



**WRS Board**

**Date: 27<sup>th</sup> September 2024**

**Title: Report on Operation Lisbon 2: Dog breeding**

**Recommendation** | That the Board notes the Report.

**Background**

This report helps to demonstrate how the service’s small Intelligence Unit supports the broader delivery of the service. During this operation the initial review of advertising, logging of information, data protection requests to identified selling site operators and all necessary communications data requests were undertaken by this team. This effectively led to the creation of a package of information that could then be actioned by the Licensing team.

During November 2020, Worcestershire Regulatory Services (WRS) initiated an intelligence gathering operation code-named “Lisbon”. The primary purpose of the operation was to assess the people, businesses, and locations associated with unlicensed dog breeding and put in place strategies and/or interventions to reduce the level of offending. Whilst the operation had positive outcomes, several factors limited its effectiveness.

Firstly, as the operation was conducted during the COVID-19 pandemic, it could not be stated with certainty whether the information collected during the initial stages of the operation was indicative of the “normal” trading environment. It was likely, for example, that information had been captured about certain nominals who had chosen to breed dogs whilst furloughed but did not continue this activity (at a licensable level) once restrictions had been lifted. Secondly, the prominence of general selling platforms as opposed to those dedicated to dogs or pets was underestimated or had significantly changed by the time the operation concluded. These platforms were not included in the scope of the operation, so it was also likely that several nominals operating illegally were undetected.

After Operation Lisbon concluded, the service continued to receive complaints from the public about unlicensed dog breeders. As a result, Operation Lisbon 2 was launched



## Report

during November 2023 with a view to assessing the scale of offending in a post pandemic environment. Fortunately, WRS and Shropshire Council both had an interest in this area and opted to share intelligence resources and work together, allowing the scope of the operation to broaden to cover both counties and encompass additional sales platforms, including some generalist ones.

### 1. Methodology

The Foundation for Operation Lisbon 2 was based on four key stages:

- The collation and evaluation of complaints received since 01/11/2022.
- The proactive monitoring of online sales platforms<sup>1</sup> between 01/11/2023 and 31/03/2024
- The acquisition of account information and previous adverts
- The analysis of collected information, and generated intelligence, to identify prominent entities committing or enabling offences.

### 2. Key Legislation and Considerations

The Animal Welfare (Licensing of Activity Involving Animals) (England) Regulations 2018 is the primary legislation covering the breeding of dogs. It places a requirement on individuals or businesses to obtain a licence if they are “breeding three or more litters of puppies in any twelve-month period” and/or are “breeding dogs and advertising a business of selling dogs”. The failure to obtain a licence is a criminal offence under Section 13 of the Animal Welfare Act 2006.

When acquiring information from online platforms, care had to be taken to only request information that can be obtained under the Data Protection Act 2018. A policy change by the Home Office in 2023 means that certain personal information (mandatory registration data) linked to online accounts must be treated as communications data and can only be obtained via the provisions of the Investigatory Powers Act 2016. This also means that a formal authorisation is required from the relevant Commissioners before the information can be obtained from the relevant provider. Despite this, several platforms did disclose such data which, whilst useable for intelligence purposes, becomes subject to permission from the local authority’s Senior Responsible Officer before it can form part of the investigative process.

Whilst proactive monitoring data was assessed prior to account information being requested, the limitations of certain platforms meant it could not always be established whether certain accounts were operating at a level where a licence was likely to be required. As a result, information pertaining to these accounts was not requested and their account information was not available for analysis during the latter stages of the



operation. There were also delays from one of the platforms providing information in relation to several nominals using their site.

The requirement for someone to be “in the business of selling animals,” does mean that the local authority must be able to prove beyond a reasonable doubt that this is a business-related activity. There is no specific case law relating to this under the 2018 Act, however, the Trade Descriptions Act 1968 similarly required proof of trade or business so this case law can have a role in informing thinking. Even under this legislation, the possibility exists for a person to have a “lucrative hobby,” so the business test may not necessarily be as black and white as it first appears.

### **Results**

Some 1,069 unique adverts were identified across Worcestershire over the five-month period of the operation. A significant proportion of these adverts were posted legally by licensed breeders (approximately 10%) or by private sellers who did not meet the threshold for a licence.

Each platform has its own search parameters; however, it is generally easier to search for adverts based on location (e.g. search within 20 miles of Worcester) than to search for adverts based on the breed of dog or the size of the breed. None of the platforms monitored, for example, allowed a user to search for “large breeds”. This was particularly important to note following the notice to prevent future deaths issued by the Coroner following the death of a child at the home of a dog breeder. When adverts were reviewed, only 17% related to dogs categorised by the Kennel Club and others as being large breeds, demonstrating as officers expected, that they only make up a modest proportion of the market.

The most common breeds advertised across the two counties were Cockapoos, Cocker Spaniels, Labrador Retrievers, and Dachshunds. The total value of the adverts listed was more than £7 million (£4.2 million for Worcestershire and £2.8 million for Shropshire). Although there is likely to be some double counting of adverts as a few sellers will advertise on more than one platform, this figure is still much higher than officers involved in the project would have suggested before undertaking it and it shows that, although dog prices have fallen since the pandemic, there are still large numbers of animals being supplied commercially or otherwise.

The most prominent locations mentioned in adverts were Worcester and larger towns such as Kidderminster, Stourport-on-Severn, and Evesham. Whilst an advert might state the location as “Worcester”, however, enquiries have established that this designation has also included sellers residing outside of the City Council boundary in the nearby villages under Wychavon’s or Malvern Hills’ jurisdiction.

Some 37 accounts were identified that were likely to have been trading without a licence. Further enquiries led to some of these being linked to single individuals or, in some



cases, small groups of people. Relationship charts were created to show connections between different entities (people, online accounts, telephone numbers, email addresses) and a package of information was shared with senior officers in the Licensing team with recommendations for action. The team have subsequently opted to write warning letters and offer guidance to 10 sellers identified by this work, whilst 6 accounts are being developed further by the Intelligence Unit as the operators are sharing contact details and advert locations. A total of 5 sellers, 2 of whom had previously been identified as part of Operation Lisbon 1, have been put under formal investigation with a view to submitting reports to the various partner legal departments. Obviously, with cases pending, we can say no more than this at this time.

### **Other Issues Identified**

As with many areas of the internet, particularly those associated with the sales of goods and other commodities, registration requirements and the level of self-policing varies from platform to platform. For example, one platform proactively blocks accounts and/or notifies local authorities about suspicious or potentially unlicensed activity whilst another platform allows users to register using partial or generic information. In addition, as none of the platforms require identity checks during registration processes, some users have been found to list adverts using false names, locations, or telephone numbers.

### **Conclusions**

The two Lisbon operations have revealed that there is a significant market in the selling of dogs across Worcestershire and, whilst a proportion of this is not commercial or done under license, a proportion of this activity is unlicensed and illegal. It also shows that detecting illegal activity is not completely straight-forward and requires resource to be dedicated to the activity. By utilising our Intelligence Unit to do much of the initial case building, Licensing Officers are freed from the burden of logging and recording in these initial stages and receive a completed package which has much of the evidence they will need to go forward with obtaining statements and interviewing potential defendants under PACE.

The Intelligence package produced provides managers with an overview of the situation and sufficient detail to make decisions on action. This includes directing some cases into advice and guidance, others to disruption (where the picture of trade may be borderline) and limiting formal investigations to those cases where the picture is clear, and offenders may be trading illegally with full knowledge of the statutory requirements. This ensures best use of our finite resource.

It is clear that these operations are best done at scale. Focus on a single district would likely be impossible due to the nature of descriptions in adverts. Working with Shropshire colleagues was positive and one of the groups identified was engaging in cross border activity. Officers will look to promote the Op Lisbon model to other licensing colleagues and the use of the Intelligence Operating Model as a tool for enforcement.



**Contact Points**

Simon Wilkes/ Kiran Lahel  
Director of Worcestershire Regulatory Services/ Licensing and Support Services Manager  
01562-738088/ 01562-738067  
[Simon.wilkes@worcestersregservices.gov.uk](mailto:Simon.wilkes@worcestersregservices.gov.uk) / [kiran.lahel@worcestersregservice.gov.uk](mailto:kiran.lahel@worcestersregservice.gov.uk)

**Background  
Papers**

Infographic presenting outcomes

