

Wild Animals

Banning the private keeping of primates

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"We will legislate to prohibit primates as pets and potentially other animals. Keepers that are able to provide welfare standards akin to those of licensed zoos will be able to keep their primates under a new licensing regime, subject to conditions and inspections. Ownership of these exotic animals with complex needs will be phased out for keepers unable to meet these standards. We are considering whether these restrictions should apply to other wild animals that are kept as pets."

- DEFRA Action Plan for Animal Welfare, p.17

Primates are intelligent animals that live in complex social groups, and so keeping primates as companion animals has led to many welfare concerns. There is a significant body of scientific research that has shown that primates kept in private homes have impaired welfare.¹ All

species in this diverse group are wild, and attempts to domesticate them are harmful to their well-being. For this reason, when the government consulted on a potential ban on the keeping of primates as pets earlier this year, A-Law made submissions indicating its support of such a change. The subsequent inclusion of this ban in the Animal Welfare (Kept Animals) Bill is welcomed.

We believe that the welfare of primates should be the foremost consideration when determining their suitability and prospective status as pets. A-Law supports the Government's announced prohibition on the private keeping of primates and expects that the law in full will also prohibit private breeding, acquisition, gifting, selling, or transfer of primates. Keeping primates as pets, whilst ensuring that the animals' welfare needs are met, is an enormously difficult task. Indeed, there is a strong argument that the private keeping of primates outside of carefully managed sanctuary or zoo settings will almost certainly be inconsistent with good welfare outcomes for the primates.² One particular comprehensive study of primates kept as pets, completed by leading voices from the University of Bristol School of Biological Sciences and the RSPCA, concluded based on extensive research that primates are not suitable as pets, because, among other reasons, their welfare needs could not be adequately addressed in the average domestic setting.³ Welfare concerns stem from most pro-

¹ See, e.g., Soulsbury, C.D. et al., The Welfare and Suitability of Primates Kept as Pets. *Journal of Applied Animal Welfare Science*, Vol. 12, Issue 1, 2009; Johnson-Delaney, C. A. (1991). The pet monkey: Health care and husbandry guidelines. *Journal of Small Exotic Animal Medicine*, 1, 32-37; Huemer, H. P., et al. (2002). Fatal infection of a pet monkey with Human herpesvirus 1. *Emerging Infectious Diseases*, 8, 639-641; Mott,

Maryann. "The Perils of Keeping Monkeys as Pets." *National Geographic*, September 16, 2003; Chimps as Pets: The Reality. Jane Goodall Institute UK. <https://www.janegoodall.org.uk/chimpanzees/chimpanzee-central/15-chimpanzees/chimpanzee-central/28-chimps-as-pets-the-reality>; Primate Incidents. Humane Society US. Available at: <https://www.humanesociety.org/sites/default/files/docs/primate-escapes-and-attacks.pdf>.

² Soulsbury, C.D. et al., The Welfare and Suitability of Primates Kept as Pets. *Journal of Applied Animal Welfare Science*, Vol. 12, Issue 1, 2009.

³ Soulsbury, C.D. et al., The Welfare and Suitability of Primates Kept as Pets. *Journal of Applied Animal Welfare Science*, Vol. 12, Issue 1, 2009.



spective owners' lack of necessary knowledge about the animal's care requirements. Presently, there is no requirement that owners of primates have a good understanding of their particular needs. As a consequence, many owners are woefully unprepared for the enormous amount of work that caring for primates entails.

As with most pets, owners prefer to acquire them very young, which means they are separated from their mother and unable to form bonds and learn necessary behaviours, leading to long-term psychological problems.⁴ This desire to acquire the primates at a young age also presents other practical difficulties. Primates, unlike dogs and cats, need 24-hour care, much like a baby. Yet infant primates present particular challenges because, unlike human babies, they are far more mobile from a young age and can also cause considerable damage.⁵

Each stage of primate development presents

4 Johnson-Delaney, *supra*.

5 *Id.*

unique challenges to carers. One ongoing practical difficulty is providing suitable nutrition, and an inappropriate diet has proved to have devastating consequences for privately kept primates. Improper diet not only causes nutritional disorders, but it also increases susceptibility to diseases - including diseases of human origin.⁶ Fatal transmission of common diseases from humans to primates have been noted,⁷ and even something as simple as the common cold can be devastating to a primate.

The freedom and ability to have social interactions and express normal behaviours are just as crucial as diet and environment. In a policy paper discussing great apes from the perspectives of both science and ethics, the Animals & Society Institute concluded that keeping primates in captivity is a violation of both their physi-

6 Johnson-Delaney, C. A. (1991). The pet monkey: Health care and husbandry guidelines. *Journal of Small Exotic Animal Medicine*, 1, 32-37.

7 Huemer, H. P., et al. (2002). Fatal infection of a pet monkey with Human herpesvirus 1. *Emerging Infectious Diseases*, 8, 639-641.

cal and psychological well-being.⁸ Primates housed without other primates often have seriously compromised welfare that manifests in self-harm, coprophagia, and even decreases in leukocyte levels.⁹ Primates need the freedom to express their natural behaviours, and to grow and develop their strength - and often this means that primates need a great deal of space in which to live. These developmental requirements are often incompatible with life in captivity. Owners who are not zoos or sanctuaries rarely want more than one or two primates to care for, and so pet primates often show behavioural problems due to being the lone primate of their species in their home.

All of these reasons demonstrate why the Government's proposed primate ban is necessary. The vast majority of private keepers lack the sufficient knowledge of how to properly care for a primate, as well as the sufficient means to employ that knowledge. We hope that the Government's definition of what constitutes a licensed zoo-level welfare standard is clearly defined and fully informed with the advice of primate experts.

In other countries that have implemented similar restrictions on private keeping of primates, current owners permitted to keep their animals were forbidden from trading and - crucially - breeding their animals.¹⁰ This important detail is necessary in any legislation that aims to curb the ownership of wild pets in the UK and to curb the illegal pet industry.

Once the regulations come into force, the time period granted for current owners to comply with the regulations must be carefully set. We urge the Government to determine the phase-out period of existing pet primates in accordance with two very serious concerns: 1) The continued welfare failures of primates kept in insufficient private homes by non-specialist keepers must be balanced with 2) the likelihood that

sanctuaries and rescues will be overwhelmed by an influx of former pet primates if non-specialist keepers are rushed to give them up. Considering there are an estimated 5,000 primates kept in UK homes,¹¹ these spaces could easily be overwhelmed. Zoos do not accept former pets, and while some unwanted primates will find homes in sanctuaries, most end up being resold over and over or sent to laboratories.¹² We fear that private keepers will find sanctuaries without sufficient resources to take in their pet, and will thus resort to less than ideal measures, such as sending to labs for research, or possibly selling/giving to illegal traders. The Government must consider the best methods of handling the population of primates that will no longer be kept as pets, and must ensure that owners have the requisite assistance for complying with the new law. It may be necessary for the Government to provide assistance to primate sanctuaries as well.

Given the issues noted above, if the private ownership of primates is not sufficiently banned, then we believe it is imperative that the UK licensing scheme must be updated and strengthened. Private possession of primates is governed by the Dangerous Wild Animals Act 1976, which originally exempted certain primates from licensing. In October 2007, more species were exempted. Consequently, the number of primates being held under the licensing scheme does not accurately reflect the actual number of captive primates in the UK.¹³ Moreover, non-compliance with the licensing scheme is estimated to be a staggering 85-95%.¹⁴ This means that the number of primates held legally and under license represents merely a fraction of the primates being held privately in the UK, with both legally unlicensed animals and illegally held animals unaccounted for. When animals are unaccounted for to such a large degree, it is impossible to comprehend the extent of welfare violations. A 2004 RSPCA study analysed data from 190 veterinarians in England & Wales, finding that primates accounted for 3.5% of the exotic pets they had

8 Capaldo, T. & Bradshaw, G.A., *The Bioethics of Great Ape Well-Being: Psychiatric Injury and Duty of Care*. Animals & Society Institute Policy Paper, 2011.

9 Soulsbury, at p.10.

10 "Major new restrictions on exotic pet keeping." The Animal Protection Agency, February 2, 2015. Cision PR Newswire. Available at: <<https://www.prnewswire.co.uk/news-releases/major-new-restrictions-on-exotic-pet-keeping-in-the-netherlands-raise-hopes-that-uk-will-follow-290526001.html>>

11 RSPCA, *Do You Give a Monkey's? The Need for a Ban on Pet Primates*, 2016. Available at: <rspca.org.uk/petprimates>

12 Mott, Maryann. "The Perils of Keeping Monkeys as Pets." *National Geographic*, September 16, 2003.

13 Soulsbury, *supra*, at 4.

14 *Id.*

treated.¹⁵ This figure is out of proportion to the number of primates known to be kept in the UK, demonstrating a serious problem in the well-being of pet primates. This surprisingly large figure also demonstrates the lack of reliability with the data on pet primates, given the legal loopholes and illegal holdings. The Government must develop more precise methods of determining the number of primates in the UK, to ensure that all primates being kept in private dwellings that do not meet the new licensing standards are indeed accounted for. The new licensing scheme must cover all species of primates so that the authorities may better account for their presence in the UK, monitor their well-being, and enforce all applicable regulations.

¹⁵ RSPCA (Royal Society for the Prevention of Cruelty to Animals). (2004). *Handle with care. A look at the exotic animal pet trade.* Horsham, UK.