

Prophylactic Tail Docking and Dew Claw Removal of Dogs

Report of the Expert Veterinary Working Group

September 2014

Definitions

Tail docking is the removal of some or all of the healthy tail of a dog

Dew-claw removal (as is being discussed in this document) is removal of a healthy accessory (inside) digit of a dog

Background

Prior to the commencement of the Animal Health and Welfare Act 2013 it was permitted by law (Schedule to the Protection of Animals (Amendment) Act 1965) for lay persons (without any requirement for analgesia, anaesthesia, formal training or regulation) to dock the tails of dogs up to a month of age and remove the dew claws of dogs up to when their eyes had opened.

Notwithstanding this, the Veterinary Council of Ireland (VCI) had determined that as there was no scientific evidence to support the injury-prevention value of these procedures (i.e. their performance caused pain and risk to the animals whilst the incidence and severity of future injuries was not high enough to warrant their performance) it would be unethical for a veterinary practitioner or veterinary nurse to perform either of these procedures, except for therapeutic reasons.

Veterinary Ireland (VI), the Irish Veterinary Nursing Association (IVNA) and the School of Veterinary Medicine, University College Dublin (UCD) subscribed to this view. In the light of the VCI opinion both representative organisations advised their members not to perform these procedures (except for therapeutic reasons). UCD did not include training of the performance of these prophylactic procedures in the veterinary undergraduate curriculum.

Therefore a situation pertained whereby whilst unqualified lay persons could perform these procedures quite legally, veterinary practitioners were not specifically taught how to perform them. For a veterinary practitioner to have performed them would have been unethical and would have left them open to investigation and possible censure by the VCI.

Accordingly the veterinary profession (VCI, VI, IVNA and UCD) had for many years requested the Department of Agriculture, Food and the Marine (DAFM) to make the necessary legislative changes to prohibit these procedures.

Animal Health and Welfare Act 2013

The Animal Health and Welfare Act 2013 (AHWA) came into force on 11 March 2014.

Section 16 of the AHWA regulates procedures or operations that remove or otherwise interfere with the sensitive or bone structure of an animal ('procedures').

- There is a general allowance within this Section to perform such procedures for 'veterinary treatment' (i.e. "treatment of an animal carried out by a veterinary practitioner or veterinary nurse").
 - The Minister has the authority to prohibit or limit the performance of any particular 'veterinary treatment' as he/she may determine.
- There is a general prohibition in this Section on any one other than a veterinary practitioner or veterinary nurses from performing these procedures.
 - The Minister however has the authority to permit any specified class of persons (including non-registered persons), to perform named procedures by way of Animal Health and Welfare Regulations and, if for non-registered persons, regulations under section 54A (inserted by section 2 of the Veterinary Practice (Amendment) Act 2012) of the Veterinary Practice Act 2005. (In the latter case the Minister is obliged by law to consult with the Council in advance).
- There is an absolute prohibition for any person to perform such procedures for cosmetic reasons or in such a way that obliterates any identification mark on an animal or that may otherwise render identification of an animal more difficult

Prophylactic surgical procedures (i.e. the interference with or the removal of healthy sensitive or bone tissue to prevent possible future injury or illness) is not "veterinary treatment" as one is not 'treating' a condition by performing such a procedure, one is merely performing a procedure so as to reduce the risk of an illness or injury that may or may not have occurred at some point in the future. Therefore such procedures are prohibited, even if performed by a veterinary practitioner, unless permitted by way of Animal Health and Welfare Regulations.

Tail docking and dew-claw removal of pups destined to be working dogs are such prophylactic procedures. Therefore if left unfettered by an Animal Health and Welfare Regulation the parent Act would effectively prohibit any person from performing these procedures both for cosmetic and prophylactic reasons.

(The intention of the legislation is that a veterinary practitioner may of course perform tail amputation and dew-claw amputation for *therapeutic* reason on an individual injured or diseased animal – this is "veterinary treatment".)

The Minister does therefore have the authority to introduce regulations to allow registered persons (or indeed non-registered ('lay') persons) to perform these prophylactic procedures, provided they are not performed for cosmetic reasons. To permit non-registered persons to perform these procedures he/she must invoke Section

54A of the Veterinary Practice Act (as amended) and therefore must consult with the Council.

Tail docking and dew claw removal – the current situation

There was support for introduction of regulations to allow the performance of prophylactic tail docking and dew-claw removal from certain groups representing those involved in hunting and pest control with dogs.

Their contention was that certain breeds of working dogs suffered tail and dew-claw injuries to such an extent that the welfare of these dogs would be best served by having their tails docked and/or dew claws removed as pups, thus reducing the risk of future injury.

On the other hand the veterinary opinion, based on scientific data, was that whilst occasional individual dogs will suffer tail and dew-claw injuries that may have been prevented if the dog had no tail or dew claw, the incidence and severity of these injuries was not high enough to warrant mass-removal of tails and dew claws from a whole population of dogs. The view is that these procedures expose these dogs to unnecessary pain and suffering and risk to their health that is not justified by any benefit that could be gained from the performance of these procedures.

On that basis the veterinary profession had requested of the Minister and members of the Oireachtas (including making a presentation to the Joint Oireachtas Committee on Agriculture) that no Regulations would be introduced to permit the performance of these procedures and that these procedures would therefore be prohibited outright.

After considering both opinions the Minister introduced SI 128/2014 on 11 March 2014 (“Prohibition on Tail Docking and Dew Claw Removal (Dogs) Regulations 2014”).

This SI gives legal provision for veterinary practitioners and veterinary nurses (but not ‘lay persons’) to perform tail docking and dew claw removal in Spaniels, Terriers and Pointers up to 8 days of age provided the veterinary practitioner or nurse performing the procedure has reasonable cause to believe that the individual dog on which they are to perform the procedure is going to be used for lawful hunting or shooting of animals or lawful pest control and provided associated certification is completed by a veterinary practitioner.

Effectively whilst it is now illegal for a lay-person to perform these procedures it is legal for a veterinary practitioner or nurse to perform these procedures under limited circumstances.

Nonetheless the ethical position currently remains the same as has pertained for many years. Therefore a new situation pertains whereby whilst it may be legal for a veterinary practitioner or nurse to perform these procedures, it remains unethical to do so.

The Veterinary response to SI 128/2014

The scientific data available up to the introduction of this SI did not provide any evidence to support the hypothesis that any cohort of dogs (such as ‘working dogs’) would benefit from their dew-claws or tails being prophylactically shortened or amputated. However the Scottish Government had commissioned the University of Glasgow School of Veterinary Medicine to undertake studies to examine tail injuries sustained in working dogs in Scotland (there has been a prohibition of tail docking in dogs in Scotland since 2006), with these studies due to be published in April 2014.

It was therefore agreed that as soon as these peer-reviewed studies were published the veterinary profession in Ireland would re-examine the available scientific data relating to tail docking and dew claw removal and formulate a Report and that, with the aid of this Report, the Veterinary Council of Ireland would subsequently re-examine its guidelines on the ethics of performance of these procedures.

Accordingly an Expert Veterinary Working Group was convened to compile this Report.

The members of this Expert Veterinary Working Group (and which body they represent) are:

Dr. Alison Hanlon BSc, MSc, PhD (Senior Lecturer (Veterinary Ethics and Welfare) School of Veterinary Medicine, UCD)

Professor Barbara Kirby DVM MS, Dip. ACVS, Dip. ECVS (Professor of Veterinary Surgery, School of Veterinary Medicine, UCD) (Veterinary Ireland Companion Animal Society)

Professor Simon More BVSc PhD FACVSc MVB DipECVPH DipECBHM (Professor of Veterinary Epidemiology and Risk Analysis, School of Veterinary Medicine, UCD)

Mr. Alan Rossiter MVB, Chairperson of Working Group (Chair, Animal Welfare Committee Veterinary Ireland)

Mr. John Ryan MVB, CertSAS, MRCVS (Department of Veterinary Surgery, School of Veterinary Medicine, UCD)

Mr. Michael Sadlier MVB, CertES(Orth), CertESM, MACVSc, MRCVS (Chair, Legislation and Ethics Committee, Veterinary Council of Ireland)

Ms. Susie Walton RVN (Legislation and Ethics Committee, Veterinary Council of Ireland)

Invited to give evidence to the working group was **Dr. Timothy Parkin** (University of Glasgow School of Veterinary Medicine), supervising author of the Scottish tail injury studies. Dr. Parkin has been consulted with and is satisfied the interpretation of the Working Group of the data in his studies is accurate.

The remit of the working group is to examine the incidence and severity of tail and dew claw injuries of Spaniels, Pointers and Terriers whilst engaged in the course of lawful

hunting and shooting of animals and lawful pest control (i.e. those breeds named, and performing work as outlined, in SI 128/2014) and to subsequently provide a Report with up to date scientific information so that the Veterinary Council of Ireland may determine if there is an ethical basis for prophylactic tail docking or dew-claw removal in these breeds of dogs where those dogs are to be used as working dogs.

It is intended that the Report and the opinion of the Council will be made available to the veterinary profession and also to the Minister for Agriculture, Food and the Marine and the Joint Oireachtas Committee on Agriculture and that, if required, it would be requested that legislation will be amended to reflect the contents of the Report and the Council's opinion.

Dew-claw Removal of Dogs

Report of the Expert Veterinary Working Group

The Working Group was unable to locate any peer-reviewed scientific evidence relating to the incidence or severity of dew claw injuries sustained by the Terriers, Pointers or Spaniels engaged in lawful shooting and hunting of animals or lawful pest control.

There is therefore no new evidence to consider relating to the ethical basis for the performance of this procedure.

If it were determined that the previous situation pertained (that there is no ethical basis for the performance of this prophylactic procedure) then the appropriate legislative change would be to revoke SI 128/2014 in so far as it refers to dew-claw removal.

The parent Act would therefore be left unfettered in relation to this procedure and would in effect prohibit its performance except for therapeutic reasons by a veterinary practitioner.

Tail Docking of Dogs

Report of the Expert Veterinary Working Group

A: Incidence and severity of tail injuries, benefit of docking to prevent tail injuries.

In determining the incidence and severity of tail injuries in dogs and the benefit of docking as a method to prevent future tail injuries, the Working Group examined in particular the following peer-reviewed publications:

- Study 1: Risk factors for tail injuries in dogs in Great Britain**
Diesel G, Pfeiffer D, Crispin S, Brodbelt D. (2010)
Vet Rec. 166(26):812-7.
doi: 10.1136/vr.b4880.
- Study 2: Survey of tail injuries sustained by working gundogs and terriers in Scotland**
R. Lederer, D. Bennett and T. Parkin
Veterinary Record (published online April 4, 2014)
doi: 10.1136/vr.102041
- Study 3: The prevalence of tail injuries in working and non-working breed dogs visiting veterinary practices in Scotland**
N. Cameron, R. Lederer, D. Bennett, et al.
Veterinary Record (published online April 4, 2014)
doi: 10.1136/vr.102042

Study 1 (Diesel *et al*).

- This was the study that up to the date of publication of the Scottish studies (i.e. Studies 2 and 3) provided the most accurate scientifically validated data available on tail injuries of dogs and was therefore the basis for previous decisions relating to the ethical basis of performance of tail docking.
- 281 tail injuries were recorded from a population of 138,212 dogs attending 52 participating practices.
- This study found that tail injuries in working dogs were marginally higher than in non-working dogs, with a lifetime risk of 0.29%.
- However, the “attributable risk” calculated by these authors indicated that 500 puppies’ tails would have to be docked in order to prevent one tail injury later in life.
- In other words the Number Needed to Treat (NNT) for tail injury prevention by prophylactic tail docking was 500.

Study 2 (Lederer *et al*) “The Scottish Internet survey”

- This study was based on responses by the public to an internet survey requesting information regarding the incidence and severity of tail injuries in different breeds of dogs in Scotland sustained over one hunting season, focusing on working dogs
- Incidence of tail injury in a total of 2755 dogs were reported of which 318 (11.5%) had at least one tail injury in the last year
- Spaniels and Hunt Point Retrievers (not ‘Pointers’) were the only 2 breed categories that are at significant risk of suffering more tail injuries than the general dog population
- Major tail injuries were very rare (approx. 5% of ‘worst tail injury’)
- Approx. 95% of reported tail injuries were minor tail injuries (tail tip damage or a laceration other than on tip), with approx. 75% of these dogs returning to work within 1 week at most, and less than 8% requiring any veterinary attention (See figures below)
- Due to the study methods used, the epidemiological evidence from the internet survey is weaker than from the practice survey (i.e. Study 3)
- There are several sources of bias to consider:
 - Sampling bias (participants are self-selected, likely biased towards those seeking a legislative change to permit tail docking)
 - Measurement bias (self-reporting data were used throughout)
- Estimates of prevalence and NNT from this study primarily relate to minor tail injuries. These are probably *overestimates* of the true prevalence of minor tail injury as a result of sampling and measurement bias (that is, the true prevalence likely lower and the true NNT higher)
- These estimates are based on data from a single hunting season
- The statistics (outlined in the author’s Master’s thesis) relating to the types of worst tail injuries sustained in a season are as follows:

Type of *worst* tail injury suffered in a season:

Tail tip damage	72.9%
Laceration other than on tip	19.7%
"Broken Tail"	3%
Dislocated tail	1.7%
Other	2.7%

Time until dog was able to exercise normally (after the worst injury it suffered in a season):

Same day	18.1%
1 day	14.7%
Up to 1 week	40.5%
Up to 1 month	25.4%
Permanently unable to work	1.3%

Type of work being undertaken when suffering this worst injury of the season:	
Driven game shoot	40.5%
Rough shoot	49.2%
Pest Control	3.2%

Veterinary Treatment required for worst tail injury of a season (% of all dogs in that breed category who suffered an injury that required veterinary treatment for that injury):	
Hunt Point Retriever	8.3%
Terrier	1.7%
Spaniel	5.5%

Study 3 (Cameron *et al*). “The Scottish practice study”

- This study examined the incident of tail injuries presented to veterinary practices in Scotland over a 12 months period
- Due to the study methods used, the epidemiological evidence from the practice study is stronger than from the internet survey (Study 2).
- This study focuses on working breeds (not working dogs)
- This study provides estimates of serious tail injury (those requiring a veterinary examination, those requiring tail amputation). These are probably *underestimates* of the true prevalence of serious tail injury noting that working dogs are likely a subset of all working breed dogs (that is, true prevalence is likely higher and NNT lower).
- These estimates were based on data from a variable period of study (in many cases, greater than one year). Over a one-year period, the prevalence estimates would have been lower and the NNT estimates higher.
- The NNT (i.e. number needed to dock as a puppy to prevent one tail injury) that required veterinary examination or one tail amputation was estimated to be in the 100s. The estimated figures are details in below:

	NNT to prevent one tail injury that required veterinary attention	NNT to prevent one tail injury that required amputation
Spaniels	135	320
Hunt Point Retrievers	147	415
Terriers	(See terrier sub-section in Conclusions)	3085

Conclusions

There is a logical explanation for the observed difference in estimates of prevalence and NNT between studies 2 and 3. The Internet survey focuses on minor tail injuries and the practice study on serious tail injuries. There were also some differences in the biases observed.

Based on Study 1 (Diesel *et al*) the NNT for tail injuries is in the order of 500. One would have to dock 500 tails to prevent one tail injury.

Based on studies 2 and 3 (the “Scottish Studies”) the NNT for serious tail injuries is very high (likely in the 100s) in all breed categories. In other words one would have to remove the tail of 100+ dogs to prevent one serious tail injury (i.e. one which required veterinary treatment).

These studies do not provide epidemiological justification in any breed category for tail docking to prevent serious tail injuries.

Based on studies 2 and 3, the NNT for minor tail injuries (such as tail tip injuries or other minor lacerations that did not need veterinary treatment) is very low (likely less than 10) in two breed categories (spaniels, hunt point retrievers).

These studies do provide epidemiological justification for tail docking to prevent minor tail injuries, but only in these two breed categories (Spaniels, Hunt Point Retrievers).

The studies also demonstrated that in these two breed categories, the ‘preventative’ effect of tail docking is apparent when tails are docked by $\frac{1}{2}$. Docking by more than $\frac{1}{2}$ does not add any extra benefit in terms of prevention of minor tail injuries.

SI 128/2014 permits tail docking of three breeds – Spaniels, Pointers and Terriers. The information above relates to Spaniels and Hunt Point Retrievers only. As the SI currently permits docking of terriers it was felt appropriate to address what the studies found in relation to tail injuries in terriers.

In the Internet survey, terriers were not among the high-risk group in terms of prevalence of minor tail injury. In the practice survey, the prevalence estimate for terriers of tail injuries requiring a veterinary examination were lower than that for non-working breeds.

Collectively, these results suggest that full-tailed terriers (including those engaged in work) are no more prone, and may even be less prone, to tail injury than any other full tailed breed of non-working dog.

These studies demonstrated that there is no epidemiological justification for tail docking of terriers to prevent either serious or minor tail injuries.

B: Harm done by tail docking

When determining if there is an ethical basis for tail docking account needs to be taken of the potential harm done by tail docking as well as the potential benefits.

The working group's remit did not include undertaking a comprehensive review of literature relating to any '*harm done*'.

The only recent Irish article is "*Stress in small animal patients: why it matters and what to do about it*" (Hewson, Caroline; Irish Veterinary Journal; Apr2008, Vol. 61 Issue 4, p249 – 254). The relevant extract is copied below:

"...tail docking puppies without analgesia may reasonably be expected to predispose them to subsequent hypo- or hyperalgesia, either at the site or in the region of the tail (Anseloni et al., 2004; Ren et al., 2004), and to hyperalgesia at sites much further away (Taddio, 1997; 2002). Would using analgesia help? Use of local anaesthesia in a ring block, especially lidocaine, is an inadequate single approach for any amputation, especially because the efficacy of lidocaine is short, and local anaesthetics can be irritant.

While the solutions can be diluted, warmed and buffered to make them less irritant, this improvement is controversial (Meyer, 2007). Moreover, local anaesthetics carry an increased risk of methaemoglobinaemia in neonates (Meyer, 2007). The proper analgesic approach includes epidural anaesthesia, which is also controversial, and would require a general anaesthetic (Meyer, 2007). The need for multimodal analgesia is further dogged by the off-label use of the drugs concerned (in animals of this age).

C: Ethical Considerations – harm done versus benefit gained

The available data does not support the performance of tail docking to prevent serious tail injuries in working dogs of any breed category – the incidence of these injuries (having to dock in the hundreds to prevent one major tail injury) is not high enough to warrant their performance.

There is no evidence to support the performance of tail docking in working terriers to prevent serious or minor tail injuries.

The decision regarding whether to perform tail docking to prevent minor tail injuries in Spaniels and Hunt Point Retrievers is entirely an ethical one, with the statistics from the previously mentioned studies helping to inform of the potential for benefit gained by docking (i.e. less risk of future tail minor injuries) and the potential harm done by docking (i.e. potential for short, medium and long term pain and increased risk to health and welfare).

Based on the available scientific data (a NNT for minor tail injuries of in the order of 10 in Spaniels and Hunt Point Retrievers – i.e. need to remove in the order of 10 tails to prevent 1 minor tail injury in one working season) the question that may therefore be considered is:

“Is it ethically acceptable for a veterinary practitioner to remove the tails of 10 dogs, with its associated pain and risk to health to those 10 dogs, to prevent in the order of 1 minor tail injury in one working season, with only 5-8% of these injuries requiring any veterinary treatment?”

D: Legislative changes – options

Option 1:

If it were determined that the previous ethical situation pertained (that there is no ethical basis for the performance of this prophylactic procedure in any breed or working dog) then the appropriate legislative change would be to revoke SI 128/2014 in so far as it refers to tail docking.

The parent Act would therefore be left unfettered in relation to this procedure and would in effect prohibit its performance except for therapeutic reasons by a veterinary practitioner.

Option 2:

If it were considered ethical to dock tails to prevent minor tail injuries in the breeds most prone, it would be appropriate to repeal SI128/2014 and to replace it with an amended SI.

This amended SI should limit docking to Spaniels and Hunt Point Retrievers only, and then only to individuals within those breed categories that will be used in driven and rough game shoots only (and not pest control) and that the tails should be docked by 1/3 but no more. This procedure should only be performed by a registered veterinary practitioner employing appropriate technique and analgesia and anaesthesia.

If this were being considered one option to consider to ensure that only those dogs that are docked are going to be exposed to the higher risk that hunting poses is that it may be appropriate that only those breeders that are registered with DAFM as *bona-fide* breeders of working dogs of those specified breeds can apply to DAFM for a permit to have their pups docked. (DAFM may remove this permit if it were determined that dogs from this breeder that were docked ended up not being used for hunting.) A veterinary practitioner can only consider docking pups on presentation of that DAFM-issued permit. (It is not appropriate that veterinary practitioners should be the individuals to make the decision as to whether a certain pup will be used for working or not in its later life.)

Provided all the above criteria were met it would of course remain up to the individual practitioner to decide if they then wished to perform the procedure or not.

If it were considered ethical to dock tails further consideration should be given to appropriate age of dog for performance of tail docking. For example:

- Would it be less 'risky' if done at an age older than the current maximum of 8 days?
- Taking into account the ages below which certain anaesthetics and analgesics are not licensed for use, and the risk of using local analgesia

in neonates (increased risk of methaemoglobinaemia) what is the appropriate anaesthesia, analgesia and technique for its performance?

This final question (relating to non-availability of licensed anaesthetics and analgesics for neonates, and the potential for increased risk of their off-label use at this age) may in actuality require a reassessment of any initial decision to consider it ethical to perform this procedure.