



# Do you give a **MONKEY'S?**

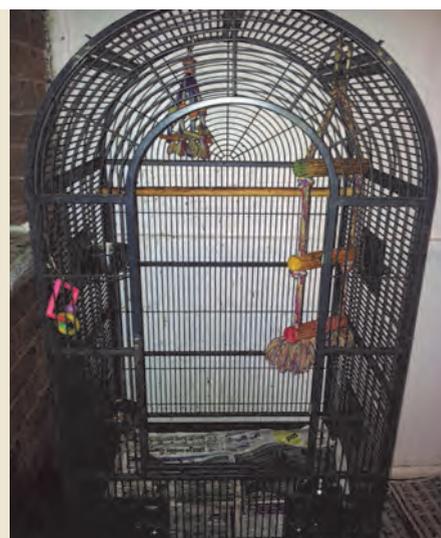
The need  
for a ban  
on pet primates





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Keeping primates as pets seems to be on the increase in the UK. These intelligent, complex animals simply cannot be kept properly in a household environment and so suffering is all but inevitable. This report explains the issues and argues for an end to the keeping of primates as pets.

## 1 Why the concern about primates kept as pets?

Whether born in captivity or in the wild, primates are wild animals that are in no way suitable companions, no matter how well intentioned the keeper.

*Primates experience emotions, and suffer, in a similar way to humans.*

Primates are highly intelligent, long-lived animals who form intricate social relationships with each other and experience emotions, and suffer, in a similar way to humans [1]. Some species may possess the ability to reflect on their feelings and past experiences, which could enhance their capacity to suffer [2]. Because of this, their use in some areas, such as scientific research, is regulated and restricted. In the UK and EU it is prohibited to use great apes and wild-caught primates, while the use of other primates requires 'special justification' [3].

Despite this, when it comes to primates kept as pets there is a surprising lack of regulation in the UK. Anyone can walk into a pet shop or browse the internet, buy a primate and take the animal home with little or no checks or inspections (see Section 7). For the reasons outlined above, meeting the complex physical and behavioural needs of these wild animals in captivity is incredibly difficult and even modern zoos and research facilities, with all their resources and expertise, are still trying to overcome serious welfare problems [4]. Caring for primates properly in a household environment is simply not feasible.

*Anyone can walk into a pet shop or browse the internet, buy a primate and take the animal home with little or no checks or inspections.*

### WHAT IS A PRIMATE?

'Primates' encompass a wide range of species, from apes (gorillas, chimpanzees, bonobos, orang-utans, gibbons, siamangs and of course humans), monkeys (e.g. marmosets, tamarins, squirrel monkeys, capuchins, spider monkeys, vervet monkeys, baboons and macaques) and other species including lemurs, lorises, bush-babies and tarsiers. In this report, we use 'primate' to refer to all species with the exception of humans.

## 2 Welfare concerns

In the last 10 years, the RSPCA has received 497 calls about primates kept or traded as pets, involving at least 937 individual primates. This averages 50 calls a year about 94 individuals. This is four to 12 times higher than calls about more common companion animals like dogs and cats, indicating that primates experience a disproportionate amount of welfare issues. In fact, the true picture is probably much worse as these animals are kept in private, behind closed doors, in contrast to cats and dogs.

*Primates were kept alone in 60 percent of cases investigated by the RSPCA.*

Investigations have revealed several consistent areas of concern for primates kept as pets, in terms of poor housing and care and consequently serious suffering. These are summarised below.

### Social isolation

Most primates, and certainly all species commonly kept as pets, are highly social animals, with individuals forming long-lasting intricate relationships with other group members. Keeping such primates alone causes a great deal of suffering and long-lasting damage. Isolated primates, especially those kept alone early in life, may mutilate themselves, become seriously depressed, pluck their own hair until they are bald, show abnormal behaviours like rocking and self-hugging and die young [5].

Despite the undeniable need for companionship, solitary housing of pet primates is common. Out of 198 incidents investigated by the RSPCA primates were kept alone in 60 percent of cases. Likewise, 43 percent of primate adverts (see Section 4) offered single animals, and other surveys note even higher figures (e.g. 78 percent [6]).



Primates are highly social and need companionship from their own kind.

## Early weaning

As in humans, young primates are highly dependent on their mothers for extended periods. Denying them this experience is known to have huge, long-lasting harmful effects [6,7]. Hand-rearing, practiced by some breeders

*Babies and infants were on sale in 63-70 percent of adverts.*

to make primates 'more tame', is in no way a replacement for care by their own mothers and can lead to many problems later in life (e.g. abnormal behaviour,

poor breeding, aggression) [6,7].

Surveys of online adverts show many young primates for sale, at an age when they would still be highly dependent on their mother, at between nine and 12 weeks old [8], or as 'babies'/infants (63 percent [6] or 70 percent [9] of adverts).

## Cramped and inappropriate housing

Primates need an enriched, stimulating, spacious environment that allows them to behave 'like primates', and experience good health and welfare. Providing an appropriate captive environment to challenge their large brains, which have evolved to deal with the physical and social complexity in their worlds, is difficult [10] and unfortunately, all too often primates are kept in totally inappropriate housing.

*Primates were found in parrot cages, glass-fronted cupboards, aviaries and sheds.*

RSPCA records show that over a quarter of cages were judged by field staff to be too small, measuring as little as 0.27m<sup>2</sup> in area and 0.6m high. Primates were found in parrot cages, glass-fronted cupboards, aviaries and sheds. Only half had access to the outdoors, with cages found in living rooms, kitchens, under stairs as well as in garages,



Primates are often found in small, cramped parrot cages.

sheds, balconies and gardens. Several primates were said to have the run of a room or the whole flat/house, often with pet dogs. As noted by Hevesi [7] this can become dangerous as primates reach adulthood and become aggressive and destructive.



Young primates are highly dependent on their mothers.

## Consequences of poor housing and care

Primates that have been kept as pets commonly exhibit many abnormal behaviours. Every single pet primate rehomed by the Monkey Sanctuary in Cornwall arrived with behavioural problems. These included Abnormal Repetitive Behaviours like pacing back and forth and head-twisting, as well as teeth grinding, self-biting, obsessive grooming, self-grasping, rocking and overeating [9].

Primates with fractured and/or misshapen bones are an all too common sight in sanctuaries that take in pet primates. This is the manifestation of Metabolic Bone Disease (known as rickets in young animals or osteomalacia in adults), which particularly affects captive New World monkeys like marmosets and tamarins (see Case study 2 below) [11]. It can also lead to tooth decay and painful abscesses (found in 53 percent of ex-pets at the Monkey Sanctuary) as well as a suite of other health problems – the vitamin

is linked to a wide-range of physiological processes from immunity to brain function [12]. Lack of sunlight and poor diet can cause low vitamin

*Rescued pet primates often have fractured and/or misshapen bones due to poor diet and lack of natural sunlight.*

D<sub>3</sub> levels, which impacts calcium absorption and results in soft, fragile bones, deformities and fractures. The condition has also been noted in monkeys weaned too early as well as nursing indoor-housed zoo and laboratory primates and females that have had multiple births [13].

Consequences of poor diets, that can include feeding junk food like marshmallows and chips, can also be seen in the number of rescued pet primates that are over- or underweight or diabetic [9] and suffering from health issues related to vitamin deficiency.

### CASE STUDY 1: CHARLIE THE SQUIRREL MONKEY

Charlie, a three-year-old squirrel monkey, was found in September 2012 confined in a barren bird cage in a cold, dark office on an industrial estate in West Drayton, near Heathrow. His entire cage was filthy and covered in dried faeces and urine.



Squirrel monkeys live in the tropical rainforests of Central and South American in large troops (averaging 22 to 242 but sometimes with as many as 300 animals) [14]. About half their time is spent travelling and foraging for insects, covering a home range of around 2–5km<sup>2</sup> [15].

Charlie was alone, with no access to the outdoors or natural sunlight, no heating (a long-broken heat lamp was in easy reach) and with a large guard dog in the room. He was subjected to the constant background noises of passing trains and noises

from a tyre yard and car wash. Charlie was taken for walks in Hyde Park on a harness and extendable lead – a likely stressful experience .

When Charlie was found he was underweight and his tail was bent and balding. He was scratching and rubbing the end of his tail due to the urine burns he probably got from sitting on the cage floor. Despite these appalling conditions, Charlie put on weight and in time was introduced to other squirrel monkeys at Monkey World Ape Rescue Centre in Dorset. He is now happily living in a large outside enclosure, part-funded by the RSPCA, with the company of two females.



His owner pleaded guilty to offences under Section 9 of the Animal Welfare Act 2006 (see Section 7). He was disqualified from keeping animals for two years, fined £400 and ordered to pay £100 costs.

### CASE STUDY 2: MIKEY THE MARMOSET

Mikey, a four-month-old common marmoset, was handed over to his new owner in a car park after being sold by a couple for £650 via an advert in the local newspaper. Realising something was wrong – Mikey was hunched over and only able to shuffle around – Mikey's new owner took him to an exotic pet dealer who alerted the RSPCA.

Mikey was found to be suffering from advanced metabolic bone disease (see photo) and had seven bone fractures.



The disease was in such an advanced stage, and restricted his movement to such an extent, that Mikey had to be euthanased by a vet to end his suffering.

Selling such a young animal would undoubtedly lead to long-term welfare problems (see above) as common marmosets naturally stay with their birth group at least until adulthood, which for males is around 17 months of age [16].

Not only had the owners failed to diagnose or treat the condition, they sold a very sick animal to someone who, as far as they were aware, knew nothing about caring for primates.



The couple stated they were not aware Mikey had any problems when they sold him. However the veterinary examination indicated the fractures pre-dated the sale by around two weeks.

Both defendants were found guilty of four offences under Sections 4 and 9 of the Animal Welfare Act 2006 (see Section 7) and disqualified from keeping any animal for life. They also had to pay £2,713 each towards RSPCA costs and £325 each to the woman who purchased Mikey. Both were given a community order to complete 300 hours of unpaid work. A deprivation order was also put in place for the four adult marmoset monkeys they still owned, including Mikey's parents, who were then rehomed at Monkey World.

### 3 How many pet primates are there?

Due to a lack of regulation and the fact that most trade occurs in private (see Section 4) no-one knows for certain how many primates are kept as pets in the UK. Recent estimates from Wild Futures suggest that between 3,000 and 9,000 primates are kept and whilst this is an unavoidably wide range we believe somewhere in the region of 4,000 to 5,000 is a realistic estimate.

#### CALCULATING THE NUMBER OF PRIMATES KEPT AS PETS IN BRITAIN

Data obtained by Wild Futures through Freedom of Information requests to local authorities in England, Wales and Scotland show that 339 primates were licensed under the Dangerous Wild Animals Act (DWAA) in 2012. This figure was used to calculate the present estimate of between 3,000 and 9,000 by: a) accounting for 85–95 percent non-compliance with the DWAA, thus the 339 represented 5–15 percent of the actual number kept [17], and b) adding a further 33 percent as it was assumed that the primates delisted from the DWAA in 2007 – squirrel monkeys and tamarins – would comprise a similar proportion (33 percent) of licensable primates in 2012. Note that this does not include species like marmosets which have never required a DWAA licence (see Section 7).

### 4 Where do people get them?

Unfortunately, it is extremely easy to buy a primate in the UK. Just as easy in fact as buying a hamster or goldfish, or even a second-hand sofa! This can easily be seen by doing an internet search for terms like 'monkey for sale UK'.

The lack of regulation means that in the majority of cases, sellers are not obliged to check that potential owners know what they are doing or have the right facilities. No inspection takes place and with no paperwork, there is no paper trail to track where primates go.

Importation, whilst it does happen, does not appear to be a major legal source of primates kept as pets. Defra state

*Buying a primate is just as easy as buying a hamster or goldfish, or a second-hand sofa.*

that only four were imported to the UK from outside the EU between December 2008 and December 2013, two by a sanctuary [18]. This is likely to be an underestimate

though as imports from within the EU are not recorded [18] and it is possible that primates entering the country for other reasons (e.g. conservation purposes) go on to enter the pet trade [9].

Instead, breeders and private dealers appear to be the main source of primates [6], although some specialist

dealers and pet shops are involved, and on occasion zoos [6,9]. Sellers advertise in pet publications (e.g. *Cage & Aviary Birds*) and on the internet – specialist forums (e.g. [www.reptileforums.co.uk](http://www.reptileforums.co.uk)), pet sale sites (e.g. [www.pets-classifieds.co.uk](http://www.pets-classifieds.co.uk)), general classified sites (e.g. [www.ukclassifieds.co.uk](http://www.ukclassifieds.co.uk)) and, more recently, on social media.

Given the obvious difficulties in monitoring and regulating the internet, particularly social media, this is perhaps the most

*Breeders and private dealers appear to be the main source of primates.*

worrying source of pet primates. Various snapshot surveys have shown primates are freely available, often sold at very young ages, alone, in totally unsuitable accommodation and with incorrect care information (see box on page 8). At least some sellers are licensed pet shops (see Section 7) but online adverts suggest that many private keepers breed on a relatively small scale and sell on young offspring. Local authorities have reported problems prosecuting such unlicensed primate dealers/breeders due to the difficulty in proving animals are being sold as "part of a business", as required by the Pet Animals Act 1951 [9] (see Section 7).

To get an idea of online sales, the RSPCA surveyed one general classified site, [www.ukclassifieds.co.uk](http://www.ukclassifieds.co.uk), during 2012 and 2013. This yielded 152 adverts for at least 269 individuals, primarily marmosets and tamarins (see Section 5). The average price for a marmoset was £1,010 and for a tamarin £1,933.

Initial findings of an ongoing survey for the Pet Advertising

*Primates are freely available on the internet, often sold at very young ages, alone, in totally unsuitable accommodation and with incorrect care information.*

Advisory Group (PAAG), administered by the Blue Cross, found around 350 live adverts on the same site, including both sales and wanted adverts [8]. Most marmosets were on sale for around £1,500.

The prevalence of apparently bogus and fraudulent primate adverts has been noted previously [19], but the initial view from the authors of the PAAG survey following examination of photos, vendor history and trends is that the majority of these adverts are genuine.

What is also evident from these adverts is that there is clear demand for primates. The PAAG survey notes many 'wanted' adverts and a previous snapshot survey found an average of 20 views per day of primate adverts, with one getting 538 views in just one day [9].

## EXTRACTS FROM PRIMATE ADVERTS ON

[www.ukclassified.co.uk](http://www.ukclassified.co.uk)

- "Baby marmoset for sale 2 weeks old ready to go at 12 weeks" 29/12/2013
- "2 baby marmoset monkeys for sale, genuine advert, viewing welcome anytime, can forward more pics on request by email/phone etc. ready to go soon at 3 months. These monkeys grow to the size of a squirrel & can be made tame thru handling, no license etc needed, fed on normal everyday foods, i.e. potato, chips, greens etc aswell as mealworms/crickets." 29/10/13
- marmoset "ready for sale they will be 6 weeks old. Ideal for hand rearing" 23/09/12
- marmoset "Silly tamed ! And don't mean will eat from hand I mean 100% handled reared by my self lives indoors and plays with my baby as well as my other children, he won't run away if doors open he's even bin boot sales sat on my shoulder his use to pet dogs loves roaming round all day" 18/03/14
- marmosets "they eat grapes bananas ect all fruit . noodles yogurt custard crickets almost everything" 10/04/14
- "i am selling my 5month old cotton top tamarin male. he is very tame and has been hand reared from day 3. he is a very clever monkey and will come to anyone. he is used to animals and children" 06/11/13

## 5 What kind of primates are kept and traded as pets?

The most commonly kept primates, according to RSPCA data on pet primate investigations over the last 10 years, are marmosets (81 percent of identified individuals), followed by capuchins and squirrel monkeys (see Figure 1). Online adverts show a similar bias towards marmosets, comprising 88 percent of individuals advertised (see Figure 2). Tamarins were next most common, followed by squirrel monkeys. Notably, none of these, bar capuchins, require a licence under the Dangerous Wild Animals Act 1976 (see Section 7).

*Marmosets are by far the most common species.*

Preliminary findings of the PAAG online survey (see Section 4) similarly found that the majority of adverts on UK Classified were marmosets, capuchins and squirrel monkeys. Other snapshot surveys of online sales have found similar results [6].

Online adverts provide a shocking lack of information about the animals on sale (see also Section 4). Few adverts identified the species on sale (rather than type, such as 'marmoset'). From photos and descriptions (e.g. 'white-eared'), the majority of marmosets appeared to be common marmosets (*Callithrix jacchus*). Ten Geoffroy's marmosets (*Callithrix geoffroyi*) and six pygmy marmosets (*Cebuella pygmaea*) were also advertised. Details were more often provided for tamarins, for example 'cotton-topped', 'moustached', 'red-handed', 'yellow-handed' and 'brown mantled' tamarins. Notably, cotton-top tamarins (*Saguinus oedipus*) are critically endangered and receive the highest level of protection from international trade (see Section 7).

To some extent, species details should be taken with a 'pinch of salt' as the RSPCA has come across several cases where buyers were sold primates of a different species than claimed (e.g. common marmosets sold as pygmy marmosets; Geoffroy's marmosets sold as common marmosets).

**Calls to RSPCA**

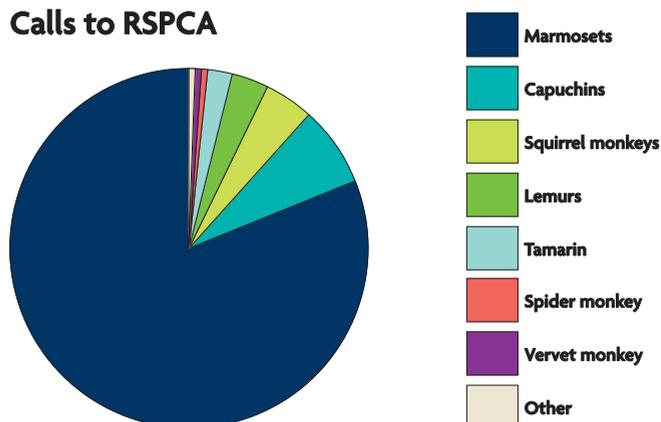


Figure 1: Species breakdown of 405 primates involved in 181 RSPCA investigations, 2004-2013, where identity was recorded.

**Online adverts**

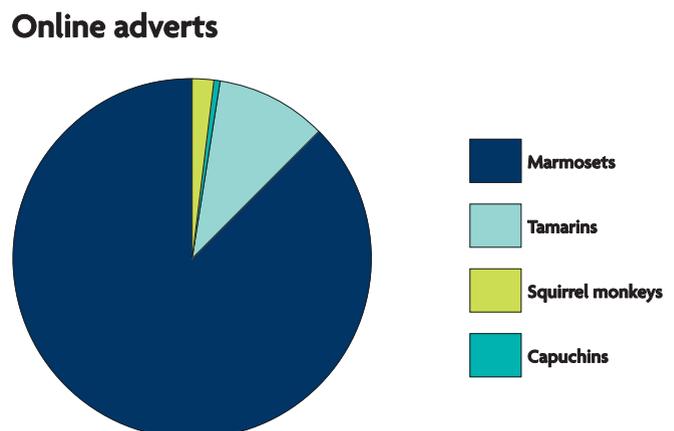


Figure 2: Species breakdown of 152 primates advertised on [www.ukclassified.co.uk](http://www.ukclassified.co.uk) 2012-2013 (see section 4 for survey details).

## 6 Is the keeping of pet primates a growing problem?

Keeping primates as pets appears to be on the rise. For instance, anecdotally, online sales are increasing [8]. Looking at calls to the RSPCA's Cruelty and Advice Line, 2013 saw the highest number over the last 10 years (76 calls about 107 primates), representing a 73 percent increase compared to 2012 figures (see Figure 3). In addition, the number of primates licensed under the Dangerous Wild Animals Act 1976 (see Section 7) rose by 21 percent between 2009 and 2012 [20] and primate sanctuaries report a growing demand to rehome primates kept as pets [21].

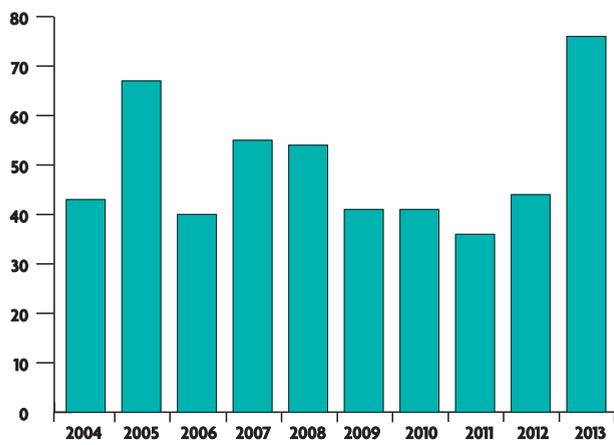


Figure 3: Calls about primates kept as pets to the RSPCA's Cruelty and Advice line, 2004-2013.

*Calls to the RSPCA about pet primates rose by 73 percent in 2013.*

There is no doubt that introducing this 'duty of care' has helped protect animal welfare but crucially you must first know where the animal is before positive action can be taken; a difficult task when the majority of primates are kept behind closed doors. Notably, concerns that led to two RSPCA primate prosecutions first came to light when defendants took their primates outdoors – one on a mobility scooter and another to a pub [23].

### Defra's Primate Code

Defra's Code of Practice for the Welfare of Privately Kept Primates ('Primate Code') was introduced in England in 2010 [24]. The Primate Code explains what owners and keepers need to do to meet the needs of their animals as required by the Animal Welfare Act 2006 (see Box 4). Breach of a provision of the Code is not an offence in itself but the Code can be used in courts as evidence.

*The Code has clearly failed to meet the government's objectives of restricting ownership and reducing numbers handed to sanctuaries.*

Whilst providing a useful framework for preparing prosecutions, the Code has clearly failed to meet the government's objectives of restricting ownership of primates to 'zoos, scientific institutions and specialist keepers' [25] and to 'reduce the numbers of such animals handed over to specialist rescue sanctuaries' [26].

One of the problems with the Primate Code is that it is very general – guidance applies to all primates, from pygmy marmosets to gorillas. Without more specific information (appendices on specific primate species/groups were originally planned [27]) most requirements are very open to interpretation.

Usefulness of the Code is also limited because many people do not know it exists. The RSPCA has found little evidence of awareness amongst primate keepers and even those who are aware do not necessarily follow it, such as the case of an owner

## 7 Is it really legal to keep a pet primate?

Astonishingly, it is entirely legal to keep a primate as a pet, regardless of how endangered or dangerous it is or how complex its needs. The main laws covering the keeping and commercial use (e.g. selling, importing) of primates kept as pets in England and Wales are briefly summarised below.

### Animal Welfare Act 2006

Like all pet owners, primate keepers must comply with the Animal Welfare Act 2006 [22] by preventing unnecessary suffering (Section 4 of the Act) and, importantly, taking all reasonable steps to meet their animal's needs (the so called 'duty of care' in Section 9 of the Act) – see box below.

#### WELFARE NEEDS

An animal's needs, defined in Section 9 of the Animal Welfare Act 2006, include: a suitable environment; an appropriate diet; opportunities to perform normal behaviours; being housed in appropriate social groups and protection from pain, suffering, injury and disease.

*It is entirely legal to keep a primate as a pet, regardless of how endangered or dangerous it is or how complex its needs.*

selling six-week-old marmosets so they were 'more tame'. Awareness of the Code amongst local authority staff responsible for licensing 'dangerous' wild animals (see page 10) is also low at around 50 percent [28] and we know of numerous cases where the Code has not been followed. For example, there are instances of local authorities granting licenses for singly-kept primates year after year despite this being contrary to the Code.

The RSPCA has also seen no evidence that fewer primates have been taken in by specialist sanctuaries since the Code came in. For example, the RSPCA helped fund a new enclosure at Monkey World Ape Rescue Centre in Dorset specifically for rescued pet primates. Completed in October 2012, the enclosure was filled in just seven months. Monkey World and the Monkey Sanctuary are regularly forced to turn away pet primates due to lack of space. In contrast, in countries where there is a ban on primate keeping, like Belgium, a reduction in the number of 'illegal' animals in sanctuaries was noted following the ban [29] (see Section 10).

## Dangerous Wild Animals Act 1976

To keep most primate species – but importantly *not* the most commonly kept (see Section 5) – owners need a Dangerous Wild Animals Act 1976 (DWAA) licence from their local authority (see box below). Licensed pet shops are exempted.

*Licences are not needed to keep the most commonly kept primates.*

The DWAA is mainly about protecting people rather than animals, although it does have some ancillary welfare provisions about providing suitable accommodation, adequate food, drink and bedding and visiting animals at suitable intervals [30].

There are many widely recognised problems with this legislation and its enforcement. Most notably, only an estimated 5–15 percent of people who should have a licence actually do [17]: small primates are particularly likely to be unlicensed<sup>1</sup>. Primate sellers do not need to check that buyers have a DWAA licence in place, or tell them they need one, and anyone caught without a licence

faces little or no consequence; local authorities often simply issue a licence retrospectively [17]. Thus the incentive for paying for a licence and going through the inspection process is diminished. Local authorities also do not fully understand their responsibilities under the DWAA or have much knowledge about what primates need, which greatly limits their effectiveness in applying the DWAA. So, although this regulation provides a register of owners of licensable primates (albeit only an estimated 5–15 percent of them) and powers to inspect, it does not provide adequate protection.

*Only an estimated 5-15 percent of people who should have a licence actually do.*



Capuchins are one of the groups that do need a DWAA licence (see box on left).

## Pet Animals Act 1951

Under the The Pet Animals Act 1951 (the PAA) [32] anyone in the business of selling animals as pets (e.g. a pet shop) needs a licence from their local authority. This includes sales over the internet [33]. Local authorities need to be satisfied during inspections that animals are in suitable accommodation, supplied with appropriate food and drink and adequately protected from disease and fire. Conditions can be attached to licences to limit the species sold.

There are many problems with this Act, not least confusion and difficulties in applying it to 'new' ways of selling animals (e.g. internet sales) and inconsistency in application across local authorities. Local authorities, not surprisingly, lack primate expertise or indeed any animal expertise – many also have responsibility for licensing pubs and restaurants and have little or no animal knowledge. Recently updated guidance for local authorities also has no specific provisions for primates [34]. There is also no legal requirement for sellers to check that buyers have the necessary skills and facilities to care for the animal properly, the correct paperwork or even to provide them with care information.

### PRIMATES THAT NEED A LICENCE UNDER THE DANGEROUS WILD ANIMALS ACT 1976

Examples below include the more commonly kept species. A full list can be found on the Schedule to the Act [31].

#### EXAMPLES OF SPECIES THAT DO NEED A LICENCE

Capuchins	Lemurs (but see exceptions below)
Spider monkeys	Saki monkeys
Macaques	Mandrills
Gibbons	Great apes

#### EXAMPLES OF SPECIES THAT DO NOT NEED A LICENCE

Marmosets	Tamarins*
Squirrel monkeys*	Night (or owl) monkeys*
Titi monkeys	Eastern woolly lemurs
Bamboo or gentle lemurs	Bush babies

\* these used to require a licence until October 2007 when they were removed from the Schedule to the Act.

<sup>1</sup> Estimate from hobbyists and the pet trade is 85–95 percent, cited in [6]. In addition, 82 percent of owners of UK ex-pet primates rehomed at the Monkey Sanctuary did not hold a licence for all or part of the animals' lives [8].

## Convention on International Trade in Endangered Species (CITES)

International trade in primates is controlled by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), implemented in the UK through EU CITES regulations<sup>2</sup>. All primate species are listed on Annex A or B of the EC Regulation [35].

*Simply owning endangered species does not require any CITES paperwork.*

Annex A contains the most endangered species and trade is strictly controlled. This includes all lemurs and gibbons and some species of marmosets, tamarins and squirrel monkeys. Primates

captured from the wild that are Annex A species cannot be imported into the EU for commercial purposes<sup>3</sup>. Captive-bred Annex A and Annex B species can be imported for commercial purposes if certain conditions are met. One condition of importing both Annex A and B species is that accommodation is adequate to care for the animals properly [36].

Anyone using Annex A species for commercial purposes *within* the UK must have a so-called 'Article 10' sales certificate. Annex B species (and captive-bred Annex A species) can be used commercially provided the owner can prove 'legal acquisition' (i.e. the animal has not been smuggled into the EU or illegally taken from the wild).

Simply owning Annex A or B species does not require any CITES paperwork but owners are advised to be able to prove the animals were legally acquired if challenged (e.g. sales certificate) [37].

## 8 Public opinion

The public clearly feels strongly about this issue and the RSPCA has received many calls from people reporting adverts for primates under the impression that it is illegal to own/sell primates as pets. A YouGov survey in June 2014 found overwhelming support for a ban 'on keeping monkeys as pets in Britain' (75 percent answered yes, 11 percent no and 13 percent didn't know) [38]. Similarly, a 2013 ICM poll found that 65 percent of those questioned supported making the keeping of primates as pets illegal in the UK [39], while a 2005 Ipsos-MORI poll found 78 percent in support of a ban [40].

*75 percent of people want a ban on keeping monkeys as pets.*

<sup>2</sup> Council Regulation (EC) No 338/97, as amended.

<sup>3</sup> Commercial use includes offering to buy, buy, keep for sale, offer for sale, transport for sale, sell, advertise for sale, exchange for anything else or display to paying customers [35].



Some critically endangered species are kept and traded as pets.

## 9 Expert opinion

A wide range of experts who know primates intimately, either in the wild or in captivity, agree that primates should never be kept as pets and, like the public, are often shocked that it is allowed in the UK.

Over 360 eminent primatologists, highly regarded conservationists, high-ranking zoo professionals, primate rescue organisations and other respected professionals support a ban on keeping primates as pets [41]. Many professional specialist and learned organisations have positions against keeping primates as pets: e.g. Primate Specialist Group of Great Britain; International Primatological Society; British Veterinary Association; the Ape Alliance, the British and Irish Association of Zoos and Aquariums; European Alliance of Rescue Centres and Sanctuaries and Global Federation of Animal Sanctuaries [42].

*"We...favour a ban on the keeping of primates as private pets."*

British Veterinary Association [43]

*"Given the difficulties of ensuring appropriate welfare standards for primates kept as pets, I am strongly opposed to such a practice...I strongly encourage a ban of keeping primates be put in place."*

Prof. Hannah Buchanan-Smith, Stirling University, expert with over 25 years of experience of studying primate behaviour and welfare in the wild and captivity. [43]

## 10 Bans and restrictions in other countries

At least 15 European countries have already banned the keeping of primates as pets, either of all species or certain groups (see map). Further afield, countries such as Israel, Honduras, Brazil and India also have bans in place, as do at least 24 US states (18 ban all primates, six ban certain types).

Most bans and restrictions have been achieved by specifying the types of animals that *cannot* be kept privately – a so called ‘negative list’ – with exemptions for places like zoos, scientific establishments and/or rescue facilities. Only a couple of countries (Belgium and the Netherlands) have so-called ‘positive lists’<sup>4</sup> whereby species that *can* be kept are listed and any others are not permitted.

Bans or restrictions in the commercial use (activity related to buying/selling) of primates as pets also apply in at least eight European countries (see map) as well as further afield in, for example, India and Honduras. The import and/or export of primates as pets is similarly restricted in some countries/states (e.g. Bulgaria, Norway, Alaska and Hawaii).

*At least 15 European countries have already banned the keeping of primates as pets..*

In terms of dealing with animals that are already kept, most regulations contain a transitional ‘grandfather clause’ (e.g. Denmark, Latvia, Portugal, Sweden and Minnesota). Existing owners have a certain grace period after regulations come into force – usually three to six months – to register/licence their animals with the relevant authority, which may be the police, government department or local authority. Others lay the burden of proof on the owner to provide evidence, on request, that they owned the animal before regulations came into force (e.g. Belgium, the Netherlands and Washington State). Some regulations also prohibit breeding and require animals to be individually identifiable, such as through microchipping (e.g. Denmark, the Netherlands and Portugal).

The Netherlands’ system is reportedly far easier to enforce and much cheaper than other systems like licensing [44], while in Belgium the government report that illegally kept animals, or those advertised for sale, are reported very quickly as there as the rules are very clear and easily understood [29].



<sup>4</sup> At the time of writing the Netherlands’ positive list that was due to come into force on 1 July 2014, had been delayed until at least 1 January 2015.

## 11 Proposed solution for the UK

It is widely accepted that existing laws are not working and/or are not sufficient to protect primates [45]. There is currently no systematic way to know where most primates are, let alone to monitor their welfare. The current system fails to protect the thousands of other primates that may be in similar situations but which are effectively kept 'off the grid'.

The government in Westminster has long acknowledged the need to address the issue of pet primates. Debates

during the passage of the Animal Welfare Act made it clear that members of all parties agreed primates should not be kept as pets [46]. Their reasons were a combination of issues discussed here – primates' high level of intelligence and complex needs and, consequently, their greater capacity to suffer when these are not met – and the sense that social values have progressed to the point where it is considered inappropriate to keep such animals as pets.

The current regulatory system is clearly not working and consequently primates are not nearly sufficiently protected.

## Recommendations

The RSPCA believes that the following steps should be taken to protect primates:

- Regulations should be introduced to prohibit the keeping and commercial use (buying/selling) of primates as pets.
- To avoid having to rehome potentially thousands of primates – something that is simply not feasible – those currently kept should be subject to a transition period (using a so-called 'grandfather clause') whereby owners have to register their primates within a certain period (e.g. three months) of regulations coming into force.
- Breeding of pet primates currently held should be prohibited and individuals individually identified.
- Such a scheme should include an inspection system to maximise the welfare of those animals for the remainder of their lives.



Primates are wild animals that are in no way suitable companions, no matter how well intentioned the keeper.

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**The Royal Society for the Prevention of Cruelty to Animals**  
Wilberforce Way, Southwater, Horsham, West Sussex RH13 9RS  
Telephone: 0300 1234 999 [www.rspca.org.uk](http://www.rspca.org.uk) [facebook.com/RSPCA](https://www.facebook.com/RSPCA) [twitter.com/RSPCA\\_official](https://twitter.com/RSPCA_official)  
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