

CANINE FERTILITY SERVICES IN NORTHERN IRELAND

*A Supplementary Report of the
Expert Advisory Group on Dog
Breeding Regulations*



This supplementary report accompanies the Expert Group's main report on dog breeding regulation in Northern Ireland. It addresses canine fertility services as a currently unregulated sector in both Northern Ireland and across the UK, considers the welfare and ethical implications, reviews comparable approaches elsewhere, and sets out the Group's recommendations for a proportionate regulatory framework in Northern Ireland (NI).

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1. Introduction and Purpose

1.1 Relationship to the Main Report

This report is a supplement to the Expert Group's main report on dog breeding regulations in Northern Ireland, commissioned by the Department of Agriculture, Environment and Rural Affairs (DAERA). Whilst the main report addresses the broad landscape of commercial dog breeding regulation, this supplementary report addresses canine fertility services, a rapidly growing sector across many jurisdictions which raises distinct regulatory, welfare and ethical issues that warrant separate consideration. Whilst the numbers of canine fertility clinics officially operating in NI is currently very low (figures received from the Naturewatch Foundation put this at just two operators), we have heard reliable evidence from numerous stakeholders that there are significant numbers of unofficial operators providing a wide range of canine fertility services across NI. We are also aware that both social media platforms and online pet selling sites are being used to advertise these services along with stud and whelping services.

1.2 Scope

For the purposes of this report, 'canine fertility services' means the commercial provision of any of the following procedures or services in connection with the breeding of dogs:

- artificial insemination (AI), whether by intra-vaginal or trans-cervical route;
- ovulation testing, including progesterone blood testing and vaginal cytology;
- ultrasound pregnancy scanning;
- semen collection, analysis, storage and/or shipping;
- whelping services, including assistance with birth and post-whelping care of dam and puppies;
- elective caesarean section, whether emergency or planned.

Businesses providing such services - commonly referred to as 'canine fertility clinics' (CFCs) - vary considerably in scale and sophistication. Some operate from fixed commercial premises, some are home-based, and some are mobile. Some are led by or involve registered veterinary surgeons; however, the majority do not.

1.3 Why Separate Consideration Is Warranted

Our primary reason for separating our consideration of canine fertility services from our recommendations made in our main report on the review of the NI dog breeding regulations is due to the fact that most of the above fertility services are classified as acts of veterinary surgery and therefore fall under the Veterinary Surgeon's Act (VSA) 1966. This Act is not a devolved piece of legislation and is currently the subject of review and we are conscious that the question of canine fertility services provision and how to regulate for this could form part of this review. In the event that the reform of the VSA does not adequately address the regulation of all aspects of these services, there could be legislative gaps and additional protections which need to be catered for by passing regulations under NI's devolved powers.

2. The Canine Fertility Sector: Background

2.1 Emergence and Growth Across the United Kingdom

Canine fertility clinics are a relatively recent phenomenon. The sector grew rapidly from approximately 37 known establishments in 2020 to over 466 across the UK by 2026 - a 1,250% increase in six years¹. Several factors are regarded as having driven this growth: a surge in pandemic puppy buying; genuine legal ambiguity about which procedures non-veterinary persons may lawfully perform; strong commercial incentives, particularly from high prices for 'designer' crossbreeds and extreme-conformation brachycephalic breeds; and the availability of commercially provided training courses which gave lay operators a veneer of qualification without conferring any legal authority to perform veterinary procedures.

This growth in CFCs has occurred in a regulatory vacuum: canine fertility services are not a licensable activity under any current animal welfare licensing regime in the UK, including in Northern Ireland. The sector's expansion has been accompanied by documented and serious animal welfare harms, alleged links to organised crime, systematic consumer deception, and the facilitation of breeding practices that perpetuate chronic suffering in dogs and their offspring.

2.2 Services Offered and Business Models

The CFC sector covers a wide range of businesses. Core services typically advertised include AI, ovulation testing (progesterone blood testing and/or vaginal cytology), ultrasound

¹ Figures supplied to the group as part of written evidence from The Naturewatch Foundation in May 2026.

pregnancy scanning, and semen collection, analysis, storage and shipping. Many businesses offer ancillary services including whelping support, puppy rearing, DNA testing, microchipping and vaccinations. Some businesses keep or advertise stud dogs on behalf of their owners. Some (without overtly advertising the fact) offer services including caesarean section and other surgical procedures.

The sector also includes businesses providing training courses in how to perform fertility procedures, and suppliers of equipment and materials. The training courses are typically of very short duration (matter of hours or days) and result in certificates with no Ofqual equivalence and no legal authority. The Animal Welfare Committee (AWC) found evidence that at least two companies offering such courses also offer Defra-approved microchipping training, advertising both in close proximity on their websites in a manner likely to mislead the public into believing that both carry equivalent DEFRA official endorsement.²

2.3 The Position in Northern Ireland

As in Great Britain, the CFC sector in Northern Ireland is currently without regulatory oversight and accordingly councils are limited in their powers to intervene in their operation. Whilst the position in terms of the numbers of CFCs operating and the rapid rate of expansion of this industry is nothing like the levels seen in Great Britain, there are active CFC businesses known to be operating in Northern Ireland. The exact overall picture of the industry in Northern Ireland is somewhat unclear due to the absence of verified NI-specific data on the number of CFC establishments, the volume and nature of services provided, or the welfare outcomes for animals involved - a data gap that is itself a product of the current absence of any regulatory framework.

Some of the surge in CFC business has been driven by an increased demand for puppies, particularly for some of the most popular breeds. While this demand seems to be abating at present (likely due to some markets reaching saturation), this is not to be taken for granted and legislation should still address the potential for future problems.

² [Opinion on the welfare implications of specialised canine reproductive practices.pdf](#)

3. The Current Legal Framework in Northern Ireland

3.1 Overview

As is the case with the other devolved nations, the regulation of canine fertility services in Northern Ireland, to the extent they are regulated at all, is via general animal welfare legislation and the Veterinary Surgeons Act 1966. There is no dedicated licensing framework applicable to CFCs or the services they offer. This section summarises each relevant legislative instrument, the protection it does and does not provide, and the enforcement landscape in NI.

3.2 Primary Animal Welfare Legislation

3.2.1 The Welfare of Animals Act (Northern Ireland) 2011

The primary animal welfare statute in Northern Ireland is the Welfare of Animals Act (Northern Ireland) 2011 ('the 2011 Act'). The 2011 Act applies to vertebrate animals under the control of humans but does not apply to animals in the foetal or embryonic stage and therefore cannot be used to protect future offspring from being born with heritable conditions or traits which affect their health and welfare. Whilst the general duties under section 4 and 9 to safeguard and promote welfare does provide some protection for dogs subjected to fertility procedures, the 2011 Act was not designed with CFCs in mind. Also, enforcement is reactive rather than preventive: harm must have occurred, or be likely to occur, before intervention is possible.

3.2.2 The Diseases of Animals (Northern Ireland) Order 1981 (SI 1981/1115)

The Diseases of Animals (Northern Ireland) Order 1981 (SI 1981/1115), as amended by the Diseases of Animals Act (Northern Ireland) 2010, provides the principal animal health framework in NI including powers of inspection and disease control. Its relevance to CFCs extends to the risk of disease transmission via semen - including *Brucella canis*, a zoonotic disease of growing concern - where semen is collected, stored or shipped by unqualified operators without veterinary oversight or disease screening.

3.2.3 The Artificial Reproduction of Animals (Northern Ireland) Order 1975

The Artificial Reproduction of Animals (Northern Ireland) Order 1975 ('the 1975 Order') is NI-specific legislation that empowers DAERA to make regulations controlling the practice of artificial reproduction of animals, including requiring those involved in AI, or in the collection,

storage, distribution or sale of semen or ova, to hold a DAERA licence. However, the intention of this legislation was (and remains) to control artificial reproduction activities in respect of livestock for reasons of food chain security and also to mitigate against the spread of disease. The 1975 Order defines ‘animals’ as cattle, sheep, goats, swine, horses, domestic fowl, turkeys, geese and ducks, and dogs are not included within that definition. Accordingly, the 1975 Order currently does not apply to canine AI or canine semen handling and primary legislation would be required to amend the definition to include canines for it to do so.

The EU Animal Health Law (AHL), which applies in Northern Ireland under the Windsor Framework, does contain provisions relevant to canine germinal products. AHL requires the competent authority to register any establishment collecting, storing and moving canine germinal products to another Member State, and sets out traceability rules, record keeping obligations and export health certification requirements. Products moving to Republic of Ireland, EU or Great Britain (currently a third country) must also be certified and movements recorded. It should be noted that the AHL only requires a registration system to be established for these purposes and does not impose any additional regulatory requirements beyond this. We understand that DAERA is currently preparing a statutory regulation to implement this piece of European law. However, AHL does not apply where an establishment is collecting canine germinal products for domestic use only within NI, and it does not govern acts of artificial reproduction.

Therefore, as the majority of CFC activity in NI (domestic AI, semen collection for local use, blood testing, cytology, ultrasound and whelping services) falls outside both the 1975 Order and AHL, this leaves just the VSA and the 2011 Act as the primary applicable frameworks.

3.3 Dog Breeding Legislation in Northern Ireland

3.3.1 The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013

The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 (‘the 2013 Regulations’) provides the legislative basis for commercial dog breeding regulation in NI. The 2013 Regulations establish a licensing regime for commercial dog breeders and empowers DAERA to make regulations concerning

licensing conditions. The Group's main report addresses the 2013 Regulations in detail; what follows is confined to its relevance to canine fertility services.

The key point of note here is that the 2013 Regulations address commercial dog breeding and concerns only those who keep breeding dogs and produce litters. Canine fertility services are not of themselves a licensable activity under the 2013 Regulations and a CFC operating in Northern Ireland would only require a licence under the 2013 Regulations if it was engaged in breeding dogs and met the relevant threshold for requiring a licence. Furthermore, whilst provisions in the English and Scottish dog breeding regulations prohibit licensed breeders from breeding any dog where it can reasonably be expected, on the basis of its genotype, phenotype or state of health, that doing so would be detrimental to its own welfare or that of its offspring, there is currently no such requirement in the Northern Irish Regulations.

3.3.2 The Regulatory Gap

A CFC operator in Northern Ireland who does not personally keep breeding dogs and produce litters faces no licensing requirement under dog breeding legislation. Such an operator can advertise and provide services including ovulation testing, semen collection, storage and shipping, whelping support, and ultrasound scanning (which is not an act of veterinary surgery and may be performed by anyone) without any licence, inspection, mandatory training requirement or accountability to a regulatory body.

AI remains an act of veterinary surgery and may only lawfully be performed by a registered veterinary surgeon, but there is no licensing mechanism within dog breeding legislation to enforce this in relation to CFCs. As noted in section 3.2.3, the 1975 Order does not apply to canine species, and primary legislation would be required to change this. The EU Animal Health Law does apply to cross-border movement of canine germinal products in NI but does not cover domestic-only semen handling or acts of artificial reproduction. The current gaps in dog breeding legislation in respect of CFCs reflects the fact that CFCs are a new and emerging area which was not in the contemplation of legislators at the time the existing dog breeding regulations were passed.

3.4 The Veterinary Surgeons Act 1966

3.4.1 Scope and Application

The Veterinary Surgeons Act 1966 ('the VSA') applies across the whole of the United Kingdom including Northern Ireland. Section 19 makes it an offence for any unregistered person to practise veterinary surgery, defined in section 27(1) to include: the diagnosis of diseases and injuries (including tests performed for diagnostic purposes); advice based on such diagnosis; the medical or surgical treatment of animals; and the performance of surgical operations on animals.

In June 2023 the RCVS Standards Committee confirmed that all canine AI (both intravaginal and transcervical) are acts of veterinary surgery. Blood sampling for progesterone testing is similarly an act of veterinary surgery. The RCVS has confirmed that ultrasound pregnancy scanning is not an act of veterinary surgery and may therefore be performed by any person. Schedule 3 of the VSA provides a limited exemption permitting registered veterinary nurses to carry out certain acts under veterinary direction; no equivalent general exemption exists for lay persons in relation to procedures typically offered by CFCs.

3.4.2 The Position on Vaginal Cytology

Vaginal cytology involves inserting a swab into the vagina of the bitch to collect cells for microscopic analysis to determine the stage of the oestrus cycle. The vagina is a body cavity. Schedule 3 of the VSA, which sets out the limited exemptions permitting registered veterinary nurses to carry out medical treatment and minor surgery under veterinary direction, expressly excludes any procedure involving entry into a body cavity. Vaginal cytology therefore falls outside that exemption and constitutes an act of veterinary surgery, in addition to arguably falling within the diagnostic definition in section 27(1)(a) of the VSA. Despite this, vaginal cytology is routinely performed by lay operators at CFCs across the UK. According to data provided to the panel by the Naturewatch Foundation, cytology accounts for a substantial proportion of the activity of many CFCs (in some cases 70-80%) and this has complicated attempts elsewhere in the UK to develop a viable regulatory framework that would permit non-veterinary operators to continue in business.

There is also an important ethical consideration around the widespread “need” for such a service: the European Welfare in Pet Trade Responsible Dog Breeding Guidelines, the AWC

and the BVA concur that forced matings must not take place and that AI may only be considered under exceptional circumstances, requiring strict justification, which implies veterinary oversight. In this context, the best judges of whether mating time is correct are surely unrestrained dogs and bitches - neither vaginal cytology nor blood testing (while helpful for logistics if travel is involved) should ever be an excuse for a forced mating. The panel considers that medicalisation of the natural process of mating should not be normalised. A public awareness campaign would be a useful mechanism to highlight the harms associated with assisted breeding.

3.4.3 Enforcement of the VSA in Northern Ireland

The RCVS has no power to investigate or sanction unregistered persons. Enforcement against lay persons carrying out acts of veterinary surgery falls to the PSNI and potentially Trading Standards. Conviction on summary proceedings under section 19 of the VSA carries a maximum fine of £5000 in Northern Ireland under the Fines and Penalties (Northern Ireland) Order 1984. Conviction on indictment carries an unlimited fine. In practice however, VSA prosecutions are almost always brought by way of summary proceedings in the Magistrates' court and accordingly the £5000 fine ceiling is the realistic maximum fine in the vast majority of cases – the Group regards this as being insufficient to serve as a deterrent given the commercial scale of some CFC operations and recommends that DAERA seek to align NI's penalty provision for summary convictions with that of England and Wales where the equivalent penalty is now an unlimited fine.

3.4.4 VSA Reform and Its Limitations for Northern Ireland

A public consultation on reform of the VSA has recently closed. The Group notes that the outcome of that process is not yet known, and therefore the extent to which canine fertility services may or may not be provided for in any reformed version of the Act is not known at the time of writing this report. We are therefore of the view that, whilst it may be that the reformed VSA will adequately cater for the regulation of CFCs, Northern Ireland should not delay in developing its own regulatory framework for canine fertility services pending the outcome of VSA reform. Whatever changes are made to the VSA at UK level, NI's distinct enforcement and institutional arrangements mean that any regulation of CFCs will need to be specifically designed for the NI context.

3.5 The Enforcement Landscape in Northern Ireland

No single body in NI holds clear responsibility for oversight of the CFC sector. The bodies with potential relevance are:

- **DAERA:** responsible for animal welfare policy and the dog breeding licensing regime under the 2013 Regulations, but without direct enforcement powers in relation to unlicensed CFC activity beyond the general provisions of the 2011 WOA Act.
- **District councils:** responsible for enforcing the dog breeding licensing regime and animal welfare enforcement under the 2011 WOA Act, but with no specific powers in relation to CFCs falling outside the breeding licensing threshold.
- **USPCA:** investigates animal welfare matters under the 2011 WOA Act but has no statutory powers and therefore cannot prosecute offences under the 2011 Act or the VSA.
- **PSNI:** responsible for enforcement of the VSA in NI in terms of bringing prosecutions against those who commit acts of veterinary surgery as a lay person; in practice, VSA enforcement in relation to CFCs has been extremely limited given the low maximum penalty under the VSA.
- **RCVS:** can investigate and sanction registered veterinary surgeons and nurses but has no powers in relation to unregistered lay operators.
- **Veterinary Medicines Directorate:** has jurisdiction over the supply and administration of prescription-only veterinary medicines (POM-V), including oxytocin and antibiotics, which there is evidence of CFCs administering unlawfully.
- **Trading Standards (Department for the Economy/district councils):** consumer protection issues may arise from the operation of CFCs, including in relation to misleading claims about qualifications and the nature of services offered. Trading Standards would have potential relevance in such cases, alongside the PSNI, in relation to VSA enforcement.

The Group is aware that in other UK jurisdictions the organised crime dimension of the CFC sector has created practical difficulties in designing enforcement frameworks, including deterring veterinary professionals from taking on inspection roles. This is a real risk in NI and must be built into any enforcement model from the outset. The Group recommends early engagement with the PSNI.

3.6 Northern Ireland's Position Relative to Great Britain

NI's legislative position is broadly comparable to that of England and Wales: no dedicated CFC licensing framework, reliance on general animal welfare legislation and the VSA, and a fragmented enforcement landscape. Scotland has recognised the need to bring some oversight and control to a currently unregulated sector and announced an intention to legislate but has paused action while awaiting details of VSA reform. NI should not wait for Scotland to act but should implement its own framework tailored to NI's specific context.

4. Welfare Implications of Canine Fertility Services

The welfare implications of canine fertility services are both direct - affecting the animals subjected to procedures - and indirect, affecting those animals, their offspring and future generations. Both depend on the competence and qualifications of the person performing the procedures. As the AWC concluded in its March 2024 Opinion, 'the welfare impacts of reproductive techniques and management practices are highly dependent upon the competency and knowledge of those undertaking the techniques.'

4.1 Direct Welfare Impacts of Procedures

4.1.1 Semen Collection

Semen collection involves digital stimulation of the male dog, typically in the presence of a bitch in oestrus. When carried out correctly by a qualified person, it is likely to cause only minimal and short-lived welfare effects. If performed incorrectly it risks physical damage to the dog's external reproductive organs, psychological distress from inappropriate handling, disease transmission via incorrectly processed semen, and misdiagnosis of fertility status.

4.1.2 Progesterone (Blood) Testing

Blood sampling to measure circulating progesterone levels determines the stage of a bitch's reproductive cycle. When undertaken correctly it is minimally invasive with only short-lived welfare impacts. Done incorrectly, it risks damage to blood vessels, infection, and distress from poor handling. The RCVS has confirmed that blood sampling is an act of veterinary surgery. Despite this, progesterone testing is routinely offered and performed by lay CFC operators across the UK.

4.1.3 Vaginal Cytology

Vaginal cytology involves inserting a swab into the vagina of the bitch to collect cells, which are then assessed microscopically to determine the stage of the oestrus cycle. When performed correctly it is minimally invasive with only transient negative welfare effects. If performed incorrectly it risks physical damage to the bitch's anatomy, introduction of infection, psychological distress, and misdiagnosis of the stage of the cycle, potentially leading to breeding attempts at an inappropriate time. The RCVS has confirmed that cytology is an act of veterinary surgery.

4.1.4 Artificial Insemination

Non-surgical canine AI may be performed by intra-vaginal or trans-cervical routes. The trans-cervical route achieves higher success rates but is technically more challenging and anatomically more complex than equivalent procedures in other species. Canine AI carries the potential to cause both psychological and physical trauma. There is also a significant risk of disease transmission via infected semen, including *Brucella canis*, a zoonotic pathogen of growing concern in the UK. Evidence gathered by the Naturewatch Foundation veterinary survey (2022) includes: uterine perforation during AI performed by a lay person; foreign bodies (AI straws) embedded in the wall of the cervix and vagina; and infections following insemination.

4.1.5 Ultrasound Pregnancy Scanning

Transabdominal ultrasound scanning is used to diagnose pregnancy, assess foetal viability, estimate litter size and stage pregnancy. The RCVS has confirmed that ultrasound scanning is not an act of veterinary surgery and may lawfully be performed by any person. The procedure itself is painless, though bitches may experience indirect stress from restraint, and the direct physical welfare impacts of correctly performed scanning are therefore minimal. However, the fact that ultrasound scanning is a legally permitted lay activity does not mean it is without welfare risk. The risks associated with misdiagnosis by inadequately trained lay scanners are very significant. Because there is no training or qualification requirement for lay persons performing ultrasound, there is no mechanism to ensure competence. Documented cases of harm include: pyometra (a life-threatening uterine infection) misdiagnosed as pregnancy by lay scanners, causing dangerous delays in treatment; incorrect litter size estimates; and in one documented case, a tumour and abdominal fluid misdiagnosed as pregnancy, resulting in the dog being euthanised because intervention came too late. The

Group considers that the absence of any training or competence requirement for lay persons performing ultrasound scanning on breeding dogs is a significant welfare gap that should be addressed within any NI licensing framework for CFCs, even though the activity itself falls outside the VSA.

4.1.6 Whelping Services

Whelping services include assisting with vaginal delivery of puppies and post-whelping care of dam and puppies. Certain aspects - including assisting with birth and feeding milk through a stomach tube - carry risks of anatomical and physiological damage if performed by persons without adequate training. In circumstances in which bitches are moved for whelping, exposure to an unfamiliar environment and unfamiliar caregivers is detrimental for the welfare of the bitch and her puppies. Documented evidence includes orphaned puppies dying due to inadequate care at a CFC, and inadequate aftercare following Caesarean section.

4.1.7 Elective Caesarean Section

Caesarean section carries risks including those associated with general anaesthesia, peri- and post-operative haemorrhage and infection, post-operative pain, adhesion formation, impaired post-operative mothering behaviour by the bitch, and reduction in milk production. These risks are significant even when the procedure is correctly performed by a veterinary surgeon. Evidence of Caesarean sections being performed by lay CFC operators without veterinary involvement has been reported to both the Naturewatch Foundation and the AWC.

4.2 The Competency and Qualification Gap

The welfare impacts of all these procedures depend substantially on the training and expertise of the person carrying them out - not only technical competence but the ability to recognise adverse effects, exercise clinical judgement and refer promptly for veterinary help. Veterinary surgeons registered with the RCVS must hold a formal veterinary qualification and maintain an ongoing record of continuing professional development. No equivalent requirement governs non-veterinary persons offering canine fertility services. Training courses available to lay CFC operators typically last hours or days. Certificates issued carry no Ofqual equivalence and confer no legal authority to perform acts of veterinary surgery.

The consequences of this gap are documented and serious. The Naturewatch Foundation veterinary survey (2022) of 770 veterinary professionals found that 98% expressed concern about CFCs, with 80% 'very concerned.' The BVA Voice of the Veterinary Profession survey (2022) found that 93% of respondents were concerned about canine breeding services operating without veterinary involvement (cited in AWC, 2024), and that irresponsible breeding was identified as the top animal health and welfare concern among vets in clinical practice. Specific harms reported include:

- Pyometra misdiagnosed as healthy pregnancy by lay scanners, causing dangerous delays in treatment;
- Uterine perforation during AI performed by an unqualified person;
- Trauma to the cervix from AI, including a foreign body embedded in the vaginal wall;
- Misuse of prescription-only veterinary medicines including oxytocin and antibiotics;
- Wound infections and inadequate aftercare following Caesarean section performed at a CFC;
- Dogs with serious welfare-compromising conditions - including brachycephalic obstructive airway syndrome (BOAS) and elbow dysplasia - having semen collected for commercial use without any fitness-to-breed assessment;
- Tumour and abdominal fluid misdiagnosed as pregnancy, resulting in the dog's death.

These findings were echoed in a recent survey of the veterinary profession in NI, where about 20% of respondents had personally encountered serious adverse events resulting from the activities of fertility clinics. These ranged from inaccurate advice and ultrasound diagnoses to metritis post AI, prostatitis in a male who had semen extracted daily, uterine rupture in a bitch administered oxytocin inappropriately, trauma in bitches held for mating and a bitch dying under general anaesthetic (GA) for her 5th caesarean Section.

4.3 Indirect Welfare Impacts

4.3.1 Facilitation of Extreme Conformation Breeding

Of particular concern is the use of AI and elective caesarean section to enable breeding from dogs whose anatomy makes natural mating or whelping impossible or unsafe. This is particularly acute in relation to brachycephalic breeds including French Bulldogs, English Bulldogs, Pugs and Boston Terriers, which account for a disproportionate share of CFC activity.

The adult breeding animals - particularly bitches subjected to repeat elective caesareans - face cumulative surgical risk, post-operative complications, impaired mothering behaviour and potential long-term reproductive tract damage. The puppies inherit the same conformational characteristics that made natural birth impossible in their parents.

4.3.2 The Popular Sire Effect and Genetic Diversity

The availability of semen collection, storage and international shipping through CFCs amplifies the 'popular sire effect': the rapid and widespread dissemination of one stud dog's genetics across a breed. Where that dog carries heritable welfare-compromising conditions, those conditions may be propagated across hundreds or thousands of offspring before the problem is identified. This risk is particularly acute in numerically small breeds where a small number of widely used stud dogs can rapidly reduce genetic diversity and entrench heritable health problems.

4.3.3 Disease Transmission

The collection, storage and use of canine semen by unqualified operators presents a significant risk of disease transmission. Of particular concern is *Brucella canis*, primarily transmitted venereally through natural mating or AI. Infected males may be asymptomatic. *Brucella canis* is a zoonosis: it can be transmitted to humans. Unqualified CFC operators collecting and processing semen without veterinary oversight, disease screening or appropriate biosecurity present a meaningful public health risk.

4.3.4 Welfare Impacts on Future Generations

Research cited by the AWC demonstrates that maternal stress during pregnancy - including from procedures, transportation to CFC premises, and unfamiliar environments - can have epigenetic effects on puppies, influencing their stress responses, fearfulness and behaviour throughout their lives. The consequent risk of relinquishment, abandonment or euthanasia is also a welfare consideration.

Dogs produced from parents with extreme conformational traits or heritable disease, whose breeding was facilitated by CFC services without adequate selection criteria or veterinary oversight, face the prospect of chronic, lifelong poor welfare.

5. Ethical Considerations

In addition to the welfare implications set out in Section 4, there are a number of distinct ethical considerations associated with whether and how canine fertility services should be regulated in Northern Ireland.

5.1 Use of Assisted Reproduction to Circumvent Natural Physical Limitations

The central ethical concern raised by the CFC sector is the use of AI and elective caesarean section not to support healthy, naturally mating and whelping dogs, but to overcome the physical inability of dogs to mate or give birth without intervention. The consensus position of international veterinary and welfare bodies is unambiguous. The EU Responsible Dog Breeding Guidelines, developed by Europe's leading companion animal breeding and welfare experts, state that AI "must not be used as a default or to overcome problems due to the inability of the dogs to mate naturally. It may *only* be considered under exceptional circumstances, and to do so requires strict justification". The Federation of Veterinarians of Europe (FVE) and Federation of European Companion Animal Veterinary Associations (FECAVA) state that veterinarians should not perform AI to overcome physical disabilities, and that 'any dog should be able to mate naturally.' FVE and FECAVA further state that caesarean sections should not be considered 'normal' or 'breed typical,' and that any bitch unable to give birth naturally due to anatomical or inherited features should be excluded from further breeding. The Fédération Cynologique Internationale adopts the same position. To use medical technology to enable the reproduction of animals whose bodies are so compromised by selective breeding that they cannot perform basic biological functions without intervention is to treat those animals as production units rather than sentient beings with their own welfare interests. It perpetuates, and in the case of extreme trends actively amplifies, the conditions that cause chronic suffering. The Group concurs with this ethical position.

5.2 The Concept of Torture Breeding

Several European jurisdictions have addressed extreme conformation breeding through the concept of Qualzucht (torture breeding) - a prohibition on breeding animals in ways that will cause future pain, suffering, injury or anxiety, including conformational and heritable conditions that can be passed to the next generation. This concept is embedded in the

animal welfare legislation of Germany and Austria and underpinned the Norwegian Supreme Court's 2023 ruling upholding a ban on the breeding of Cavalier King Charles Spaniels. There have been examples of recent successful prosecutions brought in England for unnecessary suffering to a French Bulldog due to poor selection of the parents³. Whilst NI's legislative framework does not use this terminology, the underlying principle is consistent with the welfare duties in sections 4 and 9 of the 2011 Act and is in line with the views of the Group as expressed in our main report on the reform of the NI 2013 Regulations. The Group considers that any regulatory framework for canine fertility services in NI should give explicit effect to this principle by prohibiting the use of AI and elective Caesarean section to facilitate breeding from dogs who cannot mate or whelp naturally.

5.3 Normalisation of Extreme Conformation Breeding

A particular concern is the CFC sector's contribution to the normalisation of extreme conformation as a breeding objective. By making it commercially straightforward to produce litters from dogs with features that preclude natural mating and whelping, CFCs without ethical constraints actively incentivise the selection of more extreme phenotypes. The AWC concluded that selection of dogs with progressively shorter and wider skulls 'has reached - or may already have exceeded - physiological limits,' and that for some brachycephalic breeds it is harder to assess the emotional state of individual dogs, creating a risk that pain and anxiety go unidentified and unaddressed. The normalisation of suffering as a 'breed characteristic' is an ethical harm that regulatory intervention can and should seek to prevent.

5.4 Consumer Deception and Public Harm

The Naturewatch Foundation identified a consistent pattern of misleading qualification claims by CFC operators: the display of commercially obtained certificates without Ofqual equivalence alongside Defra-approved microchipping certificates, in a manner likely to lead the public to believe that CFC operators are officially accredited. This is a form of consumer deception causing direct harm - dog owners are misled into believing their animals are receiving a safe and legitimate service. The harm extends to puppy purchasers, who pay high prices for puppies whose parents have not been adequately health-tested or whose breeding circumstances have not been properly disclosed.

³ Cheltenham Borough Council v J Green 15 June 2026

5.5 Regulation and the Risk of Driving Activity Underground

A practical ethical consideration is the risk that a regulatory framework pitched too high will drive activity underground rather than eliminating it. Equally, a common theme voiced by some organisations who the group spoke with is that regulating CFCs would be endorsing and legitimising what is many believe to be an unethical practice. The Group acknowledges this tension but does not consider it an argument against regulation. It is an argument for calibrating the framework carefully: standards should be proportionate and achievable for legitimate and appropriately qualified operators whilst giving enforcement bodies effective tools to deal with those operating outside the law. The parallel with dog breeding licensing is instructive where effective regulation and enforcement is a critical complement to the licensing regime, along with public education and awareness raising campaigns.

5.6 The Organised Crime Dimension

The organised crime dimension of the CFC sector also raises ethical concerns. Briefing material received by the Group describes a sector in which those seeking to operate legitimately and to challenge less reputable operators have faced threats of serious harm to family members. Organised crime involvement is not merely a practical enforcement challenge - it reflects the scale of commercial exploitation that unregulated canine fertility services have enabled. The Group recommends that DAERA treat this as a matter of sufficient gravity to warrant early engagement with the PSNI, and that NI's regulatory framework be designed with the personal safety of inspectors explicitly in mind.

6. The Regulatory Picture Elsewhere

This section summarises the regulatory position in comparable jurisdictions. The global picture shows a clear and accelerating direction: towards greater state oversight of canine reproductive practices, restriction of AI and elective Caesarean as tools for circumventing natural physical limitations, prohibition or restriction of breeding from dogs with extreme conformation, and mandatory veterinary involvement in reproductive procedures.

6.1 Scotland

Scotland has consulted on proposals to introduce a licensing scheme (licensing supported by 89% of respondents July-Sept 2023) and worked with veterinary stakeholders and providers of canine fertility services to develop an advanced draft SSI. This is being held in readiness

for finalising and putting before the Scottish Parliament if a reformed VSA (itself currently being consulted upon across all devolved administrations) fails to meaningfully regulate canine fertility businesses or resolve the issue of which procedures may lawfully be carried out by non-veterinary persons.

6.2 England and Wales

England has not legislated specifically for CFCs. The Animal Welfare Committee (AWC) - an independent expert committee of Defra, the Scottish Government and the Welsh Government - published a detailed Opinion on the welfare implications of specialised canine reproductive practices in March 2024⁴. The AWC Opinion, which is the most authoritative published analysis of the evidence base to date, concluded that canine breeding is currently inadequately and ineffectively regulated across Great Britain, that CFCs represent a significant and growing welfare concern, and made comprehensive recommendations including that CFCs not forming part of a veterinary practice should be brought within the scope of animal activity licensing regimes.

The House of Commons Environment, Food and Rural Affairs (EFRA) Committee called for government action on unregulated CFCs and unlicensed pet breeders in July 2023. BVA and BSAVA published a joint policy position in December 2023 calling for licensing of all premises offering canine breeding services, tougher VSA penalties and improved local authority enforcement capacity. Most significantly, Defra's Animal Welfare Strategy, published in December 2025, explicitly commits to consulting on registration and licensing for dog breeders with the stated aim of bringing canine fertility clinics, stud dog and whelping services within scope of the licensing system. The Strategy sets a delivery deadline of 2030. Two points are important to bear in mind here for Northern Ireland; first, the Defra Strategy and any resulting consultation and legislation would most likely apply to England only - they would not bind DAERA or extend to Northern Ireland, as it is a devolved matter. Second, the 2030 delivery horizon underlines why NI should not wait for England to act but should use its own current legislative reform cycle to address this issue.

⁴ [Opinion on the welfare implications of specialised canine reproductive practices.pdf](#)

6.3 Republic of Ireland

The Oireachtas Joint Committee on Agriculture, Food and the Marine took evidence on CFCs in 2022 and recommended that they should be regulated. The Veterinary Council of Ireland confirmed that CFCs offering blood sampling, AI, semen analysis and diagnostic testing without a registered veterinary practitioner could be committing an offence. Government legislation was reported to be in preparation.

6.4 The European Union

In November 2025 the EU Council and European Parliament reached a provisional agreement on a Regulation on the welfare of dogs and cats and their traceability - the first ever EU-wide minimum standards in this area, expected to apply from approximately 2028.

Key provisions relevant to canine reproductive practices include:

- breeding regulated with frequency limits and minimum and maximum ages;
- close inbreeding prohibited;
- female dogs who have had two Caesarean sections may not be used for further breeding;
- dogs with extreme traits that risk compromising welfare must be excluded from breeding; and
- painful mutilations including ear cropping and tail docking are banned.

The Regulation does not address CFCs as a distinct regulated category, leaving this to member states.

6.5 Australia

The Australian Veterinary Association's policy states that surgical AI must not be performed in dogs, that only non-surgical AI may be performed, and calls for all states and territories to adopt this prohibition in their respective Animal Welfare Acts. In both Australia and New Zealand, canine AI and reproductive procedures are treated as acts of veterinary surgery requiring veterinary involvement.

6.6 Summary

The international direction of travel is consistently towards greater control and regulation. NI's current position (entirely unregulated save for the VSA and general welfare duties) places NI

towards the end of this spectrum. NI risks becoming a destination for operators displaced by tighter regulation in Scotland and potentially elsewhere.

7. The Panel's Assessment and Recommendations

7.1 The Case for Regulation

The Group considers that canine fertility services in Northern Ireland need to have some form of dedicated regulatory framework to clearly set out what can/ cannot be done and by whom. Procedures that constitute acts of veterinary surgery are being carried out routinely by unqualified lay persons; dogs are suffering welfare harms, in some cases fatally; extreme conformation breeding is being perpetuated; and consumers are being misled about the qualifications of those providing these services.

Not all CFC activity is inherently harmful, AI and related reproductive technologies, when used appropriately by qualified persons for welfare-positive purposes - such as reducing the need to transport live animals, maintaining genetic diversity, and supporting legitimate breeding programmes - can be beneficial. The aim is to ensure canine fertility services are provided safely, by qualified persons, with appropriate veterinary oversight and only where there is an ethical and upfront animal welfare need for these services to take place.

7.2 Recommended Regulatory Approach

7.2.1 Licensing of Canine Fertility Clinics

In the Group's view, all canine fertility services, including semen sampling and collection and cytology, should be carried out at an RCVS registered practice so that sufficient veterinary oversight can be provided. However, any CFCs and premises offering canine breeding services that do not form part of an RCVS-registered veterinary practice should be subject to mandatory licensing under NI's animal welfare licensing framework. Licensing should apply to any premises - whether fixed, home-based or mobile - from which canine fertility services are offered. Unlicensed provision of canine fertility services should be an offence carrying meaningful penalties.

7.2.2 Mandatory Veterinary Oversight

Any licence granted to a CFC should require a named MRCVS or FRCVS to be responsible for all acts of veterinary surgery carried out on or under the auspices of the business. This

includes AI, blood sampling for progesterone testing and Caesarean section. The named veterinary surgeon must be genuinely responsible for and involved in the relevant procedures, not merely a figurehead whose name and registration number are used to lend a false appearance of legitimacy.

7.2.3 Training and Qualification Requirements

Where a licensed CFC employs or engages non-veterinary staff, those persons should be required to hold a formal qualification at an appropriate level within the Ofqual framework or its NI equivalent, with a requirement for regular continuing professional development. One-off attendance at a commercially provided course should not be treated as equivalent to a formal regulated qualification. This should also apply to lay persons performing ultrasound scanning, which whilst not an act of veterinary surgery carries significant welfare risk when performed incompetently. The Group acknowledges that work would need to be undertaken to define the scope and extent of training requirements and to set out what the minimum requirements for qualification in relation to the activity might be. Furthermore, ideally this should be done in consultation with the other devolved nations so that a uniform approach to qualification requirements across the UK can be adopted.

7.2.4 Fitness to Breed Assessment

Dogs proposed for breeding should be required to undergo a mandatory veterinary fitness-to-breed assessment before any canine fertility service is provided in connection with their breeding. That assessment should cover the dog's genotype, phenotype, conformation, temperament and general health status. This is consistent with the position supported by 94% of veterinary professionals in the Naturewatch Foundation survey (2022), with the EFSA recommendation for pre-breeding health assessment, and with the Panel's own recommendations in our main report on the 2013 Regulations.

7.2.5 Prohibition on Use of AI and Elective Caesarean to Circumvent Natural Limitations

NI's regulatory framework should explicitly prohibit the use of AI or elective caesarean section to facilitate breeding from any dog that is physically incapable of mating or whelping naturally as a result of its conformation, anatomy or heritable characteristics. Dogs in this category should be excluded from breeding. This is consistent with the positions of FVE, FECAVA and the FCI, with the EU Responsible Dog Breeding Guidelines, and with AWC

Recommendation 145 (Assisted reproductive procedures and planned Caesarean section should not be used to facilitate breeding of dogs who are unable to mate or give birth naturally).

7.2.6 Stud Dog Licensing

Stud dogs used commercially in connection with canine fertility services should be subject to a licensing or registration requirement, consistent with AWC Recommendation 147 (*A requirement should be introduced throughout Great Britain for stud dogs to be licensed*). This would address the current gap whereby stud dogs - whose genetics may be disseminated across hundreds or thousands of offspring through AI - are subject to no pre-breeding welfare assessment or regulatory oversight. Further consideration will need to be given as to the appropriate thresholds to set for triggering the requirement for obtaining a licence for stud dogs and what other appropriate breeding limitations to put in place for the use of stud dogs in terms of maximum and minimum ages for a stud dog, numbers of litters sired and retirement protocols.

7.3 Enforcement

7.3.1 Clarification of Enforcement Responsibilities

DAERA should establish clear allocation of enforcement responsibilities among DAERA, RCVS, district councils, the USPCA, Trading Standards and the PSNI. The current fragmented landscape where no single body has a clear mandate for proactive CFC oversight is a structural problem that needs to be addressed. If new licensing legislation was implemented to regulate any of the activities currently carried out by CFCs then it would fall upon DAERA and local councils to enforce this - but consideration should still be given to any areas which might fall outside any new licensing system and where crossover may occur so that all relevant bodies are clear where their responsibilities for enforcement and oversight begin and end.

7.3.2 The Organised Crime Dimension

DAERA should continue its regular engagement with other enforcement agencies including the PSNI and local councils and highlight any instances of non-compliance and contraventions of current and any new legislation. The Department should ensure

engagement with the necessary statutory authorities when progressing any form of legislation to introduce new regulation and enforcement.

7.3.3 Penalties

As noted above, whilst unlimited fines for breaches of the VSA could be given if cases are prosecuted on indictment, such cases are ordinarily heard in the Magistrates' courts where currently the maximum fine for such an offence is capped at £5,000. The Group regards this as being insufficient to serve as a deterrent given the commercial scale of some CFC operations and recommends that, pending any VSA reform, DAERA ensures that sufficient penalties are available for breaching a licence condition under any new NI specific licensing framework.

7.3.4 Resourcing and Inspector Training

Any licensing framework for canine fertility services in NI should be accompanied by adequate resourcing for any enforcement bodies. Inspectors should receive training in validated methods of assessing canine welfare and in identifying the indicators of illegal CFC activity.

8. Conclusions

Canine fertility services present a serious and growing welfare problem for dogs in the UK. Whilst there are currently only a very small number of known commercial CFCs operating in Northern Ireland, the sector in general has expanded rapidly in other parts of the UK and within a regulatory vacuum, enabling the routine performance of acts of veterinary surgery to be carried out by unqualified lay persons, the perpetuation and amplification of extreme conformation breeding, the misdiagnosis of serious conditions with fatal consequences, and systematic consumer deception. The organised crime dimension of the sector adds a further level of seriousness.

The international direction of travel is clear and that is one of moving towards greater oversight of canine reproductive practices, mandatory veterinary involvement, and restrictions on the use of assisted reproduction to circumvent natural physical limitations. NI currently sits towards the end of this spectrum and risks becoming a destination for operators



displaced by tighter regulation elsewhere if it does not act to put in place legislative reform to address this area.

The Group's recommendations are intended to be pragmatic and proportionate and seek to ensure any canine fertility services operate within a framework that puts the welfare of breeding animals and their offspring first, is enforceable in practice and is suited to the NI context. DAERA should bring canine fertility services within NI's animal welfare licensing framework at the earliest opportunity and engage with the PSNI, district councils and the RCVS from the outset to ensure the framework works in practice.

Appendix 1 - Key Sources Consulted

Primary Reports and Opinions

- Animal Welfare Committee, Opinion on the welfare implications of specialised canine reproductive practices (March 2024)
- Naturewatch Foundation, Breeding Beyond Dogs' Limits: Canine Fertility Clinics in the UK (October 2022)
- Naturewatch Foundation, Canine Fertility Clinics: A New Frontier in the Fight Against Puppy Farms (2022)
- BVA and BSAVA, Joint Policy Position on Canine Breeding Services (December 2023)
- European Food Safety Authority (EFSA), Scientific and Technical Assistance on Welfare Aspects Related to Housing and Health of Cats and Dogs in Commercial Breeding Establishments (2023)

Legislative and Regulatory Instruments

- Welfare of Animals Act (Northern Ireland) 2011
- Welfare of Animals (Dog Breeding) Act (Northern Ireland) 2013
- Artificial Reproduction of Animals (Northern Ireland) Order 1975
- Artificial Insemination of Cattle Regulations (Northern Ireland) 1997
- Veterinary Surgeons Act 1966
- Diseases of Animals (Northern Ireland) Order 1981 (SI 1981/1115), as amended by the Diseases of Animals Act (Northern Ireland) 2010
- Fines and Penalties (Northern Ireland) Order 1984, as amended by the Criminal Justice (Northern Ireland) Order 1994
- Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
- Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021
- EU Provisional Agreement on the Welfare of Dogs and Cats and their Traceability (November 2025)

Parliamentary and Governmental Sources

- House of Commons Environment, Food and Rural Affairs Committee, Report on unregulated canine fertility clinics and unlicensed pet breeders (July 2023)
- Defra Written Answer on canine fertility clinics (July 2022)
- Scottish Government, Consultation on Extension of Animal Welfare Licensing (July-September 2023)
- Oireachtas Joint Committee on Agriculture, Food and the Marine, Issues Impacting Dog Welfare in Ireland (October 2022)



International Sources

- EU Animal Welfare Platform, Responsible Dog Breeding Guidelines (November 2020)
- FVE and FECAVA, Position Paper on Breeding Healthy Dogs (June 2018)
- Fédération Cynologique Internationale, International Breeding Strategies (February 2010)
- Australian Veterinary Association, Policy on Surgical Artificial Insemination in Dogs (2022)

Appendix 2 - Stakeholders Consulted

- Naturewatch Foundation
- British Veterinary Association
- Royal College of Veterinary Surgeons
- Causeway Coast Rescue
- Master Breeders Academy
- The Canine Breeding and Fertility Association
- Scottish Government

Appendix 3 – Expert Advisory Group Terms of Reference

Review of Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 and consideration of regulation of canine fertility clinics.

Background

1. In Northern Ireland, commercial dog breeding regulations are regulated under the Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013.
2. The Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013 require that anyone wishing to operate a dog breeding establishment must first obtain a licence from the district council in which the establishment is located.
3. A dog breeding establishment is defined as one or more premises, within the same district council area, operated by the same person from which that person keeps 3 or more breeding bitches; and also, either:
 - breeds three or more litters of puppies in any 12-month period; or
 - advertises three or more litters of puppies for sale in any 12-month period; or
 - supplies three or more litters of puppies in any 12-month period; or
 - advertises a business of breeding or selling of puppies.
4. Activities that fall outside of this definition are commonly referred to as ‘Hobby breeders’. Hobby breeders (for example, a person who keeps only 1 or 2 breeding bitches) do not require a licence to keep a dog breeding establishment. Hunt clubs and charities are also not required to obtain a licence to keep a breeding establishment.

Purpose and Objectives

5. The purpose of the Expert Advisory Group (‘the Group’) is to carry out a review the ‘Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013’ (‘the Review’). The Group will be required to consider the existing provisions and whether there are any legislative gaps. It must also consider the full range of relevant evidence including that provided by key stakeholders and organisations, as well as best practice from other jurisdictions, including internationally.
6. The Review may also consider and report on any relevant additional provisions necessary to improve the welfare of breeding dogs and their offspring in Northern Ireland.

7. The Review must consider both physical and behavioural aspects of welfare associated with the breeding and selling of dogs.
8. The Group must also consider whether there is a need to regulate canine fertility clinics.

Approach

9. The Group will meet as many times as it deems necessary in order to complete the objectives, as outlined.
10. It is not within the sphere of activity of the Group to review how the Department currently licenses or regulates animal establishments (e.g. dog kennels) in Northern Ireland nor to make recommendations on any future licensing regime.
11. The Group will provide the Department with a report and recommendations by the end of 2025 following a six-month review period.
12. The report will be sent to the Minister for Agriculture, Environment and Rural Affairs and to the Chief Veterinary Officer. Following that, Veterinary Service and Animal Health Group officials will make recommendations to the DAERA Minister.
13. The report will:
 - a. make recommendations, where necessary, for amendments to the Welfare of Animals (Dog Breeding Establishments and Miscellaneous Amendments) Regulations (Northern Ireland) 2013;
 - b. make recommendations in relation to regulation of canine fertility clinics; and
 - c. make any other recommendations that the Group thinks relevant.
14. Secretariat support will be provided, as required, by Animal Welfare and Dog Control Policy Branch.

Appendix 4 – Expert Advisory Group Membership

Professor Gareth Arnott | Chair

Based in the School of Biological Sciences at Queen's University, Belfast, and with a focus on animal behaviour, cognition and welfare, Professor Arnott's research spans from fundamental behavioural ecology to applied animal welfare. He is the Academic Network Lead for the Animal Welfare Research Network, a member of the UK Government's Animal Welfare Committee, and serves as Editor for a number of journals and periodicals in animal behaviour and welfare.

Susan Cunningham

Ms Cunningham is a Cambridge-qualified veterinary surgeon with over 35 years' experience in small and companion animal practice in Northern Ireland and abroad. A past president of the North of Ireland Veterinary Association (NIVA) and the Northern Ireland branch of the British Veterinary Association (BVA) and was appointed a Member of the Order of the British Empire (MBE) in 2023.

Vanessa Barnes

A lawyer by profession who spent her early career in private practice as a solicitor, Ms Barnes now specialises in animal welfare law and policy and serves as legal adviser to the All-Party Parliamentary Group on Animal Welfare where she leads their review of dog breeding regulation in the UK. She holds undergraduate and master's degrees in law and a Post Graduate Diploma in Animal Welfare Science, Policy and Legislation and is also a member of the Legal Advisory Group on Extreme Conformation in Dogs.

For further information:

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