

Monkey World's Response to Government Public Consultation on Primates as Pets January 2021

Q1- 11 Banning Primates as Pets & Privately Kept Primates Kept to Zoo-Level Standards.

Monkey World agrees there should be a new prohibition on keeping primates in England, which also applies to breeding, acquiring, gifting, selling or otherwise transferring primates. We also approve of the suggestion of a Specialist Private Primate Keeper license, using zoo-level welfare standards as the basis for this scheme, subject to primates being microchipped, and inspected by the Local Authority, with a license granted for a maximum of six years.

Q12 Comments and Suggestions Regarding a 'Specialist Private Primate Keeper' Licensing Scheme.

Microchipping

A microchip is a relatively straightforward, quick and simple procedure which is used commonly by vets and in zoos. It provides a form of permanent identification even when a primate is deceased. Other than tattooing there is no other form of permanent ID. In laboratory situations, collars are used but these can be swapped. Other identification procedures which could be viewed as less invasive, such as retinal scanning would not be practical or work with a small highly-strung primate such as a marmoset. It is not possible to distinguish between the closely related species of marmoset (common, black-tufted, and Geoffroy's) with DNA fingerprinting and so DNA profiling is not possible as a means of identifying species let alone individuals.

Specialist Private Primate Keeper (SPPK) Selling Exception

Specialist Private Primate Keepers (SPPK) should not be licensed to sell their animals. We understand trades could and should take place on occasion, for the welfare of the primate, but no funds or goods should be exchanged. Zoos are not permitted to sell their animals so there is a precedent for this. It would also mean less incentive for those breeding without a welfare purpose.

Pet Shops

Local Authorities (LA) should immediately revoke the primate addendum for all licensed pet shops. Pet shops should NOT be licensed under SPPK in any form, keep primates on the premises or have primates which are "pets" on display, either in the shop floor or in back rooms. We know there are currently "below the counter" sales which occur in pet shops, garden centres, pubs, shopping centres & other commercial premises where monkeys are displayed and kept as "pets"- without requiring the addendum to the license to sell primates. We suggest SPPK license holders cannot keep their primate on commercial property, to stop these primates being exploited for business gain, either through traffic to the premises or for illegal sales.

Other use of primates

The SPPK must not be used to facilitate the use of monkeys for the entertainment industry (TV/ film) and for "educational" experiences, or "hands-on" experiences where monkeys are taken to nursing homes, birthday parties, or village fetes, to name just a few examples, to be handled and passed around.

Inspections

Inspections by the Local Authority could be carried out by zoo inspectors at the cost to the primate owner, to reduce the financial impact on the LA and hopefully increase compliance by the LA with the new legislation. Detailed information, guidance, and /or training should be provided to inspectors as to the expectations of owners, and a minimum requirement of welfare i.e. indoor and outdoor housing and social groupings. Organisations such as Monkey World could

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provide such guidance and training. The Code of Practice for Welfare of Privately Kept Non-Human Primates should not be used as basis for these inspections. Since its inception in 2013 the Code of Practice has proved ineffective in protecting primates and has not prevented neglect or cruelty and should not be used as guidance for LA inspections.

Dangerous Wild Animals Act (DWAA)

If an owner comes forward with a primate which is listed under the Dangerous Wild Animals Act, yet they do NOT have a DWA license, they should be refused the opportunity to apply for an SPPK as they are already in breach of the law, and the primate(s) should be confiscated.

SPPK Records

We suggest the details of SPPKs be held on a central database with access for LA, who can enforce and regulate the scheme. Regional databases will lead to monkeys being moved between LA jurisdictions and falling through the cracks, rendering enforcement impossible.

Q13- 20 Primates Kept During Transitional Registration Scheme

Monkey World agrees that people who currently have a primate and are not eligible for the SPPK must be subjected to a transitional registration scheme enforced by Local Authorities. They must register their primate with the LA within a fixed time period of 12 months or face a penalty. After an assessment by the LA primates may continue to live where they are if their basic welfare needs are met or will be met subject to an improvement notice. Primates should be microchipped, neutered and registered with a vet practice. Monkey World does not agree that primates be subjected to vet examination on a yearly basis.

Q21 Comments and Suggestions Regarding the Proposed Arrangements For Primates Not Subject to the New 'Specialist Private Primate Keeper' Licence (Or A Zoo Licence).

Role of Vet Practices

Owners who are not eligible for the SPPK license should register their primate with a veterinarian, but this should be a qualified wildlife vet. A list of appropriate, qualified vets should be made available for this purpose. In our experience, vets can be dangerous and part of the problem, as many have little knowledge of the healthcare requirements of monkeys. Monkey World has been called to refute vet testimony in cruelty cases previously.

Vet Inspections

We have not requested that a primate is inspected by a vet on a yearly basis. If a primate does not need a veterinary exam for microchipping or sterilising then the animal should not be subjected to a stressful procedure. It may also encourage excess handling of a primate in a way that could be considered "petting" and movement of the animal to insecure areas outside its enclosure.

Neutering

Neutering small primates is a specialist job which should be done by experienced wildlife vets only, who have experience anaesthetising these primates. Monkey World has been called on many occasions by vets asking how to safely anaesthetise a marmoset, for example, so it is vital for the welfare of these primates that only qualified wildlife vets undertake this procedure. The preferred method of neutering would be to vasectomise all males. This is far less invasive than hysterectomies on females and does not alter the behaviour of the animals.

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Communication of Law Change

An effective multi-media campaign will need to be implemented to communicate and advertise the change in law to ensure there is "fair chance" to register the primate within the 12 month time period. Monkey World would provide assistance and support to any PR campaign. Vet practices could be utilised for this dissemination of information too.

Social Media and Online Classifieds

Social media platforms would need to update their community standards to allow sale posts to be removed. Online classified sites, of which there are many, will also need to be informed of the law and must be aware that they are promoting illegal activity if they do not take action against pet primate posts.

Classified sites include:

- ukclassifieds.com
- buymydog.co.uk
- shpock.com
- multino.co.uk
- classifieds.uk

Q22- 27 Penalties and Enforcement

Monkey World agrees that a civil penalty is appropriate for breaches of the new prohibition on privately kept primates, and breaches to the conditions of the SPPK license. The maximum level of fine should be set at £5000 for both. We agree that LA should have power of entry to enter a property, both residential and non-residential, with a warrant when they believe an unlicensed primate is being kept without having been registered.

Q28 Comments on Penalties and Enforcement.

Civil Penalty vs Criminal Punishment

Penalties should not be too draconian, but enough to protect the health and welfare of the "pet" monkeys and act as a deterrent to entering the trade if you are not a specialist keeper. Civil penalties of substantial fines should apply. However, if the breach by either the unregistered primate owner or SPPK constitutes cruelty and abuse, or the owner is a repeat offender, criminal punishments should apply through prosecution and the application of the Animal Welfare Act.

Application of Fines

£5000 is the maximum permitted fine, but it should be applied dependent on the offence. An owner of a single marmoset who has breached conditions by failing to register it within the allocated time period could be fined only £1000, but illegal breeders of monkeys for commercial gain should be significantly higher, i.e. £5000. Infant marmosets are sold for a large sum, usually around £1000, so there is a financial gain from breaking these rules. The price breeders could demand may also increase when the trade is made illegal. If pet shops break the laws and have traded primates in any way, their licenses should be revoked and they should also face substantial fines.

Local Authorities

Will there be incentives for Local Authorities to follow through with new legislation? In our

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experience they often are reluctant to take on problems and enforce laws, or lack the time / resources to do so. If the LA receive the fines they may be more inclined to enforce the legislation. Who will be paying for any cruelty cases brought to prosecution? Will this be the responsibility of the LA, police or RSPCA? Presumably the civil penalties will happen without added administration costs to the Local Authority.

Q29 Potential Unintended Consequences That Could Arise as a Result of Any of the Measures Proposed in this Consultation.

DWA License

How will this work alongside the SPPK? Will they be automatically transferred to an SPPK? The new "zoo license standards" will need to be met in this case, and they will need re-inspecting. Will they be obligated to cover the costs for this? We suggest that current DWA holders are obligated to apply for a joint DWA/ SPPK license on their next annual (or bi-annual, dependent on the local authority) renewal of DWA license. It would be our recommendation, as earlier stated, that those who have failed to obtain a DWA license when necessary should not be allowed a "second shot" by applying for a SPPK and the primate(s) should be confiscated from them in this circumstance.

Difficult Cases

Undoubtedly, there will be some difficult and upsetting cases where a person who is elderly, terminally ill, or has a learning disability is keeping a primate illegally and it could be suggested that removing the primate or fining such a person could compromise that individual's health or welfare. It is a situation that authorities must be prepared to face.

Devolved Nations

The trade may continue in the devolved nations, as we have increasing number of reports of inappropriately kept pet primates from Northern Ireland, for example.

Monkey World Assistance

Monkey World can offer help, support, advice and training on any of the matters raised in this public consultation to government, local authorities and DEFRA as required.

Q30 Quantitative Evidence on the Number of Primates Kept Outside of Zoos and Scientific Contexts in England.

Due to the nature of the unregulated trade it is not possible to give accurate evidence on the number of privately kept primates. Monkey World has experienced a sharp rise in requests for rehoming, and so can conclude the trade is on the rise.

Q31 Quantitative Evidence on the Number of Primate Keepers in England and the Average Number of Primates Held by Primate Keepers.

Most primate keepers we encounter keep single individuals as pets with no outside enclosure. They generally don't make appealing pets if they are with others of their own kind. Our waiting list documents that around 60% are lone monkeys to be rehomed. Our list is in flux as new individuals are added to it and rescued. We also are more inclined to rescue lone individuals, so they would no longer be on the waiting list, which means the fraction of lone monkeys to total requests for rehoming may be underestimated.