to the Guidance in relation to Defra’s consultation on banning remote control electronic shock collars and in meetings with e-collar trainers who promote that it is still legal and acceptable to use electronic training aids in Scotland despite the Guidance. We do not typically get calls from dog owners about training aids. It is our view that our KCAI trainers/behaviourists are aware of the Guidance”

Association of Balanced Dog Trainers “There are literally thousands of videos online showing these training aids being used correctly and effectively and it would be good if the Scottish Government could give the correct information when it comes to using remote collars.”

Quotes from Local Authorities

Scottish Borders Council “Guidance on dog training aids could be provided when pet owners visit their veterinary surgeries etc.”

Shetland Islands Council “There have been a number of consultations relating to dog law and control of dogs issues in Scotland over the last number of months. The resulting parliamentary time that will be needed to address the findings of these consultations is a perfect opportunity for the Scottish Government to carry out a publicity drive, highlighting the issues affecting communities in Scotland relating to dogs and the problems caused by them being out of control. The guidance can be referred to at this time as a part of a strategy owners should adopt in relation to positive reinforcement training instead of aversive training methods.”

East Ayrshire Council “Not a primary subject we have dealt with.”

Argyll and Bute Council 1 “Most dog owner’s google subjects such as dog control, dog health, and dog training clubs, I haven’t come across any who have studied the guidance. Some buy online without thinking.”

Argyll and Bute Council 2 “Make the details available on Social Media networks eg facebook.”

Quotes from Training aid manufacturer/supplier

Electronic Collar Manufacturers Association “ECMA has identified that attention to the Scottish Government guidance on dog training aids extends not just to dog owners, but to a wide variety of relevant stakeholders internationally including governments, animal welfare groups and industry. In contrast to the Scottish Governments stated objectives which are set out in the first line of the current guidance document, the evidence both within the UK and overseas, illustrates that the awareness regarding the Scottish Governments guidance document is accompanied by significant confusion and criticism. The confusion and criticism in turn, seriously compromise the documents certainty and credibility and therefore reliance upon it as a useful document. However, the points raised in respect of the document during the 2019 Judicial Review proceedings enable amendments to be made which ultimately address the inherent issues in the current document and enable the guidance document to be amended in a way that results in it being clear, credible and inherently significantly more usable. Those points are referred to by ECMA in the responses to this questionnaire and in the attachment (“Considerations for amended guidance”). Furthermore, because in person discussion is often more helpful, ECMA representatives remain available to provide further particulars to Scottish Government representatives. ECMA recommends that in order to increase and maximise awareness and credibility to multiple stakeholders in addition to the general public, the Scottish Government could re consider implementation of a regulatory model that has a long-term proven record of financial, effective and enforcement success. In 2018 the Scottish Government considered implementing a regulatory model which reflects the principles of the model that has been established and successfully operating in Australia (Victoria) in excess of 10 years. Scottish Governments representatives may also be aware that in October 2019 decision-makers of the Victorian (Australia) Government specifically turned their mind to the regulatory model and by the fact the model continues to be applied, Government has effectively “re-endorsed” its effectiveness. Revisiting the 2018 initiative by the Scottish Government to mirror Victoria’s’ implementation of a regulatory model is a proven, established and most successful way the Scottish Governments stated objective “for increasing awareness in the general dog owning public”. The model provides a whole-of-system user-pays method of verifiable awareness-and-accountability from point of sale right through to verifiable professionals (EG Veterinarians, qualifies dog training supervisors) involved in the use and follow up of electronic training products. In short, ECMA’s recommendation for increasing awareness (and securing significant additional benefits to dogs, owners and the community) in the general dog-owning public (and others who closely will have direct and indirect dealings with dog training) is that the Scottish Government take another look at implementing the regulatory model which has an established track record of success from multiple perspectives including economic viability, providing pragmatic animal welfare-community benefit, and in terms of affective awareness-compliance and enforcement.”

Quotes from veterinary profession

British Veterinary Association/British Small Animal Veterinary Association “it would be useful for MSPs and the Scottish Government to reiterate the fact that the Scottish Government does not condone these devices and advise again their use in messaging to the general dog-owning public, and dog trainers who continue to use aversive training aids. We consider that in its current form the guidance is ambiguous and potentially confusing for the general dog-owning public. Alongside increased communication that the Scottish Government does not condone these methods, a complete ban on the sale and use of electric pulse training collars would provide a simplified message to the general-dog owning public and trainers alike.”

3.1.4 Impact on casual use of aversive devices

The question asked was: **Do you consider that the publication of the Guidance has helped to discourage casual, un-informed use of aversive devices by the general public? Please explain and provide any evidence you have available.**

The most common answer to this question was not sure (16), with 2 respondents saying yes and 3 no. Most organisations appeared to find assessing impact difficult. Concerns were raised that low awareness of the guidance by the general public led to low impact. Those supporting continued responsible use of e-collars raised concerns that the guidance provided no information on responsible use and if anything left people more confused and considered that regulation would be more effective. Those supporting a ban on e-collars raised concerns that those people that were using collars previously still are and considered that a legislative ban would have more impact.

Sector	Did it discourage casual use
Animal welfare organisation	3 - Not sure 1 – No answer provided
Dog Owner	1 – Yes 2 – No answer provided
Dog training/ Animal behaviour	1 – Yes 2 – No 5 – Not sure
Local Authority	8 - Not sure
Training aid manufacturer/supplier	1 - no
Veterinary Profession	1 – No answer provided

Quotes from animal welfare organisations

Scottish SPCA “We have no evidence either way but it has proved useful for Scottish SPCA inspectors to highlight that such guidance is available and that certain collars are not recommended by the Scottish Government.”

Dogs Trust “Dogs Trust staff and our trainers have limited exposure to owners who may use such devices. Dog owners who attend our dog training classes or seek our advice tend not to use such devices, as mentioned previously this may be because in researching our classes and training techniques it is clear we only advocate positive reward-based training. However, we cannot discount the possibility that owners simply do not admit using such devices to our trainers. Given perceived low awareness of the guidance we are concerned the impact has been limited and that should those seeking advice look specifically at the government guidance there should be more informed information available about reward-based and training based on positive reinforcement. Our research team is undertaking a study called ‘Generation Pup’ which is a unique type of research project – known as a cohort study – where a large number of individual dogs are followed over their lifetime. Since 1st October 2018, 97 dogs’ owners in Scotland have completed questionnaires about training techniques used on their dogs under 6 months old. In the research, 4 owners have admitted to using aversive training devices, including a sonic collar, prong collar and a choke chain. As mentioned previously some owners will not admit to Dogs Trust that they use devices they know our organisation does not approve of, so this could be a smaller representation than is accurate, however we believe these users are unlikely to have received proper advice or guidance before using these devices on their dogs. Our TBAs and trainers report that from their interactions with the dog owning public at Dogs Trust Dog School classes and at rehoming centres there is generally low awareness of the guidance’s existence. We continue to have serious concerns about the guidance and its effectiveness as there is nothing to proactively check that aversive training aids are being used in accordance with the guidance and to date there has not been a single prosecution relating to the new guidance. We strongly urge the Scottish Government to introduce a ban that is enforceable and can be better used to prosecute those who cruelly use these devices on their dogs. At present, the guidance is not mandatory so is unlikely to be taken into consideration or to have changed the mindset of those who advocate the use of such devices. With those owners who casually use the devices or use them without any informed research, we believe it is highly unlikely that they will have come across the Scottish Government guidance, advising against their use. If the devices were banned outright via secondary legislation, it would be far easier to inform owners that these devices are illegal and not to be used, which is more black and white than the current guidance allows.”

Quotes from dog owners

No comments

Quotes from dog trainers/animal behaviourists

Association of Responsible Dog Owners “We believe that the Scottish Government could go further in terms of discouraging casual, uninformed use of aversive devices than the published guidance in its present form. Through the inclusion of liaison with professional, ethical trainer/users, we would encourage guidance that recommends a workable, regulatory programme (as has just been approved in December 2019 for the state of Victoria in Australia), where access to electronic training aids is retained through a simple yet effective system, which serves to minimise risk through educating owner/users not just in electronic training collar application, but a ‘whole

picture' mindset. whilst maximising ethical use under professional supervision (even if just for initial introductory application). I have personally flown from Devon, to 1 hour North of Inverness; 2hrs outside of Glasgow and Edinburgh in order to provide guidance and education for owners who were considering the use of electronic training collars but wanted access to professional, ethical guidance. We consider this question to be negatively framed, and that it would perhaps be better structured to ask not "have the guidance discouraged misuse?" But "How can we amend guidance to encourage responsible use?" We believe that encouraging dog owners to openly seek only quality equipment, used under professional instruction will encourage dog owner/users themselves to recognise and report instances of casual, un-informed use of aversive devices. Select trainers at the Association of Responsible Dog Owners, would be keen to work collaboratively with interested parties to assist the Scottish Government in any way possible in establishing the core, desirable qualities for trainers in terms of establishing a programme, promoting knowledge, application and ethical compliance regarding electronic training aids."

Association of Pet Behaviour Counsellors "Those who were training with e-collars, before the guidance, continue to use them, as the guidance has no impact on changing their behaviours. In fact, the guidance reinforces for these trainers the legitimacy of using e-collars because the guidance has been sanctioned by the Scottish Government. The fact that there has not been an outright ban on electronic training devices sway's the public to continue to employ trainers who use such methods. Only a full ban and a law against e-collars will discourage their use. Some dog owners are strongly influenced by the Milgram Effect (white coat syndrome), where those in apparent authority can tell them what to do, even though the welfare of the dog is not always the top priority. Trainers who support the use of aversive devices, and who may pay lip service to the aforementioned Guidelines, continue to use harmful methods. These trainers then encourage and guide their customers to use such methods which are highly unlikely to meet Guideline criteria." "trainers who use aversive methods clearly have no qualms in continuing to use poor dog welfare training methods, which utilise heavy punishments, fear and intimidation. Despite an awareness of the guidelines, there is a continuing use of basically brute force in some instances" "Their methods and philosophy are passed on to the general dog owning public who choose to listen to them and pay them for advice. There will need to be stronger guidance levels or a proper ban in Scotland" "The above simply cannot be tolerated, it is very poor dog welfare."

Kennel Club "We believe many who were already using electronic training collars are continuing to do so and are encouraging their use by others, by stating the devices continue to be legal to use in Scotland, and therefore accepted by Government as being appropriate for use in training dogs. We have extensive evidence collected from social media sites of a Scottish based e-collar trainer continuing to train dogs by the same means as prior to the Guidance being introduced and explaining that what he is doing, and encouraging others to do, continues to be legal." "In addition in the Summer we were made aware of an event which took place in Scotland and which we suspect, given those involved, aimed to teach dog owners how to use e-collars to train their dogs." "We alerted the SSPCA but no action was taken. We suspect this is because without Regulations there is little they can do."

Association of Balanced Dog Trainers “Again I must point out that naming remote collars as an aversive device is misleading and factually incorrect . This questionnaire is meant to be non biased and factually based, but labelling a remote collar as only an aversive device is very misleading and not accurate.”

Quotes from Local Authorities

Scottish Borders Council “Scottish Borders Council has not advised any dog owners nor dealt with any complaints in regards to aversive dog training aids. We therefore do not know whether the Guidance has helped to discourage casual and un-informed use of the devices.”

Clackmannanshire Council “We have not had to use the guidance.”

Aberdeenshire Council “It isn’t a subject which comes up very often”

Shetland Islands Council “I’m not sure as to how well this guidance note is publicised and if the majority of dog owners are informed enough to know about these issues.”

East Ayrshire Council “Generally the kind of person using these devices will have little regard of official guidance.”

Argyll and Bute Council 1 “The guidance needs to be promoted more .”

Argyll and Bute Council 2 “Not sure as none of the owners I have previously dealt with actually possessed any of the aversive training items – other than some farmers I knew on the Isle of Mull prior to taking up the post with the local authority.”

Quotes from training aid manufacturer/supplier

Electronic Collar Manufacturers Association “It appears that this question is seeking to assess the outcomes associated with the guidance document. Unfortunately, it has been our observation that (a) The misreporting a misunderstanding of the Scottish Government position by the media; and (b) The confusion even by the High Court judges caused by the current drafting of the guidance document has, as predicted, has indeed created a barrier reducing use of the products HOWEVER, the implementation of what an English High Court Judge has described as a “soft ban” implemented by the Scottish Government has, as predicted, already resulted in UNINTENDED CONSEQUENCES that are counterintuitive to the Scottish Governments objective of assisting its dog owners in having dogs that are appropriately socially controlled and trained”

Quotes from veterinary profession

British Veterinary Association/British Small Animal Veterinary Association “It would be useful to survey the general dog-owning public and dog trainers to ascertain their awareness and understanding of the guidance. However, the guidance should not solely aim to deter ‘casual, un-informed use of aversive training devices’ – it should also aim to discourage the use of aversive training devices amongst professional dog trainers. We are concerned that as the guidance does not prohibit the use

aversive training devices (and the Scottish Government openly states this in its official communications, see parliamentary questions above) they will continue to be used, particularly by trainers who favour their use. Further, we are concerned that the guidance is difficult to enforce under Section 38 of the Animal Health and Welfare (Scotland) Act 2006 as many shock collars on the market are dual purpose and it would be difficult for the competent authorities to prove it was in shock mode at any given time.”

3.1.5 Can the Guidance be improved?

The question asked was: **Is there any change to the Guidance that you think would make it more helpful and/or you more likely to refer to it in future when considering dog training methods or advising others regarding dog training methods? Please explain.**

The views expressed on this question were mixed on both whether and how guidance could be improved, with 8 respondents saying yes, 7 no and 6 don't know.

Proposals for improvements included format, content and alternatives to guidance:

- Include pictures of the main types of training aids
- Break text into bullet points
- Provide hard copies as some people do not have internet access
- Provide public-friendly flyers and posters with key messages to be distributed via vet practices, pet shops, rehoming centres, public buildings and on premises where dog training classes are run.
- Acknowledge that dogs like any other species learn from reinforcement and consequences for their actions,
- Continue focus on the incorrect use of any tool rather than focusing on tools.
- Advise that poor quality products should be avoided
- Encourage use of quality training aids along with access to knowledgeable, experienced and ethical professional guidance.
- Recommend a precautionary veterinary examination to establish/eliminate any underlying medical factors prior to training with a suitably qualified dog trainer (“qualified supervisor”) where an electronic training device might be incorporated into an existing training programme
- Replace with regulation
- Replace with a ban

Sector	Can it be improved
Animal welfare organisation	3 – Yes 1 – No answer provided
Dog Owner	1 - Not sure 2 – No answer provided
Dog training/ Animal behaviour	2 – Yes 4 – No 2 – Not sure

Local Authority	2 – Yes 3 – No 3 – Not sure
Training aid manufacturer/supplier	1 - Yes
Veterinary Profession	1 – No answer provided

Quotes from animal welfare organisations

Scottish SPCA “It would be useful to have more public friendly flyers and posters that have the key messages included that could be distributed via vet practices, pet shops, rehoming centres and on premises where dog training classes are run.”

EDCH “We would prefer regulations to go even further. There is growing evidence on the detrimental effect that shock collars can have on dog welfare and behaviour, and unfortunately we regularly see evidence of their misuse in the animals that come to our door. For Edinburgh Dog and Cat Home, the only effective solution is a UK-wide ban on the sales of shock collars, which would send a strong message that there is no place in responsible pet ownership for punishment-based training methods.”

Dogs Trust “Our trainers and behaviour experts based in Scotland are generally aware of the guidance but do not believe the wider dog owning population has the same knowledge. Dogs Trust believes that the guidance could be better promoted and expanded to give more detail about what sort of training it does condone and recommend, for example more detail could easily be given around reward-based and positive reinforcement in the guidance. However, we continue to support an outright and enforceable ban on the use of aversive training devices as a priority for improving dog welfare. Additionally, an outright ban would make offering advice easier for our trainers, by making it simple and straightforward to tell owners that under no circumstances can these devices be legally used on their dogs. As mentioned in previous responses to the Scottish Government on this issue, whilst we appreciate that the issuing of guidance had the potential to provide a much quicker solution for ‘banning’ these devices, we remain concerned that the prosecution of those who use these devices is unlikely to be as straight forward or effective as if a ban via secondary legislation was introduced. As such, if it is harder to prosecute it is unlikely that this guidance will protect animals from suffering. Indeed, in the time since the introduction of this guidance, no prosecutions have been brought forward. We support the use of guidance whilst a formal ban via secondary legislation is prepared but remain concerned that with the guidance there is great potential for the misuse of equipment that uses punishment to train dogs, either through ignorance or deliberate intent. We strongly support the introduction of a full ban via secondary legislation. The secondary legislation in Wales was upheld following judicial review of these Regulations which concluded that the animal welfare cost is likely to exceed the benefits from use of electronic collars as training devices, since they may cause pain, effective alternatives exist, and the scope for misuse or abuse is too great. We would urge the Scottish Government to follow in Wales’ footsteps and ban these

devices, as is also the intention of the Westminster Government also following a successful judicial review.”

Quotes from dog owners

No comments

Quotes from dog trainers/animal behaviourists

Association of Responsible Dog Owners “We believe that the Scottish Government could go further in terms of discouraging casual, uninformed use of aversive devices than the published guidance in its present form. Through the inclusion of liaison with professional, ethical trainer/users, we would encourage guidance that recommends a workable, regulatory programme (as has just been approved in December 2019 for the state of Victoria in Australia), where access to electronic training aids is retained through a simple yet effective system, which serves to minimise risk through educating owner/users not just in electronic training collar application, but a ‘whole picture’ mindset. whilst maximising ethical use under professional supervision (even if just for initial introductory application). I have personally flown from Devon, to 1 hour North of Inverness; 2 hours outside of Glasgow and Edinburgh in order to provide guidance and education for owners who were considering the use of electronic training collars but wanted access to professional, ethical guidance. We believe (and indeed it is my personal experience) that the vast majority of responsible dog owners who either use, or are considering the use of electronic training aids in the provision of safety, freedom and control for their dogs and other animals/persons within whom the dogs come into contact, are eager and in firm agreement that poor quality products should be shunned and avoided, whereas quality training aids along with access to knowledgeable, experienced and ethical professional guidance providing increased education, should be actively encouraged. Select trainers at the Association of Responsible Dog Owners, would be keen to work collaboratively with interested parties to assist the Scottish Government in any way possible in establishing the core, desirable qualities for trainers in terms of establishing a programme promoting knowledge, application and ethical compliance regarding electronic training aids. Personal correspondence with national animal welfare organisations (including a major UK veterinary charity), has confirmed a mutual recognition that for certain issues (such as the inexcusable rise in dogs attacking livestock and chasing other animals), quality electronic training aids used under professional supervision, have a valid place in a multi-faceted approach to establishing avoidance towards livestock; enhancing owner control; preserving and promoting welfare and permitting greater legal compliance.”

Association of Pet Behaviour Counsellors “The only action which will improve dog welfare in the context of the use of e-collars is for the Scottish Government to make them illegal. The penalties for using them should be significant enough to stop their use. The current Guidance refers to suffering and pain - but with an aversive, such as an electronic training collar (e-collar) or other aversive methods, it is extremely hard to assess these. For example, Aversive dog training may include use of strongly applied negative reinforcement, which is based on escape/avoidance. This means the dog may previously have tried to bark, yelp, cry or run away – none of this will have worked to stop the pain or discomfort. So the dog now knows nothing

works to prevent the discomfort or pain, except to discover how to turn off the applied pressure (this pressure can be a painful stimulation from an electronic training aid for example, or jerks from a prong collar). So the dog may actually be suppressed or distressed, and not show it via body language that most would recognise. EG. they may only show a lowered body posture, furrowed brows or a low tail, as opposed to more obviously trying to get away, or crying because they know the latter attempts don't "work" to turn off the "stim", or to escape the painful aversive if it's a different type of aversive. So although the dog may be suffering emotionally and physically, if there are no marks on the dog, and if there are no obvious body language signs, it cannot be proved the dog has suffered or experienced pain." "Discomfort and fear is actually normalised – this is a huge concern. The dog dare not disobey" "behavioural suppression which, with some dogs, may lead to unexpected bites, as they cannot suppress their behaviour all their life. One day they will suffer from arthritis or feel unwell or ultra-stressed, and that day they are more likely to defend themselves as the situation would be even more stressful. That day a child or passer-by could be in their firing line and it would not be the dog's fault." "could have been helped using reward based methods, in which dogs are frequently trained using both operant and classical conditioning to accept/tolerate/enjoy husbandry procedures. Even difficult procedures such as blood draws"

Kennel Club "We worked with the Scottish Government on drafting the Guidance and believe the wording is pretty clear. The problem is the fact it is just Guidance - it is not Statutory, and it is this which we believe is causing confusion and making it difficult for enforcement agencies to take action against those continuing to make use of such devices. It is always going to be exceptionally difficult to prove that someone has caused unnecessary suffering to a dog by use of an electronic shock collar. The person operating the device will likely be some distance from the dog at the time of the shock being delivered, making it very challenging to prove that the dog suffered as a result of use of the shock collar. Trying to demonstrate cause and effect at such distance, when the dog will suffer virtually instantaneously following operation, and often mentally as much as physically, makes prosecution highly unlikely regardless of wording or statutory status of the guidance. This is why the Regulations introduced by the Welsh Government made it an offence to attach an electronic collar to a cat or dog - this enables the Regulations to be enforceable, and therefore help prevent unnecessary suffering in Wales. We continue to urge the Scottish Government to introduce similar legislation in Scotland."

Association of Balanced Dog Owners "I absolutely appreciate and agree with the guidance when it focuses on the incorrect use of any tool rather than focusing on tools and would urge to continue along that line. With regards to dog training methods the guidance is completely misleading and inaccurate. To create a dog that is safe to those around them and to themselves and under control is only ever accomplished through balanced methods and not only positive reinforcement. To advise members of the public to use positive only methods is only going to lead to a higher result of out of control dogs and rescue centres being filled even more. The Scottish Government would benefit from acknowledging that dogs like any other species learn from reinforcement and consequences for their actions, or else the communication is neither fair or makes sense to the dog."

Dog trainer 3 “I believe the e-collar can be a gentle tool when used correctly. It is an essential training tool in protecting the welfare dogs, sheep and other animals. The present guidance is adequate and should be retained.”

Quotes from Local Authorities

Scottish Borders Council “Scottish Borders Council would use the Guidance if enforcing legislation under the Animal Health and Welfare (Scotland) Act 2006 where an aversive dog training aid has caused unnecessary suffering or has not allowed a dog to exhibit natural behaviour. We believe though that it would be challenging to successfully enforce due to the difficulty of establishing the suffering which may have taken place e.g. we would not be able to determine how often a dog has been shocked by its collar. A ban on such devices would be preferential instead.”

Clackmannanshire Council “We have not had to use the guidance.”

Shetland Islands Council “The inclusion of pictorial references of the main types of training aids that are covered by this guidance note would make it more easier for the ordinary person understand what are not an acceptable method of aversive training, this could be done as an information poster that could be displayed at veterinary surgeries and public building throughout the country. Further to this it may be possible to undertake a joint publicity drive with partner agencies such as the Royal college of Veterinary Surgeons and the Scottish SPCA.”

East Ayrshire Council “Change in the policy to make it illegal to use aversive devices unless the trainer is fully qualified would be the best way forward.”

Argyll and Bute Council 1 “The guidance is good in its current form and dog owners have been very receptive to it. copies are handed out as some don’t access online.”

Argyll and Bute Council 2 “Include graphics and obvious bullet points as seen in “Guides for Dummies” literature.”

Quotes from training aid manufacturers/suppliers

Electronic Collar Manufacturers Association “In order to address the uncertainty and unintended detrimental consequences of the current guidance document, ECMA has set out its rationale, experience and potential solution for the consideration of the Scottish Government:

“REVISED GUIDANCE DOCUMET: DRAFT TO BE READ IN CONJUNCTION WITH ECMA FEEDBACK - FOR CONSIDERATION AND DEMONSTRATION PURPOSES
Successful dog training is expected to deliver dogs that consistently demonstrate appropriate social behaviours with both other dogs and people. It should also meet legal requirements and public expectations in terms of the control that an owner has over their dog’s behaviour. Causing unnecessary suffering to a protected animal is an offence under Section 19 of the Animal Health and Welfare (Scotland) Act 2006, if the person knew, or ought to have known, that the action would cause unnecessary suffering. Training methods, tools and systems may utilise to variety of positive-reward and negative-aversive techniques to meet the individual capabilities, issues and circumstances involving the dog, the owner or the community. Acknowledging

that incorporating aversive (unpleasant) stimuli into training programmes involving positive punishment or negative reinforcement potentially elevates the associated risks of causing an animal to undergo unpleasant experiences, the Scottish government recommends that owners engage the assistance of a qualified supervisor when training their dogs using methods, tools or systems that utilise aversive techniques. Examples of devices that operate on the basis of delivering an aversive stimulus include electronic training collars that deliver a static pulse, electronic anti-bark collars, electronic containment systems, devices that squirt oil or other chemicals. Electronic collars are used for managing behavioural problems as well as for obedience and off-lead training. The Scottish government recommends a precautionary veterinary examination be undertaken in order to establish/eliminate any potentially aggravating underlying medical factors, prior to training with a suitably qualified dog trainer (“qualified supervisor”) where an electronic training device might be incorporated into an existing training or behaviour modification programme. If an electronic collar is recommended by the qualified supervisor as the most appropriate means of training or of addressing the problem behaviour (as part of a detailed behavioural modification program) then the animal and owner/handler must use the collar in accordance with the product and/or supervisor’s instructions. Compliance with instructions is necessary to maximise the benefits and minimise the potential risks to the animal, from using aversive-stimuli training techniques. Use of remote training and anti-bark collars should be part of an ongoing review process in association with the veterinarian and qualified supervisor. This guidance is advisory and may provide an aid to both dog owners and those involved in the enforcement of the Animal Health and Welfare (Scotland) Act 2006. Those responsible for enforcement of the 2006 Act may refer to the guidance when issuing advice, warning letters or care notices under the 2006 Act. A Court may, at its discretion, consider the guidance in a prosecution under Section 19 or Section 24 of the Animal Health and Welfare (Scotland) Act 2006.””

Quotes from veterinary profession

British Veterinary Association/British Small Animal Veterinary Association “BVA and BSAVA continue to call for a complete ban on the sale and use of electric pulse training collars used to deliver an electric shock in dogs and cats in order to help protect animal welfare. Instead, BVA and BSAVA support and recommend positive training methods as the most effective training intervention for companion animals in terms of health, welfare and behavioural outcomes .^{27, 28, 29,30, 31, 32, 33, 34, 35, 36, 37, 38, 39}²². Until further research is undertaken to robustly assess aversive training collars which do not deliver an electric pulse eg. anti-bark spray collars, BVA and BSAVA are calling for a code of practice, as well as the regulation of the sale of these devices and manufacturer’s instructions, to ensure that the potential adverse effects of use are highlighted to animal owners and trainers. ¹”

3.2 Use of the guidance in enforcement

Respondents were asked to provide the number of cases in the table below involving the use of dog training aids. They were asked to provide information on the types of dog training aids involved. They were also asked to comment on whether or not they considered that the use of these aids caused actual harm to the dogs in these

specific cases, and on whether that harm was caused through malice, ignorance, or accident.

3.2.1 Case-load involving dog training aids

Only 3 of the 9 enforcement agencies that responded (33 were invited to) reported any complaints involving the use of dog training aids. A total of 80 complaints were reported over a 4 year period with no significant difference in frequency before and after the publication of the guidance in October 2018. Most of the complaints were resolved with investigation and advice; the guidance was referred to in all cases post-publication. Only 9 complaints in 4 years warranted verbal warnings; the guidance was again referred to in all cases post-publication. There were no reports of written warnings, care notices or reports to the Procurator Fiscal being issued in relation to welfare concerns arising from the use of dog training aids, and there were no reports of prosecutions relating to the use of dog training aids under the existing legislation (the Animal Health and Welfare (Scotland) Act 2006).

Number of cases	Jan –Dec 2016	Jan-Dec 2017	Jan-Sept 2018	Oct 2018– Oct 2019
Welfare complaints	15***	3** 17***	1** 17***	1* 5** 15***
Total	15	20	18	21
Investigations	15***	3** 17***	1** 17***	1* 5** 15***
Total	15	20	18	21
Resolved with advice	15***	3** 17***	1** 17***	1* 5** 15***
Total	15	20	18	21
Verbal warning issued **	0	3**	1**	5**
Written warning issued	0	0	0	0
Care Notice issued	0	0	0	0
Report to procurator fiscal	0	0	0	0
Prosecutions	0	0	0	0
Convictions	0	0	0	0
Guidance used in advice				1* 5** 15***
Total				21
Guidance used in verbal warnings**				5**
Guidance used in written warnings				0
Guidance used in prosecutions				0

Aberdeenshire Council*

Argyll and Bute Council**

Scottish SPCA***

3.2.2 Types of dog training aids and impact

The types of devices reported included: Static pulse collars, vibration collars, Choke Chains and anti-barking collars using noise, vibration, ultrasonic sound, or spray. No specific harm was described in relation to any of the 80 reported cases, although 2 of the respondents take the view that any use of some of the devices seen inherently causes harm.

Quotes from enforcement agencies

Clackmannanshire Council "We have not had any cases at all of this type."

Aberdeenshire Council "Reported case was a collie who was chasing cars and aggressive to people. An electric shock collar was being used under the supervision of a veterinary surgeon. I had reason to visit about the dog straying and took the opportunity to advise on the guidance on the use of shock collars."

Shetland Islands Council "As can be seen there have been no specific welfare cases involving aversive training aids. The discussions held with members of the public about this guidance were on an informal basis during normal officer duties as and when the issue was raised with the officer."

Argyll and Bute Council "While we give advice and use the guidance, any concerns of unnecessary suffering and breaches of Animal Health and Welfare Act 2006 are reported to the Sspca for action. The products noted in our files include aversive devices that : Electric Shock Collars, Choke Chains. And online anti- barking collars that use :Noise, Vibration, Ultrasonic Sound, Spray. We take the view that some of these devices cause harm however they are used."

Scottish SPCA "The types of dog training aids used were mainly static shock but also a couple of vibration only collars. We do believe that static shock does cause an animal pain but vibration only collars do not. The Scottish SPCA first raised concerns to the UK Government in 2001 following the Home Office's decision to ban the use of electric shock collars by Police or military dog handlers. Police and military dog handlers are licenced by the Home Office and are thoroughly trained and regularly monitored and assessed. Therefore if the highest trained, most scrutinised dog handlers are banned from using electric collars then they should not be made available to the general public. Our own policies prevent the use of any device that can inflict pain on an animal as a means of training, and we are responsible for the care of over 3,000 dogs per year. We care for almost every breed of dog with a range of temperaments and are able to rehabilitate them with great success, with the use of positive, reward based training. These devices are open to misuse by their very nature. The animal subjected to its use has no way of escaping the pain caused as the collar is fixed to their neck. As a hand held device, used in training scenarios that are usually undertaken in private premises, it is very difficult to prove the misuse of a collar and even more so when it comes to dual function collars (i.e. static shock/vibrate). There is a wealth of evidence that states that even when used in accordance with manufacturer's guidelines, there is no guarantee that the dog will associate the electric shock with the behaviour the trainer/owner is trying to eliminate. We strongly believe in the value of structured, reward based, training

programmes to address any behavioural issues that may present themselves in animals. The Scottish SPCA would never advise any dog owner to obtain and use a static shock collar.”

3.3 Sales of dog training aids in Scotland

Data provided on sales of training aids, whether direct or on advice, was very limited and is unlikely to be representative of actual sales in Scotland. Only 3 respondents provided any information, and these were estimates of sales for the organisation (one respondent) or of clients who bought training aids on their recommendation (two respondents) rather than actual sales.

The types of training aids reported included static pulse remote use collars, remote use collars with an unspecified stimulus, prong collars and marker/clicker aids. No respondent reported selling or recommending any anti-bark collars, e-collar containment systems, choke chains or halti (though one respondent noted that Halti is the brand name and the correct term would be head harness).

There was no apparent change in the sales figures before/after the guidance was published in October 2018, but given the limited data available, this is not surprising.

Type of dog training aid	Jan –Dec 2016	Jan-Dec 2017	Jan-Sept 2018	Oct 2018–Oct 2019
E-collar - remote-use				
Static pulse	23	30-50	42-72	50+
Spray	0	0	0	0
Sound/vibration	0	0	0	0
Unspecified	400	400	400	400
Total	423	430-450	442-472	450+
E-collar - anti bark collar				
Static pulse	0	0	0	0
Spray	0	0	0	0
Sound/vibration	0	0	0	0
Total	0	0	0	0
E-collar - containment system				
Static pulse	0	0	0	0
Spray	0	0	0	0
Sound/vibration	0	0	0	0
Total	0	0	0	0
Choke chain	0	0	0	0
Prong Collar	300	300	300	300
Halti	0	0	0	0
Marker/Clicker	300	300	300	300
Other	0	0	0	0

3.4 Additional information provided

Several respondents provided additional information along with their response to the questionnaire, and some provided their views in an alternative format to the questionnaire. Some information provided was not considered for the purposes of this report for reasons of data protection, appropriateness, or relevance; however, the following additional information may be useful to consider.

Quotes from animal welfare organisations

OneKind “As we are not involved in service delivery, we felt that we could not provide helpful comments on most of the questions. We therefore decided to go back to the dog trainers we had surveyed for our response to the original consultation to ask for their views. Unfortunately, with the holidays etc, we allowed the deadline to pass. As it happens we only received two responses. Trainer 1: ‘I’ve found the guidance to be confusing (“may” be an offence?), poorly disseminated and therefore totally ineffective.’ ‘It’s such a pity the government chose to go against the majority of people who were in favour of some increased regulation for e-collars, to saddle the already stretched resources of the SSPCA with investigating and making a decision about whether or not their use might constitute an offence (and whether or not it would actually meet the burden of proof for a prosecution), even after the SSPCA themselves called for a ban.’ ‘The ambiguous wording of the guidance meant it was never clear when using the devices may or may not constitute an offence, which really isn’t very useful information in helping the general public understand if and when they might be breaking the law if they use a shock collar.’ ‘I hope the Scottish Government will re-examine their decision and instead ban both the sale and use of these devices in Scotland.’ Trainer 2: Confirmed that no dog owners have enquired into e-collars and there was only one incident, one year ago. Most dog owners are not aware of the guidance, but just want the best for their dogs.” “OneKind still hopes to see all aversive training methods banned, even though we did recognise the reasons for providing guidance initially. The recent reaction to the visit of an American dog trainer said to use aggressive methods to dominate dogs is, I think, a good indication of public opinion.”

Dogs Trust “Dogs Trust refers people to our own website which explains why we only support positive reward-based training methods. Our website is intentionally user friendly and easy to understand in order to have the widest reach and offer useful help and training advice to as many dog owners as possible. Similarly, Dogs Trust Dog School offers low cost dog training in order to reach as many owners as possible and teaches only positive reward-based methods. We would not refer owners to the Scottish Government’s guidance as we do not believe it is sufficiently robust as it only advises against the use of aversive devices and techniques. If the guidance was to be replaced with a formal ban via secondary legislation, it would be something we could refer owners to as it would be a clear message that is easier for them to understand.”

Additional information from dog trainers/animal behaviourists

Association of Responsible Dog Owners “Please note that HALTI is a brand name, not a piece of equipment. ‘Head Harness’ is the name for the equipment. This may

affect accuracy of figures. I would estimate that 80% of owners I have worked with have used – or were still using – head harnesses. ‘Pet Corrector’ (a can of user-administered compressed air) is another widely available and widely used aversive training aid, which is considerably more powerful than electronic spray collars and directly associated with the owner/operator.

The answer to ‘how do you effectively stop a dog from chasing or worrying livestock?

Jamie Penrith: <https://youtu.be/bhEjQglQ6zM>

Recall. It shouldn’t take forever to teach an adult dog to come back when called, even if chasing!: <https://youtu.be/IYf9cbStDjs>

How do you teach a dog to stop chasing and come back when called? Jamie Penrith

Take the Lead Dog T: https://youtu.be/dZfKF5Xd_FQ

Can you stop a prey driven dog from chasing sheep? Before and after e-collar training. Jamie penrith: <https://youtu.be/8ePsO8NsYIA>

Jamie penrith Association of Responsible Dog Owners, defends e-collars, LIVE on BBC Breakfast TV: <https://youtu.be/Tenu05xeyOE>

<https://youtu.be/WHrZEEs56g>

Jamie penrith of The Association of Responsible Dog Owners (Not lazy approach):

<https://youtu.be/WHrZEEs56g>

Jamie Penrith - the Association of Responsible Dog Owners challenges veterinary behaviourist: <https://youtu.be/WK4gvSAGujA>

The TRUTH about e-collars - shock collars - electric collars - WATCH THIS:

<https://youtu.be/B9zvumvRLeE> “

Dog training/Animal behaviour 1 “I always advise that training aids should never be used in a way to cause unnecessary suffering. The e-collar can be an essential and gentle tool when used correctly. It can save the lives of dogs, sheep and other animals. The present guidance is adequate and should be retained.”

Dog training/animal behaviour 2 “Please note that in my extensive experience of electronic training aids I have not seen actual or psychological harm caused by the proper use of suitable remote collars. I do not train people/dogs with unsuitable, pre-purchased e-collars.”

Additional information from training aid manufacturer/suppliers

Electronic Collar Manufacturers Association “The response to this question(Q8) highlights not just (a) the number of times – which is literally hundreds of times by Judges, Barristers & Solicitors during the course of 2019 Judicial Review High Court proceedings. – that the guidance document has been referred to during the process of clarifying the principles and diversity of dog training methods, but also (b) the criticism – at the highest level by those who have a leadership position in legislative interpretation and application – regarding the ambiguity, inconsistencies and evident conflicts within the current Scottish Guidance document. With the intent of assisting the Scottish Government in identifying the issues with the current guidance document in its current form which have, in turn resulted in confusion and counterintuitive outcome, ECMA has provided further information relevant to this question in ECMA’s (a) further responses on this questionnaire and (b) particularly the attached document “Considerations for amended guidance”. Because ECMA leadership and legal representatives were present during the entire course of the

preparations and appearance associated with the 2019 High Court proceedings, it is submitted that there may be considerable value to the Scottish Government in understanding further details and legal opinion in respect of the Scottish Governments current guidance document. Because in person meetings and discussion traditionally proved to be more informative and helpful, ECMA personnel remain available to meet in person with the Scottish Government representatives. For purposes of assistance to, and consideration of, the Scottish Government, ECMA notes that in overseas jurisdictions that have implemented an outright ban regarding the use of electronic training aids, enforcement personnel have, where available, crossed borders in order to have access to the benefits and wider efficiencies of training and security dogs. While this option is obviously less likely to be available to Scottish enforcement due to geographical factors, this information is provided in order to illustrate that the certainty, effectiveness and reliability of training with electronic training aids in contrast to other training systems. It is noted that there are significant commercial sensitivities pertaining to the sales figures and consequently full transparency regarding sales cannot be provided in a public document. However, ECMA representatives would be available to assist with information during a confidential in-person meeting with Scottish Government representatives. With the intent of further assisting the Scottish Government with respects to the sales of training aids it is, as noted in the response to question (10) above, that sales figures do not, and cannot, record the number of sales that have gone “underground”.

Additional information from veterinary profession

British Veterinary Association/British Small Animal Veterinary Association “BVA and BSAVA support and recommend positive training methods as the most effective training intervention for companion animals in terms of health, welfare and behavioural outcomes.^{1, 2, 3,4, 5, 6, 7, 8, 9, 10, 11, 12, 13.} Electric pulse training collars used to deliver an electric shock in dogs and cats. BVA and BSAVA continue to call for a complete ban on the sale and use of electric pulse training collars used to deliver an electric shock in dogs and cats in order to help protect animal welfare. Instead, BVA and BSAVA support and recommend positive training methods as the most effective training intervention for companion animals in terms of health, welfare and behavioural outcomes.^{14,15, 16,17, 18, 19, 20, 21, 22, 23, 24, 25, 26} Electric containment systems. We note a paucity of evidence examining the effectiveness and welfare impacts of the use of electric containment systems for dogs and cats in comparison to the evidence available regarding the use of electric shock collars. In light of this lack of evidence, we are not currently calling for a ban on the use and sale of electric containment systems (which use a collar to deliver a shock) for use on dogs and cats. We would strongly support the undertaking of further independent peer-reviewed research, including a comprehensive review of existing evidence, to robustly assess the effectiveness of electric containment systems and their impact on animal welfare. Until further research is conducted however, we do not support the use of buried or hidden electric containment fences for dogs and cats that require animals to learn where the boundary is positioned through successive shocks in the absence of any physical or geographical demarcation. Pending further research outputs, the UK Government should only allow the sale and use of electric containment systems for dogs and cats which are either visible or audible to these companion animals. Further, the sale of electric containment fences should only be

permitted through approved vendors who must provide: Adequate instructions on the safe and responsible use of electric containment fences; Clear information regarding the potential negative impacts on animal welfare if used incorrectly, referencing an owner's duty to ensure that the animals under their care are protected from unnecessary pain, suffering, injury and disease as set out in the UK Animal Welfare Acts. Alternative aversive training methods. BVA and BSAVA recognise that alternative aversive training methods also have the potential to result in negative welfare outcomes eg. choke collars, choke chains and prong collars, as well as collars using a noise, vibration, ultrasonic sound or spray of water or citronella. Until further research is undertaken to robustly assess aversive training collars which do not deliver an electric pulse eg. anti-bark spray collars, BVA and BSAVA are calling for a code of practice, as well as the regulation of the sale of these devices and manufacturer's instructions, to ensure that the potential adverse effects of use are highlighted to animal owners and trainers. We make reference to Scottish Government guidance in the BVA position on the use aversive training devices in dogs and cats, which is hosted on the BVA website for pet owners and veterinary professionals to access. According to our digital metrics, between 24 January 2019 – 1 January 2020 this page received 379 unique page views.

1 NJ Rooney, S Cowan, 2011. Training methods and owner–dog interactions: Links with dog behaviour and learning ability. *Applied Animal Behaviour Science*. Volume 132, Issues 3–4 <https://doi.org/10.1016/j.applanim.2011.03.007>

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3 Herron, M.E., Shofer F.S., Reisner I.R., 2009. Survey of the use and outcome of confrontational and non-confrontational training methods in client-owned dogs showing undesired behaviors *Applied Animal Behaviour Science*, Volume 117, Issues 1–2. <https://doi.org/10.1016/j.applanim.2008.12.011>

4 Blackwell, E.J., Twells, C., Seawright, A., 2009. The relationship between training methods and the occurrence of behavior problems, as reported by owners, in a population of domestic dogs *Journal of Veterinary Behavior: Clinical Applications and Research*, Volume 3, Issue 5 <https://doi.org/10.1016/j.jveb.2007.10.008>

5 Deldalle, S., Gaunet, F., 2014. Effects of 2 training methods on stress-related behaviors of the dog (*Canis familiaris*) and on the dog–owner relationship. *Journal of Veterinary Behavior: Clinical Applications and Research* Volume 3, Issue 5, <https://doi.org/10.1016/j.jveb.2007.10.008>

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7 Dale, Podlesnik & Elliffe, 2017. Evaluation of an aversion-based program designed to reduce predation of native birds by dogs: An analysis of training records for 1156 dogs. *Applied Animal Behaviour Science*, 191, pp.59–66. Available at: <https://researchspace.auckland.ac.nz/bitstream/handle/2292/23641/whole.pdf?sequence=2>

8 Guilherme Fernandes, Olsson & Vieira de Castro, 2017. Do aversive-based training methods actually compromise dog welfare?: A literature review. *Applied Animal Behaviour Science*, 196(C), pp.1–12.

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10 Lysons, R. 2015. A review of recent evidence in relation to the welfare implications for cats and dogs arising from the use of electronic shock collars. Available at: <https://beta.gov.wales/sites/default/files/publications/2017-12/electroniccollars-in-dogs-and-cats-review-of-welfare-implications.pdf>

- 11 European Society of Veterinary Clinical Ethology. Electronic Training Devices: ESVCE Position statement. Available at: <https://www.flvetbehavior.com/uploads/7/7/3/4/77348517/esvce-position-statement-e-collar.pdf>
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- 16 Herron, ME., Shofer FS., Reisner IR., 2009. Survey of the use and outcome of confrontational and non-confrontational training methods in client-owned dogs showing undesired behaviors *Applied Animal Behaviour Science*, Volume 117, Issues 1–2. <https://doi.org/10.1016/j.applanim.2008.12.011>
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4. Conclusions

The purpose of this review was not to address the use of training aids itself, but the usefulness of the Scottish Government's Guidance on Dog Training Aids. However, it appears that views on both of these matters are inextricably linked.

It is clear from both the numerical data and the comments provided by respondents that there remain two polarised points of view regarding dog training aids. At one end, some respondents consider that only reward-based training should ever be used, any aversive techniques are likely to create more behavioural problems than they solve, and e-collars should be banned. At the other end some respondents consider that dogs, like humans and other animals, naturally learn from a combination of reward and consequence and that e-collars should be strictly regulated and used, where appropriate and with supervision, as one part of a mainly reward-based training programme. Both view-points are based on wanting to ensure the safety and welfare of the dogs concerned, and of any people or animals around them.

Both of these view-points clearly influenced what many respondents thought about the Scottish Government's guidance. At one end, concerns were raised that the guidance effectively endorses the use of e-collars when they should be banned, and at the other end, that the guidance mis-represents the use of aversive techniques and e-collars and confuses rather than educates about their use. Those holding either of the polar viewpoints therefore generally thought the guidance was of little use. There were some respondents that thought the guidance was fine as it is, and enforcement agencies in particular seem to have found it useful where they have had occasion to speak to dog owners about dog training aids, though this in itself appears to be a rare occurrence for most Local Authorities that responded.

Public awareness of the guidance appears to have been very limited, and it is difficult to assess whether or not the guidance has had any impact on the casual use of aversive training aids. Data provided on sales of dog training aids was very limited and probably not representative of actual sales in Scotland. However, there do not appear to have been many welfare complaints involving aversive training aids in Scotland. There are an estimated 12.5 million dogs in the UK in 2021 with 33% of households having dogs¹. Scotland has 8.2% of the human population², which suggests that there could potentially be 1 million dogs in Scotland based on proportion of the UK population. Yet only 3 of the 33 enforcement agencies surveyed (of which 9 responded) reported any complaints involving dog training aids, and there were only 80 complaints reported over 4 years, none of which warranted even a written warning on investigation, much less prosecution. Neither the number of complaints nor the estimated sales of dog training aids appeared to have been affected by the publication of the guidance from the limited data available.

¹ <https://www.pfma.org.uk/pet-population-2021>

²

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/articles/overviewoftheukpopulation/january2021#impact-of-the-coronavirus-covid-19-on-population-and-migration-statistics>

5. Next steps

The issue is currently being considered by the Scottish Animal Welfare Commission as part of their wider review of dog training. This will allow the matter of aversive dog training aids, including electronic training aids, to be fully considered by experts in animal welfare within the wider context of dog training. It is expected that the Scottish Animal Welfare Commission will then make recommendations to Scottish Ministers on possible future legislation or guidance on dog training and dog training aids.

Annex A - Guidance on dog training aids

Successful dog training is expected to deliver dogs that consistently demonstrate appropriate social behaviours with both other dogs and people. It should also meet legal requirements and public expectations in terms of the control that an owner has over their dog's behaviour. Ideally training will be conducted with the assistance of a qualified trainer and the most effective method of training dogs is reward-based (positive) training.

Training that includes unpleasant (aversive) stimuli or physical punishment may cause unacceptable pain, suffering and distress. It is important to note that causing unnecessary suffering to a protected animal is an offence under Section 19 of the Animal Health and Welfare (Scotland) Act 2006, if the person knew, or ought to have known, that the action would cause unnecessary suffering. This may include unnecessary suffering caused by inappropriate training methods.

Particular training devices that the Scottish Government does not condone are: electronic shock (static pulse) collars, electronic anti-bark collars, electronic containment systems, or any other method to inflict physical punishment or negative reinforcement. This includes the use of any device that squirts oils such as citronella or other noxious chemicals that interfere with a dog's acute sense of smell, or emits any other aversive stimulus. These techniques compromise dog welfare, as they may lead to aggressive responses and worsen the problems that they aim to address by masking or aggravating underlying behavioural issues.

This guidance is advisory and may provide an aid to both dog owners and those involved in the enforcement of the Animal Health and Welfare (Scotland) Act 2006. Those responsible for enforcement of the 2006 Act may refer to the guidance when issuing advice, warning letters or care notices under the 2006 Act. A Court may, at its discretion, consider the guidance in a prosecution under Section 19 or Section 24 of the Animal Health and Welfare (Scotland) Act 2006."

Annex B – Survey

REVIEW OF SCOTTISH GOVERNMENT GUIDANCE ON DOG TRAINING AIDS November 2019

Background

A commitment was made to the Scottish Parliament in January 2018 to issue guidance on electronic training aids under Section 38 of the Animal Health and Welfare (Scotland) Act 2006. This commitment was fulfilled in October 2018 when Scottish Government Guidance was issued that outlines the expectations of the Scottish Government as regards dog training methods, and highlights the risks, to dog welfare and of potentially committing an offence, of using aversive training methods.

The guidance makes it clear that causing unnecessary suffering through the use of any type of aversive training aid, including electronic training aids, may be an offence under the Animal Health and Welfare (Scotland) Act 2006, depending on the circumstances of the case.

It provides advice on all dog training aids for both dog owners and enforcement agencies and may be considered relevant by the courts in any prosecution of an offence under the Animal Health and Welfare (Scotland) Act 2006 relating to inappropriate training methods. This will depend on the facts and circumstances of the case and the guidance may not necessarily have any bearing, for example if harm was not inflicted using the training aid in question.

The review

The Scottish Government committed to reviewing the effectiveness of the guidance in helping to prevent the mis-use of aversive training methods after 12 months in light of the practical experience of Scottish enforcement bodies. We would be grateful for your organisation's help in undertaking that review. Please feel free to consult colleagues or members with an interest before responding.

The current Guidance is attached in an Annex for ease of reference. We have a number of questions regarding the use, and usefulness of the Guidance in its current format. To help us better understand the responses we receive, and to help us treat the information that you provide appropriately, it would be helpful if you could complete Section 1, 'about my organisation'. We would welcome input from all organisations on Section 2; Section 3 is aimed specifically at enforcement agencies.

Responses should be sent to DogTrainingAids@gov.scot by **10th January 2020**.

Next Steps

We will collate and analyse the data provided and publish a report of the review results. We will consider whether the guidance needs to be amended in the first instance and the report will be passed to the Scottish Animal Welfare Commission for further consideration.

SECTION 1 – ABOUT ME

To find out how we handle your personal data, please see our privacy policy:

<https://beta.gov.scot/privacy/>

1.. Contact details

Full name	
Organisation's name	
Phone number	
Address	
Email	

3. Publishing preference - how would you prefer us to refer to information that you provide in the report?

- Refer to response with organisation name
 Refer to response anonymously

4. Are you content for Scottish Government to contact you again in relation to this review?

- Yes
 No

5. Sector and Origin - it would be helpful for our analysis if you could indicate which of the sectors your organisation most aligns with for the purpose of this review. (Please tick ONE which is MOST APPLICABLE):

- Veterinary Profession
 Enforcement agency
 Local Authority
 Animal Welfare Organisation
 Dog training/animal behaviour
 Training aid manufacturer/supplier
 Other (please describe)

--

SECTION 2: GENERAL USEFULNESS OF THE GUIDANCE

This section asks for information intended to help us understand how the guidance has been perceived and used generally by and with dog owners, professionals and animal welfare organisations. We would be grateful for input from all types of respondent to these questions.

6. Have you personally found the guidance useful when considering training methods for your dogs?

Yes No Not applicable

Please explain

7. Have you or your organisation found the guidance useful when providing general advice on aversive training aids to dog owners?

Yes No Not sure Not applicable

Please explain

8. Roughly how many times have you or others in your organisation referred people to the guidance when providing advice on dog training methods?

9. What proportion of the dog owners that your organisation has dealt with in relation to training aids do you think were already aware of Scottish Government guidance on dog training aids?

All Most Some A few None Don't know

Please provide any recommendations you have for increasing awareness in the general dog-owning public.

10. Do you consider that the publication of the Guidance has helped to discourage casual, un-informed use of aversive devices by the general public?

Yes No Not sure

Please explain and provide any evidence you have available

11. Is there any change to the Guidance that you think would make it more helpful and/or you more likely to refer to it in future when considering dog training methods or advising others regarding dog training methods?

Yes No Not sure

Please explain

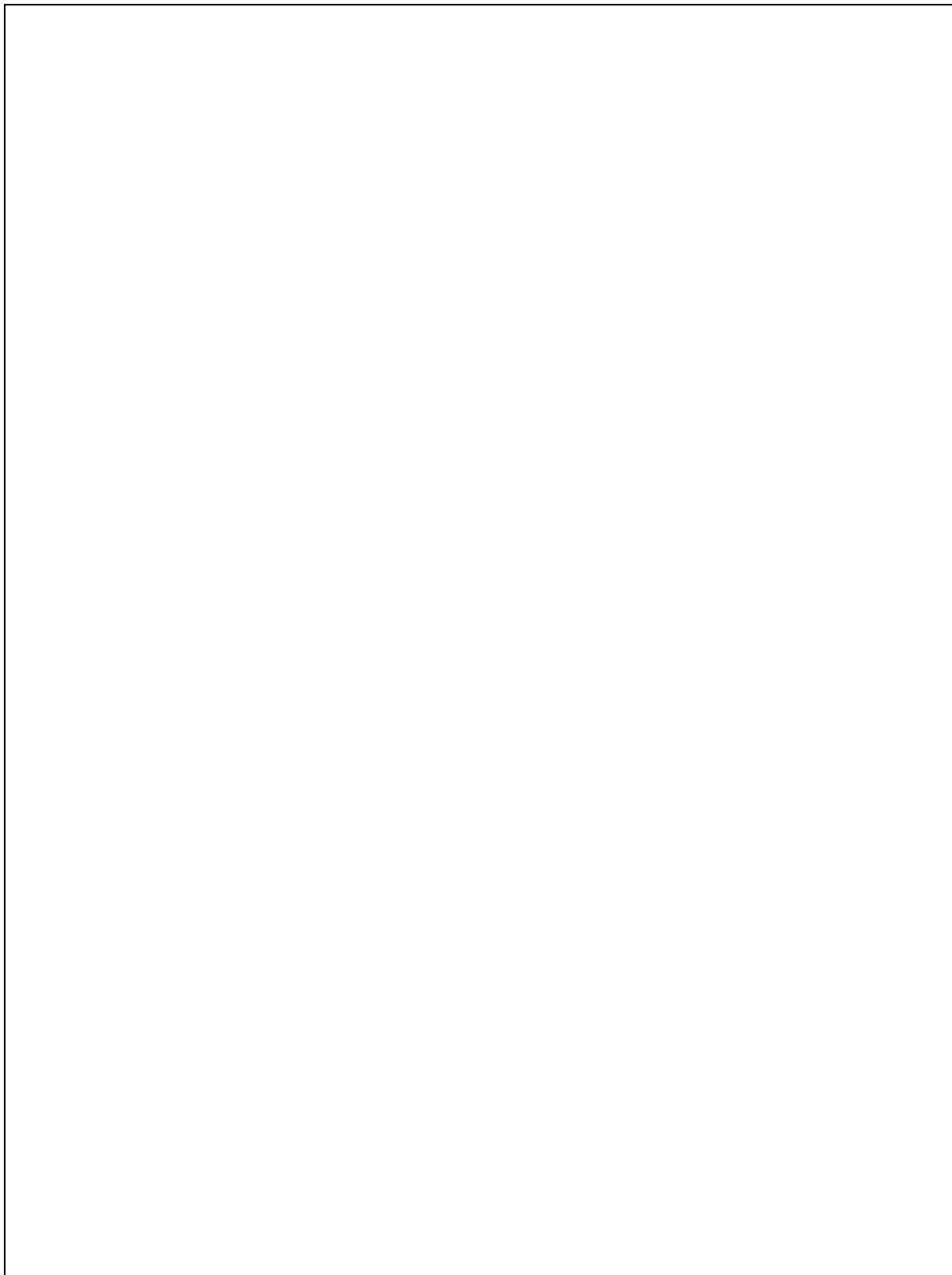
SECTION 3: USE OF THE GUIDANCE IN ENFORCEMENT

This section asks for information from enforcement authorities intended to help us understand the scale of any welfare issues around the use of dog training aids in Scotland and what impact that the publication of the guidance has had on this.

12. Case-load involving dog training aids. Please provide the information requested in the table relating **only** to cases that involved dog training aids. The phrase 'Guidance' refers to the Scottish Government Guidance on Dog Training Aids, which is the subject of this review.

	Jan –Dec 2016	Jan-Dec 2017	Jan-Sept 2018	Oct 2018–Oct 2019
No. welfare complaints made				
No. investigations made				
No. cases resolved with advice				
No. cases requiring verbal warning				
No. cases requiring written warning				
No. cases requiring a Care Notice				
No. reports to procurator fiscal				
No. prosecutions				
No. convictions				
No. times Guidance used in advice				
No. times Guidance used in verbal warnings				
No. times Guidance used in written warnings				
No. times Guidance used in prosecutions				

13. If possible, please provide information on the types of dog training aids involved in the cases above. We would also welcome comment on whether or not you consider that the use of these aids caused actual harm to the dogs in these specific cases, and on whether that harm was caused through malice, ignorance, or accident.



SECTION 4: SALES OF DOG TRAINING AIDS IN SCOTLAND

This section asks for information from those supplying or recommending dog training aids. It is intended to help us understand the type and number of dog training aids likely to be in use in Scotland and what impact that the publication of the guidance has had on sales. Respondents may be collar manufacturers or retail suppliers selling the training aids directly, or may be dog trainers or animal behaviourists with clients that have purchased a training aid on their advice as part of a planned training regime

14. Are you reporting sales for your organisation, or number of clients who have bought training aids on your recommendation?

Direct sales

Bought on my advice

14. Please provide the number of individual items sold/bought on your recommendation for each of the dog training aid types in the table

	Jan –Dec 2016	Jan-Dec 2017	Jan-Sept 2018	Oct 2018– Oct 2019
E-collar - remote-use				
Static pulse				
Spray				
Sound/vibration				
Total				
E-collar - anti bark collar				
Static pulse				
Spray				
Sound/vibration				
Total				
E-collar - containment system				
Static pulse				
Spray				
Sound/vibration				
Total				
Choke chain				
Prong Collar				
Halti				
Clicker				
Other				

Annex C – List of key stakeholders invited to respond

Animal welfare organisation

SSPCA
Dogs Trust
Edinburgh Dog and Cat Home
OneKind

Dog training/ Animal behaviour

Kennel Club
Association of Balanced Dog trainers

Local Authority

32 Local Authorities
Dog Warden Association

Training aid manufacturer/supplier

Electronic Collar Manufacturers Association

Veterinary Profession

BVA

Annex D – List of respondents

Animal welfare organisations

Dogs Trust
Edinburgh Dog and Cat Home
OneKind
Scottish SPCA

Dog Owners

Dog owner 1
Dog owner 2
Dog owner 3

Dog trainers/animal behaviourists

Dog trainer 1
Dog trainer 2
Dog trainer 3
Association of Balanced Dog Trainers
Association of Pet Behaviour Counsellors
Association of Pet Dog Trainers
The Association of Responsible Dog Owners (ARDO)
The Kennel Club (also on behalf of the Scottish Kennel Club)

Local Authorities

Aberdeenshire Council
Argyll and Bute Council (1)
Argyll & Bute Council (2)
Clackmannanshire Council
East Ayrshire Council
East Dunbartonshire Council
Scottish Borders Council
Shetland Islands Council

Training aid manufacturer/suppliers

Electronic Collar Manufacturers Association

Veterinary profession

British Veterinary Association/British Small Animal Veterinary Association



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