

Research Briefing

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# Pet Abduction Bill 2023-24



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## Summary

The [Pet Abduction Bill](#) is a private members' bill introduced into parliament by Anna Firth (Con) with the support of the government. Remaining stages of the Bill in the House of Commons are due to take place on 19 April 2024. The government published [Explanatory Notes and a Delegated Powers Memorandum](#) alongside the Bill.

There is currently no legislation aimed at addressing pet theft specifically. Animals fall under the definition of property in legislation, and as such pet theft is dealt with under the [Theft Act 1968](#). Campaigners have called for [stronger legislation](#) that reflects the emotional value of pets to their owners and the distress associated with their theft.

In response to public concerns that pet theft had risen during the Covid-19 pandemic [the government set up a Pet Theft Taskforce](#) in May 2021 to examine the issue in England and Wales. There were concerns that an increase in demands for pets, resulting in increased prices, was driving a reported increase in thefts.

[The Taskforce's conclusion](#) in September 2021 was that a new offence, pet abduction, should be created that “could switch the focus from the loss to the owner to the welfare of the animal” when sentencing.

The government included provisions in the [Animal Welfare \(Kept Animals\) Bill](#) to create an offence of taking a pet without lawful authority. However, the Bill was withdrawn by the government in June 2023, before it completed all stages. The government committed at the time to bringing forward legislation on pet theft before the end of the current Parliament.

The [Pet Abduction Bill](#) would create two new criminal offences of dog abduction and cat abduction in England and Northern Ireland. These would carry a maximum prison sentence of five years. It would also provide powers to extend the legislation to cover other pets if necessary.

[Second Reading of the Bill](#) in the House of Commons took place on 19 January 2024. [Committee Stage of the Bill](#) took place 31 January 2024. One amendment was approved without a vote, tabled by Dr Thérèse Coffey (Con). The change means that the legislation would automatically come into force three months after the Bill received Royal Assent. The original version of the Bill would have required secondary legislation to set the date for the legislation to come into force.

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# 1 Background

There is currently no legislation aimed at addressing pet theft specifically. Animals fall under the definition of property in legislation, and as such pet theft is dealt with under the [Theft Act 1968](#).

There were provisions in the [Animal Welfare \(Kept Animals\) Bill](#) to create an offence of taking a pet without lawful authority, but the Bill was withdrawn by the government June 2023, before it completed all stages in the Commons. The government [committed at the time](#) to bring forward legislation on pet theft before the end of the current Parliament.

## 1.1 Existing legislation

Pet theft currently falls under the [Theft Act 1968](#), which makes theft a criminal offence; conviction under the legislation can result in a fine and/or a maximum custodial sentence of seven years.

The [Sentencing Council guidelines for theft in England and Wales](#), effective from February 2016, do not mention the theft of pets specifically as it is included under general theft offences.

As set out in the guidelines, when deciding on sentencing terms, culpability and harm caused to the victim are considered. Harm is assessed by reference to the financial loss that results from the theft and any significant additional harm suffered by the victim or others. Examples of 'significant' provided by the Sentencing Council include whether items stolen were of substantial value to the loser (regardless of monetary value) and emotional distress caused. [Full details of the factors taken into account](#) can be found in the guidelines, including other considerations (such as culpability and category of crime).

There have been concerns that within the legislation pet theft is seen as a minor crime, with low prosecution rates and relatively lenient sentences for those found guilty.<sup>1</sup> The [Stollen and Missing Pet Alliance](#), has campaigned for stronger penalties:

In law our pets are classified as property, second hand goods, valued under £500, the punishment is usually a measly £250 fine, if the thief is caught! The Sentencing Council's Guidelines exclude any serious sentencing making this a

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<sup>1</sup> Countrylife, [Crackdown on dog theft in the pipeline — and what you can do to protect your dog in the meantime](#), 3 September 2021

low-risk high-reward crime, a gift for dog thieves. A new specific offence for Pet Theft would give courts access to appropriate custodial sentences to act as a deterrent, protect the public and give the Police more powers.<sup>2</sup>

## 1.2 Statistics on pet theft

The scale of pet theft is unknown. It may not always be reported to the police and, when it is, pet theft will be recorded within broader offence categories which mean it is not easily identifiable.

Under the [Home Office Counting Rules for Recorded Crime](#), pet theft will be recorded under various different and more general categories of offence depending on the setting and circumstances in which it occurred, for example:

- A dog stolen while walking off the lead in a park would be recorded as theft;
- A dog stolen with force whilst being walked on a lead would be recorded as robbery;
- A pet stolen from inside a car would be recorded as theft from vehicle, and;
- A pet stolen as part of a break-in to a home would be recorded as burglary.<sup>3</sup>

As the Home Office also reports, although “police forces are not required to provide specific data about the theft of pets to the Home Office, they may identify these crimes within their local management information systems to build intelligence about crime in their respective force areas.” The Metropolitan Police routinely collects data on stolen animals in London, which it publishes roughly once a month via its online [Stolen Animals Dashboard Data](#).

These figures show that between January and November 2023, 654 animals were reported stolen in London, which was around the same number as in the same period in 2022 (633) but fewer than in the same period in 2021 (978).<sup>4</sup> Dogs have tended to be the most common type of animal reported stolen, followed by cats, birds, and other mammals.

Some other police forces have been able to produce statistics on animal thefts in response to recent Freedom of Information requests, however

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<sup>2</sup> The Stollen and Missing Pet Alliance, [Our dogs and cats are priceless, irreplaceable members of our families and the law should reflect this](#) [website visited 17 January 2024]

<sup>3</sup> UK Government, [Pet theft taskforce report](#), 3 September 2021

<sup>4</sup> The 2022 figure here excludes 1,000 fish which were reported stolen in a single incident, so as to give an impression of the more general trend.

these have tended to be collected by researchers in order to look at dog theft, specifically.

## Dog theft

In 2018, researchers affiliated with the campaign group Pet Theft Reform started to compile data requested from individual police forces in England and Wales to assess and review the evidence which is currently available. To date, 33 out of 43 forces have been able to provide data.

In February 2021, researchers analysing this data found that 1,504 offences of ‘dog theft’ were recorded by 33 police forces in 2020, which was 3.5% higher than the 1,452 offences recorded by the same forces in 2019.<sup>5</sup> The data suggests, however, that the total number of recorded dog theft offences was higher in 2017 (1,909) and in 2015 (1,559).<sup>6</sup> This data should be treated with caution because changes in police recording practices can have a substantial effect on the number of offences recorded from year to year.

The Home Office, which used this data in its 2021 [Pet Theft Taskforce Report](#) extrapolated from the incomplete 2020 FOI figures to estimate that “around 2,000 dog theft crimes may be reported to police each year in England and Wales.”

## Cat theft

The organisation Pet Theft Awareness has produced estimates of the scale of cat theft for the years 2015 to 2021, based on FOI data from 36 police forces in England and Wales. It should be noted that the latest estimates exclude some large police forces including Greater Manchester Police and West Midlands Police which did not provide data.

The figures show a year-on-year increase in recorded offences of cat theft across these 36 forces since 2015. In 2021, 560 cat thefts were recorded, up from 401 in 2020 and 126 in 2015. The researchers who compiled this data believe that it underestimates the true scale of cat theft. They note that the Metropolitan Police Force’s data – which is collected via a dedicated data collection process – suggests a figure of around 26 cat thefts per million of (human) population in the London area. If this proportion were the same across the areas covered in their FOI research it would suggest a figure of around 1,540 cat thefts in 2021, rather than the 560 recorded.<sup>7</sup> However, it is up for debate whether we should expect the level of cat theft to be the same across the whole of England and Wales as it is in London.

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<sup>5</sup> Selby-Fell, H. and Allen, D. (2021) [Dog Theft: What can we infer from the evidence so far?](#) 24th February 2021

<sup>6</sup> UK Government, [Pet theft taskforce report](#), 3 September 2021

<sup>7</sup> Pet Theft Awareness, [The Cat Theft Report 2022](#)

## Prosecutions

Neither the Crown Prosecution Service nor the Ministry of Justice routinely collect data on prosecutions for theft, burglary, robbery, or other related offences which include the stealing of pets. The Government has suggested that it would involve going through the records of each court case individually to establish how many have related to pet theft and that this is not within its capacity to do at reasonable cost.<sup>8</sup>

## 1.3 Pet Theft Taskforce

In response to public concerns that pet theft had risen during the Covid-19 pandemic [the government set up Pet Theft Taskforce](#) in May 2021 to examine the issue in England and Wales. There were concerns that an increase in demands for pets, resulting in increased prices, was potentially driving any increase in theft.<sup>9</sup>

[The Taskforce published its report](#) in September 2021. Its main findings were:

- around 7 in 10 of crimes recorded by police in which animals are stolen involve dogs (Stolen animals dashboard, Metropolitan Police)
- around 2,000 dog theft crimes may be reported to police each year in England and Wales
- ‘dog theft’ is estimated to be a low volume crime, accounting for fewer than half of one percent of all theft offences, however public perception is that it is high
- there was a reported 3.5% increase in recorded cases of dog theft between 2019 and 2023, and this was despite a 26% decrease in police recorded theft offences overall during the same time period
- public perception and the emotional impact on victims can be high, as also indicated by local pet theft related surveys.<sup>10</sup>

Within the context of the legal recognition of animal sentience, in the [Animal Welfare \(Sentience\) Act 2022](#), the Taskforce did not believe that the creation of a new pet theft offence, or pet theft becoming a statutory aggravating factor, would have the desired impact. This was because in sentencing a pet theft “the welfare of the stolen animal would not be a primary consideration”. The Taskforce’s conclusion was that a new offence, pet

<sup>8</sup> See, for example, [HC 98318 on ‘Pets: Theft’](#), answered 10 January 2022.

<sup>9</sup> Defra, Home office, DoJ, [Taskforce launched to investigate reported rise in pet thefts](#), 8 May 2021

<sup>10</sup> Defra, Home office, DoJ, [Pet theft taskforce report](#), 3 September 2021



abduction, should be created that “could switch the focus from the loss to the owner to the welfare of the animal”.<sup>11</sup>

The Taskforce also made several other recommendations including improving crime recording to ensure cases could be identified and tracked, enhancing the recording of pet keepership and of transfers, taking actions to address the fear of pet abduction, and improving the traceability of online sales.<sup>12</sup>

## Government response

The government response was included in the Taskforce’s report. The government committed to creating a new pet abduction offence, reviewing the requirements for microchipping pets (including the information provided on the microchip). The Home Office would also work with police to ensure “pet thefts are recorded in a consistent manner and readily identifiable within police force information management systems”. It also highlighted that the evidence showed that the chances of falling a victim of pet theft was low, whilst acknowledging that “the emotional impact of having a pet stolen is undeniable.”<sup>13</sup>

## 1.4

## The Animal Welfare (Kept Animals) Bill

The [Animal Welfare \(Kept Animals\) Bill 2021-22](#) was introduced in the House of Commons on 8 June 2021 by the government. It would have made provisions about the welfare of certain kept animals that are in, imported into, or exported from Great Britain. The Bill did not complete all stages in time and was carried over to the 2022-23 parliamentary session. During committee stage the Bill was amended to include a new offence of “taking a pet without lawful authority”.

It was [awaiting a date for Report stage](#), when Mark Spencer, the Secretary of State for Environment, Food and Rural Affairs, announced on 25 May 2023 that the [Bill would not continue any further](#). Instead, the government would taking forward measures in the Kept Animals Bill individually as single-issue bills during the remainder of the current Parliament. The statement also set out the areas the government would be taking forward:

- A ban on the imports of young, heavily pregnant or mutilated dogs as a single-issue bill.
- Banning [the keeping of primates as pets](#) through secondary legislation.

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<sup>11</sup> Defra, Home office, DoJ, [Pet theft taskforce report](#), 3 September 2021

<sup>12</sup> Defra, Home office, DoJ, [Pet theft taskforce report](#), 3 September 2021

<sup>13</sup> Defra, Home office, DoJ, [Pet theft taskforce report](#), 3 September 2021

- Progressing delivery of a new offence of pet abduction.
- New measures to tackle livestock worrying.

## Taking a pet without lawful authority

The government added [Clause 43 and 44 to the Animal Welfare \(Kept Animals\) Bill](#), during committee stage in the Commons. This would have made taking a pet “without lawful authority or reasonable excuse” an offence, with a maximum sentence of five years.

Making pet abduction an offence was one of the recommendations included in [the Pet Theft Taskforce report to the government](#), as set out in Section 1. On introducing the amendment, the then Minister Victoria Prentice, referred to the taskforce’s recommendation “which acknowledges that pets form bonds with their owners and that their welfare can be adversely affected when they are removed from their primary carer”.<sup>14</sup>

Speaking for Labour, Daniel Zeichner was supportive of the amendment but was concerned that its introduction had been rushed without time for proper scrutiny.<sup>15</sup> The new clauses were agreed without division. However, as referred to above the Bill made no further progress and was withdrawn by the government in May 2023.

For full details please see the [Library Briefing on the Animal Welfare \(Kept Animals\) Bill](#).

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<sup>14</sup> [PBC c169 17 November 2021](#)

<sup>15</sup> [PBC c169 17 November 2021](#)

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## 2 Pet Abduction Bill

The [Pet Abduction Bill](#) is a private members' bill introduced into parliament by Anna Firth (Cons) with the support of the government.

The Bill is due for its second reading on 19 January 2023. The government has published [Explanatory Notes and a Delegated Powers Memorandum](#) alongside the Bill.

### 2.1 Overview

The short Bill would create two new criminal offences of dog abduction and cat abduction in England and Northern Ireland. It would also provide powers to extend the legislation to cover other pets if necessary.

The government summarises the proposals in its [delegated powers memorandum](#) as follows:

The Bill introduces new criminal offences in relation to the taking or detaining of a dog from the lawful control of any person; and the taking of a cat from the lawful control of any person. The offence will not apply in relation to persons who previously lived together with the animal in the same household, where certain conditions are met.<sup>16</sup>

In the memorandum, the government also echoed the Taskforce's views on why a new separate offence of pet abduction, rather than pet theft, was most appropriate:

The creation of the abduction offences aims to recognise that pets are not mere items of property but sentient beings, and to support monitoring and reporting of such incidents.<sup>17</sup>

In addition to this, [as set out in the explanatory notes](#), the burden of proof would be different to that for theft under the Theft Act 1968, as there would be no need to prove that the intention was to 'permanently deprive' someone of their pet.<sup>18</sup>

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<sup>16</sup> Pet Abduction Bill, [Delegated Powers Memorandum](#), 12 January 2024

<sup>17</sup> Pet Abduction Bill, [Delegated Powers Memorandum](#), 12 January 2024

<sup>18</sup> Pet Abduction Bill, [Explanatory Notes](#), 12 January 2024

The offences would have a maximum term of imprisonment of five years, a fine, or both.<sup>19</sup>

## 2.2 Detail of the Bill

Clause 1 would create a new offence of dog abduction. An offence would be committed by anyone trying to take or detain a dog, removing it from “the lawful control of any person”. The offence will not apply if the person taking or detaining the dog:

- lived with the owner previously in the same household
- the dog had been acquired when they lived together
- no longer lived there

It also sets out as a possible defence as that of someone having a lawful authority or reasonable excuse to take or detain a dog.

Clause 2 would create a new offence of cat abduction. The provisions and exceptions are similar to the ones for dog abduction. However, although it will be an offence to take a cat, there will not be an offence of ‘detaining’ a cat.

Clause 3 would create [Henry VIII powers](#) for national authorities in each devolved administration to amend the legislation, through regulations, to extend provisions to other animals commonly kept as pets. The delegated powers memorandum, which sets out why the Henry VIII powers are appropriate in this case, also explains the conditions that must be met for the powers to be applicable:

The power may only be exercised if:

- the appropriate national authority considers that animals of that species are commonly kept as pets, and;
- there is evidence that the number of incidents involving the unlawful taking or detaining of animals of that species is significant or significantly increasing.<sup>20</sup>

Clause 4 of the Bill sets out consequential amendments. Clause 5 of the Bill sets out the territorial extent of the Bill to England and Northern Ireland. Clause 7 covers commencement. Clauses 1 and 2, creating the two offences, would be brought into force through regulations by the Secretary of State.

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<sup>19</sup> Pet Abduction Bill, [Delegated Powers Memorandum](#), 12 January 2024

<sup>20</sup> Pet Abduction Bill, [Delegated Powers Memorandum](#), 12 January 2024

Clause 3 providing powers to extend the legislation will come into force two months after the Bill receives Royal Assent.

Further detailed explanation of all the clauses can be found in [the Explanatory Notes](#) for the Bill.

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## 3 Stakeholder views

There has not been significant comment from stakeholders on the detail of the Pet Abduction Bill since it was published. However, there has been strong support more generally for making pet theft a more serious offence. There was also support for the proposal from the Pet Theft Taskforce for creating a new offence of pet abduction.

Chris Sherwood, chief executive of [the RSPCA](#), commenting following the publication of the Taskforce's recommendations, said a new pet abduction offence would "acknowledge the seriousness of this crime and we hope this will encourage courts to hand out much tougher sentences to pet thieves".<sup>21</sup>

The [Kennel Club](#) has set out concerns that existing "sentencing places undue weighting on the monetary value of the pet "and does not give enough weight to "the emotional impact of the crime". It welcomed the Taskforce's recommendations for the creation of a new offence.<sup>22</sup>

Annabel Berdy, Cats Protection's Senior Advocacy and Government Relations Officer, [welcomed cats being included](#) in the proposed pet abduction legislation:

A specific offence of cat abduction is desperately needed as cat theft is a real and growing problem in the UK. A report by Pet Theft Awareness found that in 2021 police-recorded cat theft increased by 40% on the previous year and has more than quadrupled since 2015.<sup>23</sup>

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<sup>21</sup> VetTimes, [Tougher sentences for pet theft planned](#), 3 September 2021

<sup>22</sup> The Kennel Club, [New Government plans to crack down on dog theft welcomed by The Kennel Club](#), 3 September 2021

<sup>23</sup> Cats Protection, [Proposed bills on kitten smuggling and cat theft could protect tens of thousands of cats, says cat charity](#), 7 December 2023

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## 4 Commons Stages

[Second reading of the Bill](#) in the House of Commons took place on 19 January 2024. [Committee Stage of the Bill](#) took place 31 January 2024. One amendment was approved without a vote, tabled by Dr Thérèse Coffey (Con). The amendment would mean the legislation automatically came into force three months after the Bill received Royal Assent. The original version of the Bill would have required regulations to set a date for the commencement of the legislation.

Remaining stages of the Bill in the House of Commons are due to take place on 19 April 2024.

### 4.1 Second reading

Introducing the Bill for second reading Anna Firth explained the purpose of the legislation:

The golden thread running through this Bill is that dogs and cats are sentient beings. They are not mere property; animals and humans can and do form emotional bonds and there is a devastating impact when animal abduction takes place, both on people and on pets. That needs to be properly reflected in our criminal law.<sup>24</sup>

Anna Firth also explained how the legislation would improve recording of pet theft crimes:

The second issue the Bill addresses is that pet theft and abduction do not currently have a unique identifier in crime datasets. That is why it is so difficult to identify the number of pets stolen every year: it is impossible to distinguish in many police records between the theft of an inanimate object and the theft of an animal. Of course, some dogs and cats will be taken as part of a burglary or a robbery, so the fact that an animal has been involved will not be mentioned at all in police records.<sup>25</sup>

She also highlighted the increased sentences, up to five years, included in the Bill.<sup>26</sup>

The Bill received support from Members across the House. Former Secretary of State for Environment, Food and Rural Affairs, Dr Thérèse Coffey, also

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<sup>24</sup> [HC Deb c1168 19 January 2024](#)

<sup>25</sup> [HC Deb c1168 19 January 2024](#)

<sup>26</sup> [HC deb c1170 19 January 2024](#)

supported the Bill but called for it to come into force within two months of receiving Royal Assent.

Rebecca Pow, Defra Minister for Nature, spoke in support of the Bill and responded to Dr Thérèse Coffey's call for it to come into force soon after Royal Assent:

Since she raised the question of commencing this legislation as soon as possible, I should put on the record that it will indeed be commenced as soon as possible, within three months of the Bill's receiving Royal Assent. I hope that gives her some reassurance about our absolute intention to get speeding on with the Bill.<sup>27</sup>

## 4.2 Committee Stage

Committee stage of the Bill took place on 31 January 2024. There was one amendment to the Bill, tabled by Dr Thérèse Coffey, which was approved without a vote. This set a date for the legislation to come into force three months after it receives Royal Assent. Dr Thérèse Coffey explained that the reason for introducing the change was to maintain public trust by ensuring legislation was implemented:

I am keen to include a date for the key reason of public trust. When we say that we are going to make law, especially when the Bill has taken much longer than originally planned, a commencement date means that the public can be confident that the measure will be law this year, without further delay.

I am conscious that officials will want time to write guidance that can be used to effect the Bill. I had originally considered that two months was enough, but I have been persuaded that having three months for automatic commencement is acceptable.<sup>28</sup>

## 4.3 Remaining Stages

Remaining stages of the Bill in the House of Commons are due to take place on 19 April 2024.

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<sup>27</sup> [HC Deb c1190 19 January 2024](#)

<sup>28</sup> [HC Deb c9 31 January 2024](#)



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