



# The need for a ban on keeping primates as pets

TOGETHER WE CAN...IMPROVE WILD ANIMAL WELFARE

## Key facts...

- ★ **The RSPCA believes that primates should not be kept as pets.**
- ★ **These complex, intelligent animals suffer disproportionately in a domestic environment. It has been scientifically shown that some primates are self-aware and can reflect on their feelings and past experiences. They are thus likely to have a greater capacity to suffer than many other animals.**
- ★ **Many countries already have a full or partial ban on keeping and/or trading in primates as pets, including 15 European countries, Brazil, India, Israel and Honduras and 24 US states.**
- ★ **The current regulatory system is not working; Defra's Code of Practice for the Welfare of Privately Kept Non-Human Primates is not sufficient to protect primates.**
- ★ **We welcome the Government's commitment, in their 2019 manifesto, to introduce a ban and look forward to this overdue legislation progressing through Parliament.**

## The issue

Between 2008 and 2017, the RSPCA's Cruelty and Advice Line received 718 calls from members of the public concerned about the welfare of a primate kept or traded as a pet, with 2016 representing a high watermark in the number of calls we received (117 - a 118% increase since 2008). Primates are intelligent and complex animals who simply cannot be kept properly in a household environment, however well intentioned the keeper; their suffering is all but inevitable. With an estimated 4,000 - 5,000 pet primates<sup>-1</sup> mostly marmosets, capuchins and squirrel monkeys - kept in UK homes, and with a regulatory framework that is failing them, the RSPCA believes that a ban on the keeping of and trade in primates as pets is the only way to properly protect their welfare.

## Welfare concerns

Primates are highly intelligent mammals with a range of complex needs. In relation to body size, primates have large brains, which support great intelligence. Many primates have complex language skills, use tools, show advanced learning, numerical ability and planning, perform tactical social interactions, and are capable of human-like emotion. It has been scientifically shown that some are self-aware and can reflect on their feelings and past experiences. Primates are thus likely to have a greater capacity to suffer than many other animals.

For good welfare, both physical and psychological health must be ensured. Primates need to be kept in social groups, in complex, specially-designed indoor and outdoor facilities. Yet the RSPCA commonly finds primates kept as pets in bird cages, on their own, in people's living rooms. Owners commonly lack knowledge and understanding of the species they own and this can have serious welfare implications.

The RSPCA and specialist primate sanctuaries regularly face a number of welfare problems in pet primates:

- **Social isolation:** keeping highly social primates alone causes a great deal of suffering and lasting damage. Isolated primates may mutilate themselves, become severely depressed, pluck their own hair, show abnormal behaviours and even die young.
- **Early weaning:** young primates are highly dependent on their mothers for extended periods. Denying them this experience has huge, long-lasting, harmful psychological and

<sup>1</sup> *Do You Give a Monkey's?* (RSPCA, 2014) <http://www.rspca.org.uk/vi/adviceandwelfare/pets/other/primates> (accessed 13.01.16).

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physiological effects , including abnormal behaviours and aggression. Many young primates are advertised for sale at an age when they would still be highly dependent on their mother or parents .<sup>3</sup>

- **Cramped, inappropriate housing:** primates need a, stimulating, spacious environment that allows them to behave ‘like a primate’ and which is extremely difficult to provide. The RSPCA has collected primates kept in parrot cages, glass-fronted cupboards and sheds. Few had access to the outdoors and the sunlight they need for healthy development.
- **Consequences of poor care:** pet primates routinely exhibit many abnormal behaviours (such as pacing, teeth grinding and obsessive grooming) as well as serious health problems such as Metabolic Bone Disease (rickets), fractures and bone deformities, tooth decay, diabetes and problems with their weight.

### The current regulatory framework

Two main pieces of legislation cover the keeping of primates as pets in England and Wales; the [Animal Welfare Act 2006](#) (AWA) and the [Dangerous Wild Animals Act 1976](#) (DWAA).

#### The Animal Welfare Act and Defra’s Code of Practice

Like all animal owners, primate keepers must comply with the AWA by preventing unnecessary suffering (section 4 of the Act) and, importantly, taking all reasonable steps to meet their animal’s needs, to the extent required by good practice (section 9). These needs include: a suitable environment, an appropriate diet, opportunities to exhibit normal behaviours, being housed with, or apart from, other animals, and protection from pain, suffering, injury and disease.

In 2010, Defra introduced its [Code of Practice for the Welfare of Privately Kept Non-Human Primates](#), explaining what owners and keepers need to do to meet the needs of their animals under the AWA. Whilst providing a useful framework for preparing prosecutions, the Code has clearly failed to meet the government’s objectives of restricting ownership of primates to “zoos, scientific institutions and specialist <sup>4</sup> keepers” and to “reduce the numbers of such animals handed over to specialist rescue sanctuaries” <sup>5</sup> .

One of the problems with the Code is that it is very general – guidance applies to all primates, from pygmy marmosets to gorillas. Without more specific information (appendices on specific primate species/groups <sup>6</sup> were originally planned ) most requirements are very open to interpretation. Usefulness of the Code is also limited because many people do not know it exists. The RSPCA has found little evidence of awareness amongst primate keepers. There are numerous cases where the Code has not been followed, for example instances of local authorities granting licenses for singly-kept primates year after year despite this being contrary to the Code.

#### The Dangerous Wild Animals Act

To keep most primate species – but importantly not the vast majority of the most commonly kept, including marmosets – owners need a DWAA license from their local authority. The DWAA is mainly concerned with protecting people, although it does have some ancillary welfare provisions about providing suitable accommodation, adequate food, drink and bedding and visiting animals at suitable intervals.

The inadequacies of the DWAA are many, most notably extremely high levels of non-compliance at an estimated 85-95% <sup>7</sup> . This is perhaps not surprising given that sellers are not obliged to check any paperwork

<sup>2</sup> See, for example, Soulsbury CD, Iossa G, Kennell S and Harris S (2009) The welfare and suitability of primates kept as pets. Journal of Animal Welfare Science 12:1-20.

<sup>3</sup> Do You Give a Monkey's? (RSPCA, 2014) <http://www.rspca.org.uk/vi/adviceandwelfare/pets/other/primates> (accessed 13.01.16).

<sup>4</sup> Hansard 19 Jan 2006, column 156.

<sup>5</sup> Defra (2009) Impact Assessment of the Code of Practice on the Welfare of Privately Kept Non-Human Primates, 14 August 2009

<sup>6</sup> Minutes of Defra's Primate Working Group, 14 January 2009.

<sup>7</sup> Greenwood AG, Cusdin PA and Radford M (2001) Effectiveness study of the Dangerous Wild Animals Act 1976. Department for Environment Food and Rural Affairs [http://randd.defra.gov.uk/Document.aspx?Document=WP01013\\_3997\\_FRP.pdf](http://randd.defra.gov.uk/Document.aspx?Document=WP01013_3997_FRP.pdf) (accessed

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or inform buyers of licensing requirements. Being caught without a licence has little or no consequence;

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local authorities often simply issue a licence retrospectively . There is also a lack of understanding within local authorities about their responsibilities under the DWAA and the welfare needs of primates. So although this legislation provides a register of owners (albeit only an estimated 5-15% of them) and powers to inspect, it does not provide adequate protection for the welfare of pet primates.

### Support for a ban

The public clearly feels strongly about this issue and the RSPCA has received many calls from people reporting adverts for primates under the impression that it is already illegal to own/sell primates as pets. Successive opinion polls have backed this up; for example a YouGov survey in June 2014 found overwhelming support for a ban "on keeping monkeys as pets in Britain" (75% answered yes, 11% no and

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13% didn't know) . There is also clear expert opinion in favour of a ban with over 360 highly regarded primatologists, conservationists, zoo professionals, primate rescue organisations and other respected professionals supporting a ban on the keeping of primates as pets .<sup>10</sup>

15 European countries have already banned the keeping of and/or trade in primates as pets, either of all species or certain groups (including France, The Netherlands, Belgium, Italy, Norway and Sweden). Further afield, countries such as Israel, Honduras, Brazil and India also have bans in place, as do 24 US states (18 ban all primates, six ban certain types).

### The 2019 General Election

In the 2019 General Election, the Conservative party included a pledge to ban primates as pets in their manifesto. This followed the launch, in October 2019, of the last Conservative Government's consultation

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on the welfare of pet primates , which continued after the Election and to which the RSPCA has responded. We welcome the Government's commitment to introduce a ban, and the accompanying consultation, and look forward to this long overdue legislation progressing through Parliament.

### Recommendations

- The RSPCA is strongly in favour of a ban on the keeping of and trade in primates, which could be introduced using Regulations under the AWA.
- To facilitate this ban, and to avoid the impossible situation where sanctuaries and rescue centres find themselves having to suddenly rehome thousands of former pet primates, those currently kept should be subject to a transition period (using a so-called 'grandfather clause'), as has been the case in several other countries, whereby owners have to register their primates within a certain period of a ban coming into force and an inspection regime should be introduced to ensure the ongoing welfare of these animals.
- Additionally, breeding of pet primates currently held should be prohibited and animals individually identified.

13.01.16).

<sup>8</sup>ibid.

<sup>9</sup> <https://yougov.co.uk/news/2014/06/13/three-quarters-public-back-ban-pet-monkeys> (accessed 13.01.16).

<sup>10</sup> For details see *Do You Give a Monkey's?* (RSPCA, 2014).

<sup>11</sup> <https://www.gov.uk/government/consultations/welfare-of-primates-as-pets-in-england-call-for-evidence> (accessed 10.01.20)

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