

TAIL DOCKING SIMPLIFIED

It must be clarified:-

- that as of 1 June 2008 the SA Veterinary Council decided that it will no longer condone the routine tail docking of puppies by veterinarians as they would be in contravention of the Animals Protection Act, unless done for therapeutic reasons;
- that docking of tails when undertaken by non-veterinarians is, in addition to being a contravention of the Animals Protection Act, a surgical procedure which is also a contravention of the Veterinary Act, regardless of how it is done.



In other words, tail docking is a criminal offence no matter who does it. There is no exclusion for breeders. A full article on the decision by the SA Veterinary Council can be read on their website here.

Tail Docking of Puppies

It has long been the opinion of the NSPCA that tail docking (as well as any other form of mutilation) is a contravention of the Animals Protection Act Clause 2(1)a, which states:

"Any person who overloads, overdrives, overrides, ill-treats, neglects, infuriates, tortures or maims or cruelly beats, kicks, goads or terrifies any animal."



Previously the SPCA movement did not have the support of the veterinary profession on this point, therefore, for obvious reasons – until pain could be proven before the court of law. With new research and the support of the SAVC, we are of the opinion that with the

appropriate evidence, we will successfully prosecute and convict persons docking tails for cosmetic reasons or for reasons other than veterinary requirements.

Negatives of Tail Docking

Scientific research has shown that tail docking is a painful and traumatic experience for a puppy, even if performed under local anaesthetic. Even at a few days of age, puppies have a well-developed sense of pain and a fully developed nervous system. Skin, blood vessels, nerves, bone and cartilage are cut during the procedure. If it is poorly done, problems such as nerve damage, neuroma, pain, bleeding, infection, problems with defecating and urinating and even death can occur.

Dogs use their tails for communication / body language and to express their natural behaviours. A tail that is wagging quickly indicates a happy, friendly dog, whilst a tail that is being wagged stiffly, slowly and deliberately indicates a warning that a dog is feeling threatened or unhappy, and that he may bite or attack. Without a tail, a dog cannot communicate his emotions or intentions, making it more difficult for people and other dogs to know how a dog is likely to react in a certain situation, and may even lead to an increase in dog fights.

Tails assist with agility.

Tails assist with balance.



Unless the dog's tail is a major hindrance to the work that a working dog needs to carry out, or if it may be damaged or injured in the course of his work, there is no justification for tail docking. Also, many working breed dogs are now kept as pets and not as working animals, and even if they do work, it is normally "*a recreational activity for people and not an essential function*", according to the SAVC (South African Veterinary Council). The NSCPA concurs with this statement.

Tail docking is a procedure that is carried out because people believe that that is how that dog should "look", so it merely satisfies a breed standard or a human notion of what that type of dog should look like. It started hundreds of years ago, sometimes for reasons that were medically unsound, and for reasons which are no longer valid today. SABBA (SA Boerbul Breeders Association) claims that tail docking is supported by breeders "*from a health, safety and aesthetic point of view*".

SABT – SABBA

(Suid-Afrikaanse Boerboel Telersvereniging / South African Boerboel Breeders Association)
Website:

According to a legal opinion offered by Attorneys Mason Inc, Pietermaritzburg (Mr Petrus Coetsee) on this website, "*There is no notification in the Government Gazette nor is there Ministerial approval as required by the Veterinary and Para-Veterinary Professions Act 19 of*

1982" in regards to the resolution taken by the SAVC in connection with tail docking of puppies. He goes on to state that, "*Because the rule has not been published in the Government Gazette or been given Ministerial approval . . . it has no effect, the law has not been changed*".

In response to the NSPCA's queries on this legal opinion, the Director of Legal Affairs at the SAVC, Mrs Shikshah Dowlath-Singh, stated that, "*The SAVC need not have all its policies published in the Government Gazette nor have the Act and/or rules and regulations amended, in order to enforce its decisions and policies within and against the veterinary and para-veterinary professions*", and that the SAVC only has jurisdiction over registered members of the veterinary and para-veterinary professions, therefore, "*all policy decisions made by Council are valid and enforceable against all its registered members . . . and the SAVC may institute disciplinary action against a veterinarian*" who performs tail docking for cosmetic reasons.

She further states that "*With regard to the illegality of tail docking, this is enforceable by the NSPCA . . . in terms of the Animal Protection Act, as it falls under the offence of maiming. The NSPCA is the body responsible for investigating any person who is responsible for the docking of dogs' tails for cosmetic reasons . . . with the view of laying criminal charges against such a person for criminal prosecution*".

The SAVC

The SAVC decided that as of 1 June 2008 it would no longer condone the routine tail docking of puppies for cosmetic purposes by veterinarians. Any veterinarian who docks a tail, "unless for justifiable medical reasons", will be liable for prosecution under the Animal Protection Act (APA) number 71 of 1962. Veterinarians found guilty under this act will automatically be investigated for unprofessional conduct by the SAVC under the Veterinary and Para-Veterinary Professions Act, 1982. Lay people are also liable to prosecution under the APA if maiming can be proved. This falls under the ambit of welfare organisations.

As of September 2011, the SAVC is in the process of drafting two important documents:

An article to help vets to understand what they are required to put into a veterinary report on docking cases to assist welfare organisations.

A literature review on pain in neonatal puppies to scientifically support the welfare argument that cosmetic tail docking in puppies causes unnecessary pain and suffering.

The SAVC has printed information on tail docking in puppies in the form of pamphlets and posters. These have been distributed to veterinary practices in SA and are available on the SAVC website.



KUSA (Kennel Union of South Africa)

KUSA has stated that they are not happy with the ban on tail docking and that the *"SAVC is not empowered to prosecute laypersons, and by their own admission cannot even prosecute veterinarians. They can only take action against a veterinarian if convicted in a court of law"*.

However, together the veterinarians, SPCA, public and other welfare organisations can prosecute.

According to Dawn Rosier at KUSA in Cape Town, their breed standards have not changed and dog owners may show their dogs with or without cropped tails. None of their breed standards say that a dog's tail must be cropped, but they rather say "tail customarily docked" or "tail traditionally docked".

References:

SAVC www.savc.co.za

Dr Quixi Sonntag, BVSc (Hons) PGCHE, SAVC

Mrs Shikshah Dowlath-Singh, SAVC Director: Legal Affairs

Docked Breeds Association of SA website

KUSA www.kusa.co.za

SABT / SABBA www.sabt.co.za

SA Boxer Breed Council www.saboxer.co.za

Marvell Boerboels www.marvelltargusboerboel.com