



Department
for Environment
Food & Rural Affairs

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Our ref: FOI2018/19444
1 October 2018

Dear [REDACTED],

REQUEST FOR INFORMATION: Proposed e-collar ban

Thank you for your request for information of 13 September 2018 about the proposed e-collar ban. We have handled your request under the Freedom of Information Act 2000 (FOIA).

Please note that some parts of your email does not fall within the definitions of an information request and have therefore been handled under general correspondence. They have been clearly separated below.

Information requested and handled under the FOIA, with our response:

- 1. I wish to request now under the 'Freedom of Information Act 2000' what further evidence was presented between Feb 2018 and March 2018 which changed the government stance on these devices.*

Following a search of our paper and electronic records, we have established that the information that you have requested here is not held by Defra. This is because there is no further evidence.

- 2. In respect of past evidence (DEFRA funded study 2014) has there been any independent review of the findings? Please supply copies.*

This information is being withheld as it falls under the exemptions in section 35(1)(a) of the FOIA, which relates to the formulation of Government policy.

Section 35(1)(a)

In applying the exemption in section 35(1)(a) of the FOIA, we have had to balance the public interest in withholding the information against the public interest in disclosure.

Defra recognise that there is a public interest in disclosure of information concerning the issues around the ban on e-collars. We understand that this ban will effect members of the public and the release of this information would facilitate accountability and transparency. We also understand that publication of this



information would further the understanding in the decision making process and assist with the public to engage with debate in this area.

On the other hand, any independent review and information around that gives an overview in identifying where the new Government policy is required. Disclosure could prejudice the outcome of discussions, which are still ongoing, and it is vital that we preserve a safe space free from external interference and distraction, where officials can freely discuss the issues at hand. This is paramount to achieving a balanced and objective view so that Government policy can be formulated effectively. Disclosure of this information would inhibit free and frank discussions in the future. The ability to exchange views with a level of frankness and candour would damage the quality of advice and lead to poorer decision making which in turn would directly prejudice policy outcomes.

3. *Please supply the evidence (under the Freedom of Information Act 2000) the government relied on in coming to the conclusion which supports the differentiation between containment system stimulation and hand held system stimulation*

The information you have requested here is publically available via the following links:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4153538/>

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0162073>

As the information is reasonably accessible to you by other means, section 21 of the FOIA exempts Defra from providing a copy of the information with this response to your request.

The decision to distinguish between containment fences and handheld training devices was based on responses received from the consultation, further interactions with stakeholders and a review of the available evidence. Defra has not funded any research into electronic containment systems and we are not aware of research demonstrating negative consequences of containment systems. Responses to the consultation suggested that containment fences have a welfare benefit by helping to prevent pets escaping and harming themselves or members of the public.

4. *Please supply evidence of all DEFRA funded studies carried out into the effectiveness of positive reward only based training to support your argument.*

The information you have request is publically available via the following links:

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4153538/>

This is the paper published in the journal PLOS based on the Defra research project AW1402a. The findings in this paper indicate that for a group of dogs referred for behavioural problems, the positive reward methods used on two control groups was of equivalent efficacy to e-collars to correct problem behaviour.

As the information is reasonably accessible to you by other means, section 21 of the FOIA exempts Defra from providing a copy of the information with this response to your request.

5. *Please supply accurate numbers for convictions under The Animal Welfare Act 2006 in respect of abuse of handheld electronic training devices and also the total number of ANY convictions under the act over the last 25 years.*

We are writing to advise you that the information that you have requested is not held by Defra. This is because Defra do not convict under the Animal Welfare Act and to the best of our knowledge the information may be held by the Ministry of Justice who can be contacted here:

data.access@justice.gov.uk

General correspondence enquiries and our response:

1. *Could you explain why, in a letter from Mr Mark Oroma dated February 2018 he states: "our advice is that electronic training aids should only be used as a last resort and on the recommendation of a professional such as a vet, a suitably qualified dog behaviourist, or a dog trainer, and should only be used by competent operators"*

The response below covers this point.

2. *Was this advice based on the latest findings DEFRA had in their possession at this date?*

The intent of that guidance was to dissuade owners from the use of e-collars unless all other training methods had failed. We did, and still do, maintain that positive rewards based training is the preferred way to train an animal. There is evidence of welfare concerns with hand-held e-collar training compared to positive reward based training as set out above. In March 2018 we launched a consultation to consider whether the policy should go further and ban the use of these devices. A further review of the evidence and consultation responses resulted in the government evolving its position and deciding that hand-held devices should be banned.

3. *Please explain by which demographic the government accounts for this 'public concern' as the statistics prove it is completely untrue*

Consultations are the most effective way for Defra to capture the views of the public. Consultation responses are used in conjunction with stakeholder engagement to help formulate policy.

The consultation showed that around 50% of the 7,300 or so responses were in favour of a ban on the remote controlled hand-held e-collars. Most animal welfare organisations, veterinary groups and animal behaviourists do not consider e-collars should be used.

4. *May I ask in what capacity are the Kennel Club, the RSPCA, UFAW Stakeholders in this regard and does that yield them any more power over the government decision in this case? If it does yield them more power please explain why.*

In addition to the public consultation, Defra have consulted a wide range of interested stakeholders. These have included the RSPCA and animal welfare charities, as well as the Countryside Alliance, e-collar manufacturers, and professional dog trainers who use e-collars. Each group were listened to and their points carefully considered when they were invited to share their views about the ban.

We attach an annex giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact me.

Yours sincerely

D Lynch
Information Rights Team
InformationRequests@defra.gsi.gov.uk

Annex

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Nick Teall, Head of Information Rights, Seacole Building, 2 Marsham Street, London, SW1P 4DF (email: InformationRequests@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure. The ICO can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF