



HL Bill 62 of 2023–24

## Pet Abduction Bill

**Author:** James Goddard

**Date published:** 25 April 2024

The [Pet Abduction Bill](#) is a private member's bill introduced by Anna Firth (Conservative MP for Southend West). It completed its House of Commons stages on 19 April 2024. The bill is due to receive its second reading in the House of Lords on 10 May 2024.

The bill would create two new offences of dog abduction and cat abduction. It would also provide powers to ministers to create similar offences for other animal species kept as pets. Those convicted of committing the offences would be liable for a maximum penalty of five years' imprisonment, a fine, or both.

Animal welfare is a devolved matter. The bill would extend to England and Wales and to Northern Ireland. However, the dog and cat abduction offences in clauses 1 and 2, and the powers in clause 3 to create similar offences for other species in the future, would only apply in England and Northern Ireland. The explanatory notes to the bill as introduced in the House of Commons, produced by the government, state that the bill applies to Northern Ireland because at the time of its introduction in the House of Commons in December 2023 there was no functioning Northern Ireland Executive or Assembly to approve a legislative consent motion.

The government has said that it supports the bill. The introduction of a specific pet abduction offence was one of the recommendations of a





pet theft taskforce established by the government in 2021, in response to reports of increased pet thefts during the coronavirus pandemic.

The bill received broad cross-party support during its House of Commons stages, and it has been supported by various animal charities. However, some legal commentators have questioned its potential deterrent effect, as the maximum sentence of five years' imprisonment is lower than the existing maximum of seven years for theft under the [Theft Act 1968](#).

## I. Background

The Pet Abduction Bill is a private member's bill introduced in the House of Commons by Anna Firth (Conservative MP for Southend West). The bill's sponsor in the House of Lords is Lord Black of Brentwood (Conservative). The bill has government support and it completed third reading in the Commons on 19 April 2024. The bill was introduced in the House of Lords on 22 April 2024 and is due to receive its second reading on 10 May 2024.

The bill would create two new offences of dog abduction and cat abduction. These would carry a maximum penalty of five years' imprisonment, a fine, or both. The bill would also provide powers for ministers to extend the legislation to other animal species kept as pets.



In May 2021, the government responded to concerns that there had been an increase in pet thefts during the coronavirus pandemic.<sup>1</sup> The government said there had been a “considerable rise in puppy and kitten prices” and that “this may be leading to a rise in pet thefts”. The government published an [‘Action plan for animal welfare’](#), which committed to establishing a pet theft taskforce to investigate the issue and make recommendations. The action plan stated that the government would:

[...] crack down on pet theft, which is reported to have increased markedly since the start of the pandemic, knowing the devastating impact this offence, and the fear of it, can have on families and pet owners.<sup>2</sup>

The Pet Theft Taskforce published its report in September 2021.<sup>3</sup> Among other recommendations, the taskforce recommended the creation of a specific pet abduction offence. The report noted that there was currently no specific offence of pet theft. Pets are classed as property and thefts are dealt with under the Theft Act 1968.<sup>4</sup> Relatedly, the report noted that the government had legislated to recognise the sentience of animals (subsequently enacted through the [Animal Welfare \(Sentience\) Act 2022](#)). The taskforce had therefore considered ways to “better reflect the view that stolen pets are not mere property but sentient beings”. The taskforce concluded that creating a new pet theft offence would not have the “desired impact”. It recommended a specific pet abduction offence, which it claimed

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<sup>1</sup> Department for Environment, Food and Rural Affairs, Home Office and Ministry of Justice, [‘Taskforce launched to investigate reported rise in pet thefts’](#), 8 May 2021.

<sup>2</sup> Department for Environment, Food and Rural Affairs, [‘Action plan for animal welfare’](#), 12 May 2021.

<sup>3</sup> Department for Environment, Food and Rural Affairs and Home Office, [‘Pet theft taskforce report’](#), 3 September 2021.

<sup>4</sup> As above, p 9.



could “switch the focus from the loss to the owner to the welfare of the animal”.

The taskforce provided data on the prevalence of pet thefts.<sup>5</sup> However, it acknowledged that acquiring reliable data was difficult because pet theft was not a specific offence and data was not held centrally. Having analysed the academic literature and available police force data, the taskforce estimated that there were approximately 2,000 dog thefts a year in England and Wales. It said there were an estimated 10 million dogs in the UK and therefore dog thefts were “low volume” and the “risk to dog owners is low”. The taskforce said that as dog thefts comprised around 70% of all pet thefts, the risk to other pet species was even lower. It stated that there were over 400 cat thefts recorded by police in 2020. However, the taskforce acknowledged that the “emotional impact of pet theft on victims is traumatic”.

The taskforce also made other recommendations, which included improving the recording and data collection of pet thefts by police forces and enhancing the recording of pet ownership through better access to microchipping databases.

Following the publication of the taskforce’s report, the government said that it intended to take forward the recommendations, including the creation of a specific pet abduction offence.<sup>6</sup> It said the new law would “recognise the welfare of animals and that pets are valued as more than property”.

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<sup>5</sup> Department for Environment, Food and Rural Affairs and Home Office, [‘Pet theft taskforce report’](#), 3 September 2021, p 21.

<sup>6</sup> Department for Environment, Food and Rural Affairs, Ministry of Justice and Home Office, [‘Pet abduction to be made new criminal offence in crackdown on pet theft’](#), 3 September 2021.



In the 2021–22 parliamentary session, the government introduced the [Animal Welfare \(Kept Animals\) Bill](#), which was carried over into the 2022–23 session. During its committee stage, the bill was amended to include an offence of taking a dog without lawful authority. However, the bill did not complete its House of Commons stages. In May 2023, the minister for food, farming and fisheries, Mark Spencer, told the House of Commons that the government would not be progressing with the bill and would instead be “taking forward measures in the [...] bill individually during the remainder of the Parliament”.<sup>7</sup>

In January 2024, the government announced that it was supporting Anna Firth’s Pet Abduction Bill. It said that the bill would recognise:

[...] that cats and dogs are not inanimate objects but sentient beings capable of experiencing distress and other emotional trauma when they are stolen from their owners or keepers.<sup>8</sup>

## 2. External commentary

Several animal charities responded positively to the Pet Theft Taskforce’s recommendation to introduce a pet abduction offence and they have welcomed the subsequent Pet Abduction Bill.

In 2021, the chief executive of the RSPCA, Chris Sherwood, welcomed the taskforce’s recommendations. He 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

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<sup>7</sup> [HC Hansard, 25 May 2023, col 495](#).

<sup>8</sup> Department for Environment, Food and Rural Affairs, ‘[Government backs new pet abduction law in pet theft crackdown](#)’, 19 January 2024.



sentences to pet thieves”.<sup>9</sup> Responding to the publication of the Pet Abduction Bill, the head of public affairs at the RSPCA, David Bowles, said the charity had been “bitterly disappointed” when the Animal Welfare (Kept Animals) Bill had failed to progress, but he was “delighted” with the current bill.<sup>10</sup>

In December 2023, Annabel Berdy, senior advocacy and government relations officer at the charity Cats Protection, spoke in support of the bill. She said a “specific offence of cat abduction is desperately needed as cat theft is a real and growing problem in the UK”.<sup>11</sup>

In January 2024, the Kennel Club welcomed the bill. The charity said it had:

[...] long campaigned on the issue of pet theft, lobbying for sentencing to recognise the emotional value of a dog and for better reporting and recording from officials so that underlying causes of dog theft can be tackled.<sup>12</sup>

In March 2024, Battersea Dogs and Cats Home said it also supported the bill:

Dog and cat abduction is currently treated in law akin to stealing an inanimate object, with sentencing depending in great part on the monetary value of the stolen animal. The existing

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<sup>9</sup> Paul Imrie, [‘Tougher sentences for pet theft planned’](#), Vet Times, 3 September 2021.

<sup>10</sup> Suzanne Norbury, [‘RSPCA endorses Pet Abduction Bill to create stronger deterrents for pet thieves’](#), On the Wight, 20 January 2024.

<sup>11</sup> Cats Protection, [‘Proposed bills on kitten smuggling and cat theft could protect thousands of cats, says cat charity’](#), 7 December 2023.

<sup>12</sup> Kennel Club, [‘The Kennel Club welcomes new Pet Abduction Bill’](#), 22 January 2024.



law fails to fully consider animal welfare or the impact on pet owners of a crime that can be devastating. We're therefore supporting this new bill, which will more accurately recognise the emotional significance of losing an animal in this way and will provide for improvements in data recording of the crime too.<sup>13</sup>

However, not all commentators have supported the new law. In 2021, in response to the amendment to the Animal Welfare (Kept Animals) Bill which had proposed the offence of taking a dog without lawful authority, the barrister Matthew Scott published a blog post entitled 'What is the point of the new so-called "dog theft" law?'.<sup>14</sup> Citing the evidence on dog thefts from the government's Pet Theft Taskforce, Mr Scott said that there is "no epidemic of dog theft" and he claimed that the "existing criminal law was more than equal to dealing with any that did occur". He questioned the deterrent effect of the proposed offence, noting that the maximum penalty of five years' imprisonment was lower than the current maximum of seven years under the Theft Act 1968. Mr Scott said:

If sentences for dog theft are too short, creating a law which makes them even shorter is, to put it politely, counter intuitive.<sup>15</sup>

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<sup>13</sup> Battersea Dogs and Cats Home, '[Animal welfare private members' bills](#)', 12 March 2024.

<sup>14</sup> Matthew Scott, '[What is the point of the new so-called "dog theft" law?](#)', BarristerBlogger Blog, 23 November 2021.

<sup>15</sup> As above.



### 3. Bill provisions

The government has produced [explanatory notes](#) for the bill as introduced in the House of Lords.

The bill contains seven clauses.

Clause 1(1) would create an offence where a person (A) removes or detains a dog “from the lawful control of any person” and both A and the dog are both in England or Northern Ireland.

Clause 1(2) would create an exemption if the person (A) who took the dog had previously lived with the person with lawful control (B) and the dog in the same household, and A and B had lived together previously to owning the dog, and A had taken the dog from B when they had ceased living together.

Clause 1(3) would create a defence where person A could prove they had “lawful authority or a reasonable excuse for taking or detaining the dog”.

Clause 1(4) would provide a defence in England if a person charged with an offence under clause 1 believed the dog was a stray dog and they had taken steps to try to contact the owner of the dog or an officer of the local authority.

Clause 1(5) would provide a defence in Northern Ireland relating to stray dogs similar to that in clause 1(4).





Clause 1(6) would make provision for sufficient evidence and the burden of proof required to establish the facts relating to subsections (3), (4) or (5).

Clause 1(7) would provide that a person who commits the offence of dog abduction is liable to imprisonment for a maximum term of five years, a fine, or both.

Clause 1(8) would make provision for the interpretation of references to taking or detaining a dog.

Clause 2 would broadly replicate the provisions of clause 1, but for cat abduction rather than dog abduction. However, clause 2 would not include an offence of detaining a cat and it would omit those subsections in clause 1 relating to strays.

Clause 3(1) would establish a Henry VIII power, where an “appropriate national authority” may by regulations amend the Pet Abductions Act 2024 so that sections 1 or 2 apply or are replicated in respect of other animal species.<sup>16</sup>

Clause 3(2) would provide that the powers in clause 3(1) could only be used in respect of an animal species commonly kept as pets and if there was evidence that the incidence of unlawful taking or detaining of animals of that species is “significant or increasing significantly”.

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<sup>16</sup> [Henry VIII powers](#) are clauses that allow government ministers to use secondary legislation to amend or repeal primary legislation (for example, the act that provided the power or other acts of parliament). The Department for the Environment, Food and Rural Affairs has published a [delegated powers memorandum](#) providing more information on the Henry VIII power in clause 3.



Clauses 3(3–11) would make consequential provisions relating to the power to make regulations.

Clause 4 would make consequential provisions relating to clauses 1 and 2 in Northern Ireland. Clause 4 would insert into article 29(1) of the [Magistrates' Courts \(Northern Ireland\) Order 1981](#) (right to claim trial by jury for certain summary offences and exceptions to that right) a reference to “section 1 or 2 of the Pet Abduction Act 2024 (dog or cat abduction)”. This would have the effect that a defendant in Northern Ireland charged with a summary offence under clause 1 or 2 could not claim trial by jury.

Clause 5 would provide that the act extends to England and Wales and to Northern Ireland, except for section 4, which would extend to Northern Ireland only. Clauses 1–3, which would create offences of pet abduction, apply only in England and Northern Ireland. The explanatory notes to the bill as introduced in the House of Commons state that the bill applies to Northern Ireland because at the time of its introduction in the House of Commons in December 2023 there was no functioning Northern Ireland Executive or Assembly to approve a legislative consent motion. Devolved government was restored in Northern Ireland in February 2024.

Clause 6 would provide for the act's commencement. Sections 1 and 2, so far as they extend to England and Wales, would enter into force three months after receiving royal assent. Sections 3, 5, 6 and 7 would enter into force on the day the act receives royal assent. Sections 1 and 2, so far as they extend to Northern Ireland, and section 4, would enter into force on a date to be appointed by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland.

Clause 7 would provide for the act's short title.

## 4. House of Commons stages

The bill was introduced in the House of Commons on 6 December 2023, and it completed third reading on 19 April 2024. The government supported the bill, and it received broad cross-party support during its Commons stages.

### 4.1 Second reading

Second reading took place on 19 January 2024.<sup>17</sup> Introducing the bill, Anna Firth said:

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>18</sup>

Ms Firth also claimed that by creating specific pet abduction offences the bill could improve recording of pet theft crimes by the police:

The second issue the bill addresses is that pet theft and abduction do not currently have a unique identifier in crime

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<sup>17</sup> [HC Hansard, 19 January 2024, cols 1164–91.](#)

<sup>18</sup> [HC Hansard, 19 January 2024, col 1168.](#)



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.<sup>19</sup>

Ms Firth also explained why clause 2 of the bill did not include an offence of detaining a cat, as is included in clause 1 in relation to dogs. She said:

The two offences are slightly different. The offence of dog abduction will be the taking and detaining of a dog, whereas only the taking, and not the detaining, of a cat will be criminalised, because cats roam. The behaviour of the two animals is different.<sup>20</sup>

The Labour Party supported the bill. The shadow minister for farming, food and fisheries, Daniel Zeichner, said:

The opposition welcome the Pet Abduction Bill. We support it and will try to improve it, but we want it done swiftly [...] Dogs and cats are now sentient beings under the law, and owners view them as part of the family, yet if a pet is stolen, the offence is treated as akin to stealing an inanimate object. Currently, although sentencing can take into account the emotional impact on the human victim, the dog or cat's financial worth is the biggest factor. That means that the punishment does not come close to fitting the crime or to acting as a deterrent.<sup>21</sup>

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<sup>19</sup> [HC Hansard, 19 January 2024, col 1168.](#)

<sup>20</sup> [HC Hansard, 19 January 2024, col 1165.](#)

<sup>21</sup> [HC Hansard, 19 January 2024, cols 1187–88.](#)



Dr Thérèse Coffey (Conservative MP for Suffolk Coastal), the former secretary of state for the environment, food and rural affairs, also spoke in support of the bill. However, she called for it to come into force within two or three months of receiving royal assent.<sup>22</sup> As introduced, the bill would have required a minister to bring it into force by regulations. Dr Coffey said that she intended to amend the bill to that effect at committee stage.

Rebecca Pow, the minister for nature at the Department for the Environment, Food and Rural Affairs, said that the government supported the bill. Responding to Dr Coffey's point about commencement, Ms Pow stated:

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>23</sup>

## 4.2 Committee stage

Committee stage took place on 31 January 2024.<sup>24</sup> Only one amendment was made to the bill. As discussed at second reading, Thérèse Coffey tabled an amendment to clause 6, so that sections 1 and 2 of the bill would commence three months after the act achieved royal assent. She said it was important for reasons of “public

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<sup>22</sup> [HC Hansard, 19 January 2024, col 1184.](#)

<sup>23</sup> [HC Hansard, 19 January 2024, col 1190.](#)

<sup>24</sup> House of Commons Public Bill Committee, '[Pet Abduction Bill](#)', 31 January 2024, cols 1–10.



trust”, so that the public “can be confident that the measure will be law this year, without further delay”.<sup>25</sup> Anna Firth and the government supported the amendment, and it was agreed without division.

### 4.3 Report and third reading

Report stage and third reading took place on 19 April 2024.<sup>26</sup> At report, Sir Christopher Chope (Conservative MP for Christchurch) tabled various amendments. They included amendments broadly grouped into the following topics:

- New clause 1: Requiring the government to publish guidance on the enforcement of the act’s provisions.
- Amendments 2 and 4: Requiring the offence of dog abduction to apply only if the dog were “permanently” removed or detained from its lawful owner.
- Amendments 3 and 5: The offence of dog abduction would apply only if the dog were removed or detained from its registered keeper, not any other person with lawful control.
- Amendment 8: That the offence of dog abduction in clause 1 would apply only to those dogs that had been microchipped.
- Amendment 10: To leave out clause 2, removing the offence of cat abduction.

Moving new clause 1, Sir Christopher said the requirement to issue guidance was related to amendment 8, which emphasised the

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<sup>25</sup> House of Commons Public Bill Committee, [‘Pet Abduction Bill’](#), 31 January 2024, col 9.

<sup>26</sup> [HC Hansard, 19 April 2024, cols 545–75.](#)



importance of owners microchipping their pets. He said the guidance “must try to link communications about the appalling incidents of pet abduction or theft to the need for people to microchip” their pets.<sup>27</sup>

Speaking to his other amendments, Sir Christopher said of amendment 3:

I know it will be said that if someone is a dog walker or running some kennels and is not the registered keeper, the offence of pet abduction should equally apply, but in those circumstances the more serious offence of theft should be applied under the Theft Act 1968.<sup>28</sup>

On amendment 8 relating to microchipping, Sir Christopher said that there was already a legal requirement for dogs to be microchipped, and a requirement to microchip cats was entering into force in June 2024.<sup>29</sup> Sir Christopher said his amendment would incentivise owners to microchip their pets. He said:

If someone does not have their cat or dog microchipped, they should not expect the law to rush to their assistance in the event of their cat or dog being abducted.<sup>30</sup>

On amendment 10, to remove the offence of cat abduction, Sir Christopher said this was consistent with the recommendations

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<sup>27</sup> [HC Hansard, 19 April 2024, col 547.](#)

<sup>28</sup> [HC Hansard, 19 April 2024, col 551.](#)

<sup>29</sup> [HC Hansard, 19 April 2024, col 551.](#)

<sup>30</sup> [HC Hansard, 19 April 2024, col 547.](#)



of the pet theft taskforce. He said:

The original taskforce set up to look into these issues reached the conclusion that dogs should take precedence, but the government subsequently gave way because of behind-the-scenes lobbying by interest groups—not as a result of public consultation—and supported the extension of the legislation to cats. The taskforce’s advice was to start off with dogs and then extend the measures to cats. All I am doing is, in a sense, repeating what the taskforce said.<sup>31</sup>

Neither Anna Firth nor the government supported Sir Christopher’s amendments. Following debate, he withdrew new clause 1 and his other amendments were not called.

Two amendments (19 and 20) were made to the bill, both tabled by Anna Firth. She said that they were both technical amendments to clause 6, to clarify the commencement of sections 1 and 2 of the bill in England and Wales, and in Northern Ireland, respectively.<sup>32</sup> The amendments were supported by the government and agreed without division.

At third reading, the bill received broad cross-party support and was passed without division.

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<sup>31</sup> [HC Hansard, 19 April 2024, col 552.](#)

<sup>32</sup> [HC Hansard, 19 April 2024, col 558.](#)



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