

Cats and the law



CATS PROTECTION
ESSENTIAL GUIDE 13



Much of the law in relation to animals has now been consolidated in the Animal Welfare Act 2006 which applies in England and Wales, the Animal Health & Welfare (Scotland) Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011. This leaflet also refers to other legislation which remains relevant.

Animal Welfare Act 2006

The Act contains provisions which are aimed at preventing cruelty and promoting and ensuring the welfare of animals.

The Act applies to both domestic and feral cats. In addition to cruelty offences, the Act now places an obligation on owners – as well as those in charge of or responsible for cats – to ensure that their welfare needs are met, emphasising the need:

- for a suitable environment – place to live
- for a suitable diet
- to exhibit normal behaviour patterns
- to be housed with, or apart from, other animals
- to be protected from pain, suffering, injury and disease

The penalties for committing an offence of cruelty or for failing to provide for an animal's welfare needs include a ban from owning animals, a fine of up to £20,000 or, in some cases, a six-month prison sentence.

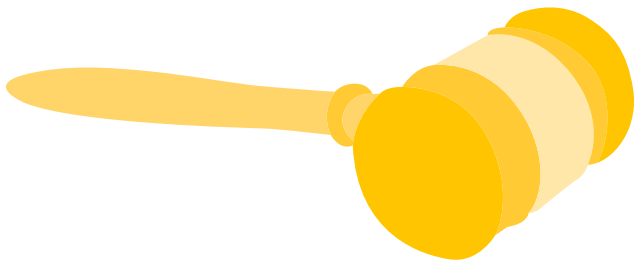
The Act also increases the minimum age at which anyone can buy a cat or other animal to 16.

Animal Health and Welfare (Scotland) Act 2006

The Scottish Act mirrors many of the provisions of the Animal Welfare Act 2006 but with some differences. For example, the Scottish Act retains the offence of abandonment, whereas in England and Wales this is covered by the cruelty offences and the duty to ensure welfare.

Welfare of Animals Act (Northern Ireland) 2011

The Northern Irish Act mirrors the provisions of the other two Acts and, like the Scottish Act, retains the offence of abandonment.



Theft Act 1968

Cats are regarded in law as the 'property' of their owner. The theft of a cat is treated as an offence under the Act, in the same way as theft of any other property is.

A cat that is lost or has strayed is generally regarded as the property of the original owner. It is therefore necessary to make all reasonable endeavours to locate the original owner whenever possible.

Criminal Damage Act 1971

Because the law regards cats as property, an offence may be committed under this Act if a person, without lawful excuse, kills or injures a cat belonging to another person.

The Common Law Duty of Care

It is a commonly held view that cats have a 'right to roam' wherever they wish. This view is largely based upon the fact that certain duties imposed upon the owners of dogs and livestock to keep their animals under control – the Road Traffic and Dangerous Dogs Acts – do not apply to cat owners. The law in these respects recognises that, by their nature, cats are less likely to cause injury to people or damage to property than some other animals.

However, cat owners do have a general duty at law to take reasonable care to ensure that their cats do not cause injury to people or damage to property. In practice, cases involving damage to property or injury to people by cats are few and far between.

What to do if you suspect cruelty or neglect

Cats Protection is a welfare and rehoming charity and, as such, is not set up to investigate or prosecute animal welfare offences whereas the Royal Society for the Prevention of Cruelty to Animals (RSPCA) is structured in this way.

The RSPCA receives reports of cruelty and abuses of the five welfare needs listed above. Reports of abandoned pets, poisoning and cruelty are on the increase. If you do suspect an animal is being neglected or subjected to cruelty in England and Wales, you should call the RSPCA's 24-hour cruelty line – 0300 1234 999. You will be asked for a detailed description of what you have seen or heard. The RSPCA can request help from the local authorities or the police when necessary.

In Scotland, contact the Scottish Society for the Prevention of Cruelty to Animals (SSPCA) on 03000 999 999

In Northern Ireland, contact the Ulster Society for the Prevention of Cruelty to Animals (USPCA) on 028 3025 1000

Planning and Environmental Law

If large numbers of cats are kept at a domestic residence, the Local Planning Authority may consider that the number is not incidental to the ordinary use and enjoyment of the residential property and may require the owner or occupier to make a planning application for a change of use. If this is not granted, the owner or occupier may be required to reduce the number of cats kept at the property.

Environmental Health Departments also have powers under the Environmental Protection Act 1990 in respect of nuisance or hazards – such as fouling, smell and noise – caused as a result of too many cats being kept at a single property.

If the welfare needs of cats kept in large numbers at a single property are not being met, this may constitute a breach of the duty to ensure welfare under the Animal Welfare Act and may constitute an offence under the Act.

Pet Travel Schemes (PETS)

The Pet Travel Scheme (PETS) allows cats and other animals to travel and enter the UK without the need for quarantine, provided that certain requirements are fulfilled.

More information about PETS can be obtained from the government website – visit www.gov.uk or phone 0870 241 1710. See Cats Protection's *Essential Guide: Moving house*.

Learn more about your cat online!

Take a look at our free interactive tool to help you understand cats' origins and their behaviour within our homes. <http://learnonline.cats.org.uk/content/ufo>



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For more information about Cats Protection or to make a donation, please visit www.cats.org.uk or phone our Helpline on 03000 12 12 12.

Reg Charity 203644 (England and Wales) and SC037711 (Scotland)

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