



# United Kingdom of Great Britain and Northern Ireland

## Animal Protection Index 2014 ranking: A

### Animal Protection Index Indicators

#### Goal 1: Recognition of animal sentience and the importance of animal protection as a societal value

##### 1. Animal sentience is formally recognised in legislation and/or policy

Ranking: A

<b>Part 1: Verification</b>
<b>There is legislation</b>
<p>The Animal Welfare Act 2006 (for England and Wales), Animal Health and Welfare (Scotland) Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011 recognise all vertebrates as sentient. For example, in England and Wales, the operative provisions of the Animal Welfare Act 2006 do not specifically use the term "sentient" but do contain references to suffering as including physical and mental states (section 1) and to animals' needs to exhibit normal behaviour (section 9). In addition, the explanatory notes to that Act state: "The Act will apply only to vertebrate animals, as these are currently the only demonstrably sentient animals. However, section 1(3) makes provision for the appropriate national authority to extend the Act to cover invertebrates in the future if they are satisfied on the basis of scientific evidence that these too are capable of experiencing pain or suffering."<sup>1</sup></p> <p>The Welfare of Animals Act (Northern Ireland) 2011 and Part 2 of the Animal Health and Welfare (Scotland) Act contain the same provisions.</p> <p>At European Union level, Article 13 of the Treaty of Lisbon recognises animal sentience and requires that Member States pay regard to animals' welfare requirements in formulating and implementing</p>

<sup>1</sup> Animal Welfare Act 2006, Explanatory Notes, Commentary on Sections (section 1)

European Union policies.
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<b>Part 2: Assessment</b>
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Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?
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The governments of England, Scotland, Wales and Northern Ireland are active in animal protection and in reflecting the importance of animal sentience in policy and public consultation initiatives. The current government's Coalition Agreement commits the UK to promote high standards of welfare for all kept animals, including companion animals and farmed livestock (including fish) throughout their lives to the point of slaughter. The agreement contains specific commitments regarding generally high standards of farm animal welfare, promotion of responsible pet ownership, reduction of the use of animals in scientific research and ending the testing of household products on animals.

Concerning wild animals the agreement contains commitments to introduce measures to protect wildlife, to oppose the resumption of commercial whaling, to press for a ban on ivory sales and to tackle the smuggling and illegal trade of wildlife.<sup>2</sup>

In 2004 the governments of England, Scotland and Wales published their ten-year Animal Health and Welfare Strategy for Great Britain. This strategy was produced in consultation with industry, science and animal welfare groups. Part of the vision is that "Animals in Great Britain kept for food, farming, sport, companionship, entertainment and in zoos are healthy and treated humanely". It is positive that the strategy explicitly acknowledges that the protection of animals is the responsibility of society as a whole.<sup>3</sup>

The governments of England, Wales, Scotland and Northern Ireland recently reviewed and updated animal welfare legislation for animals, following public consultations. These public consultations gave prominence to animal welfare issues and an opportunity to raise awareness that looking after animals properly requires more than simply protecting them from cruelty: it means meeting their needs.<sup>4</sup>

Although all vertebrates are recognised as sentient, the protection of the Animal Welfare Act legislation does not extend to animals in the wild unless under the control of man, to animals used in lawful scientific research or to anything that occurs in the normal course of fishing (sections 4, 58, 59 Animal Welfare Act 2006; sections 2, 52, 53 Welfare of Animals Act (Northern Ireland) 2011; sections 17 and 47 Animal Health and Welfare (Scotland) Act 2006).

Are there economic and societal barriers to improving this aspect of animal welfare?
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There are not considered to be any significant barriers to improving animal welfare given political will to do so. Although the various Animal Welfare Acts are applicable to vertebrate animals, described in the explanatory notes to the Animal Welfare Act 2006 as "the only demonstrably sentient animals"<sup>5</sup>, the Acts provide for extension of the legislation to cover invertebrates in the future if the governments are satisfied on the basis of scientific evidence that these too are sentient.

<sup>2</sup> HM Government, The Coalition: our programme for government, May 2010 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf)

<sup>3</sup> Animal Health and Welfare Strategy of Great Britain, Defra, 2004 <http://www.scotland.gov.uk/Resource/Doc/35596/0014443.pdf>

<sup>4</sup> <https://www.gov.uk/government/policies/protecting-animal-welfare>

<sup>5</sup> Animal Welfare Act 2006, Explanatory Notes, Commentary on Sections (section 1)

Each of the relevant governments has demonstrated political will to protect animals, for example, through the introduction of new Animal Welfare Acts following public consultation.
<b>Are enforcement mechanisms in place in policy and legislation?</b>
The Animal Welfare Act 2006, Animal Health and Welfare (Scotland) Act 2006 and Animal Welfare (Northern Ireland) Act 2011 all contain enforcement mechanisms (confiscation orders, disqualification orders, fines and/or imprisonment) for the legal provisions that arise out of the recognition of sentience.

## 2. The government has pledged in principle support for the Universal Declaration on Animal Welfare

**Ranking: B**

<b>Part 1: Verification</b>
<b>There is partial government support</b>
<p>The UK government has supported the global campaign for the UDAW. This included participation in the Manila Conference in 2003 where a foundation text for the UDAW was agreed, support for the European Union support and for a 2007 motion of support for the declaration which was agreed at a plenary of the World Animal Health Organisation (OIE).<sup>6</sup> The Department for the Environment, Food and Rural Affairs has advised that the government has recently agreed to the strengthening of the wording of the UDAW. The government is encouraged to make a full government formal pledge of support in principle.</p> <p>In 2009 the 27 Agriculture Ministers of the European Council unanimously approved a statement on the UDAW encouraging the European Commission to support and initiate further international initiatives to raise awareness and create a greater consensus on animal welfare, and inviting the Member States and the Commission to support the UDAW initiative.<sup>7</sup></p> <p><u>Note:</u> The Universal Declaration on Animal Welfare is a proposed formal international acknowledgment of a set of principles giving animal welfare due recognition among governments and the international community. An expression of support for the UDAW demonstrates a government’s commitment to working with the international community to improve animal welfare.</p>

<b>Part 2: Assessment</b>
<b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b>
<p>The government has been active in promoting the declaration and the importance of animal sentience and animal protection at international fora, although the government departments responsible for animal protection in the UK do not mention the UDAW on their websites. The government has introduced legislation relating to each of the six categories of animals highlighted in</p>

<sup>6</sup> APGAW Minutes, 1<sup>st</sup> April 2008 [http://www.apgaw.org/data/sites/1/minutes-archive/1st\\_April\\_2008\\_minutes.doc](http://www.apgaw.org/data/sites/1/minutes-archive/1st_April_2008_minutes.doc)

<sup>7</sup> [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/agricult/106877.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/agricult/106877.pdf)

the UDAW and has highlighted the importance of animal protection to the public, for example, in its Coalition Agreement that sets out the government’s programme. <sup>8</sup>
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
The UK government has shown support for the UDAW at international fora. The UK’s long history of animal protection with legislation dating back to 1822 provides a firm foundation for action to improve animal welfare and for the UK to campaign internationally for high animal welfare standards. There are no significant barriers to improvement here.
<b>Are enforcement mechanisms in place in policy and legislation?</b>
Although the government has demonstrated support for the UDAW, this has not yet taken the form of a formal pledge of in principle support.

### 3. There are animal protection laws that prohibit causing animal suffering either by a deliberate act of cruelty or by a failure to act

**Ranking: A**

<b>Part 1: Verification</b>
<b>There is legislation</b>
<p>In England and Wales, the Animal Welfare Act 2006 gives protection to vertebrates which are of a kind which is commonly domesticated, under the control of man, or not living in the wild (section 2). Therefore wild animals are only protected by this Act when they are in captivity or otherwise under the control of man. There is also an exemption for animals used in lawful scientific procedures (section 58(1)) and for anything which occurs in the normal course of fishing (section 59).</p> <p>The same provisions appear at sections 2, 52 and 53 of the Welfare of Animals Act (Northern Ireland) 2011 and sections 17 and 47 of the Animal Health and Welfare (Scotland) Act 2006.</p> <p>Section 4 of the Animal Welfare Act 2006 and of the Welfare of Animals Act (Northern Ireland) 2011, and section 19 of the Animal Health and Welfare (Scotland) Act 2006, prohibit causing animal suffering. Although the word “cruelty” is not used, the conduct prohibited encompasses cruel acts and the case law from the previous Protection of Animals Act 1911 (which did use that language) is still considered relevant under the current legislation.</p> <p>Subsection 1 prohibits causing an animal unnecessary suffering by an act or failure to act, when the person knows or ought reasonably to know that the act or failure to act would cause the suffering or be likely to do so. Subsection 2 creates an additional offence where a person is responsible for an animal, another person causes unnecessary suffering by an act or failure to act, and the person responsible permitted it to happen or failed to take reasonable steps to prevent it. Subsection 3 provides guidance on understanding whether suffering is “unnecessary”, which includes whether it is proportionate to the purpose and whether the conduct was that of a reasonably competent and humane person.</p>

<sup>8</sup> HM Government, The Coalition: our programme for government, May 2010 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf)

In England, Scotland and Wales, section 1 of the Wild Mammals (Protection) Act 1996 prohibits carrying out certain specified actions on mammals which are not domestic or captive, such as mutilating, kicking, burning or drowning with intent to inflict unnecessary suffering. This does not extend to suffering caused by failure to act. Exemptions include the lawful use of poisons and killing in a reasonably swift and humane manner in the course of lawful hunting or pest control.

## Part 2: Assessment

### Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Great Britain has a long history of animal protection with legislation dating back to the early 19th century. For England and Wales the Animal Welfare Act 2006 consolidated more than 20 pieces of animal protection legislation, including the Protection of Animals Act from 1911.

The Animal Welfare Act 2006 was introduced to England and Wales, and a similar version to Scotland, following public consultation which gave animal protection organisations and other stakeholders opportunity to comment. The Welfare of Animals Act (Northern Ireland) 2011 also updated and consolidated previous legislation.

The respective governments of England, Scotland, Wales and Northern Ireland have also introduced Codes of Recommendations or Practice for the Welfare of Animals under the primary legislation, that give practical advice to help owners and keepers to understand the welfare needs of their animals and their legal obligations.

It is positive that the government has consolidated and updated animal protection legislation and that there was a high level of stakeholder engagement in the various consultations.

After the current legislation was introduced in England and Wales, the Department for Environment, Food and Rural Affairs carried out a review of the effectiveness of the Animal Welfare Act 2006 that concluded, "it is agreed that there is still more to do in terms of achieving higher standards of animal welfare in the UK, but the Act does provide a suitable framework for doing so and has already resulted in an improvement in animal welfare. The Act has ultimately achieved its objectives of harmonising farm and companion animal welfare and consolidating and simplifying animal welfare legislation."<sup>9</sup>

### Are there economic and societal barriers to improving this aspect of animal welfare?

Although there are concerns about the government budget available for activities associated with animal health and welfare in the UK, these do not appear to be insurmountable and the government has demonstrated a strong desire for improvement in this area. The Chair's introduction in the 2012/2013 report of the Animal Health and Welfare Board for England, which gives advice to the Department for Environment, Food and Rural Affairs on all strategic animal health and welfare policy (except for animals in zoos and circuses), refers to "a time of unprecedented budgetary constraints"<sup>10</sup>, but the accompanying introduction from the Minister of State for Agriculture and Food comments that budgetary pressures "present us with an opportunity to think innovatively about why

<sup>9</sup> HM Government, Memorandum to Environment, Food and Rural Affairs Committee, Post-Legislative Assessment of the Animal Welfare Act 2006, December 2010 at <http://www.official-documents.gov.uk/document/cm79/7982/7982.pdf>

<sup>10</sup> Animal Health and Welfare Board for England Annual report: 2012/2013, Defra, April 2013 at <http://www.defra.gov.uk/ahwbe/files/ahwbe-annual-report-12-13.pdf>

and how government and others undertake the things they do across the animal health and welfare agenda and to work together to identify smarter ways of doing them".<sup>11</sup>

#### Are enforcement mechanisms in place in policy and legislation?

In England and Wales, an offence under section 4 of the Animal Welfare Act 2006 is punishable with imprisonment of up to 51 weeks and/or a fine of up to £20,000 (section 32). The court also has powers to confiscate animals (section 33) and to make disqualification orders (section 34).

Similar provisions exist in the Welfare of Animals Act (Northern Ireland) 2011 (sections 31-33), with penalties of up to six months imprisonment and/or a fine up to the statutory maximum for summary conviction and up to two years imprisonment and/or a fine for conviction on indictment, and in the Animal Health and Welfare (Scotland) Act 2006 (sections 46, 39 and 40), with penalties of up to 12 months imprisonment and/or a fine up to £20,000.

#### 4. a. There are laws that apply to animals used in farming including rearing, transport and slaughter

#### Ranking: A

##### Part 1: Verification

##### There is legislation

The UK coalition government has policy promoting high standards of farm animal welfare<sup>12</sup>, and there is extensive legislation and guidance covering the welfare of animals used in farming, including on rearing, transport and slaughter.

Farm animals are protected under the Animal Welfare Act 2006 (for England and Wales), the Animal Health and Welfare Act (Scotland) 2006 and the Welfare of Animals Act (Northern Ireland) 2011.

The general anti-cruelty provisions under section 4 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 19 of the Animal Health and Welfare (Scotland) Act 2006 apply to this category of animals. Section 9 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 24 of the Animal Health and Welfare (Scotland) Act 2006 also create a duty of care, requiring that a person who is responsible for an animal takes such steps as are reasonable in the circumstances (which includes the lawful purpose for which the animal is kept and any lawful activity undertaken in relation to the animal) to ensure that the needs of that animal are met to the extent required by good practice. The list of needs covers the principles of the Five Freedoms.

Section 12 of the Animal Welfare Act 2006, section 11 of the Welfare of Animals Act (Northern Ireland) 2011, and section 51 of the Animal Health and Welfare (Scotland) Act 2006 give powers for secondary regulations to be made. Those secondary regulations which have been made include

<sup>11</sup> <http://www.defra.gov.uk/ahwbe/files/ahwbeannualreport-12-13.pdf>

<sup>12</sup> HM Government, The Coalition: our programme for government, May 2010 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf)

the implementation of European Union Directives on the welfare of calves, pigs, laying hens, conventionally reared meat chickens and a general welfare framework Directive. In certain respects the UK has exceeded the minimum standards required by the European Union, for example, in relation to pigs and calves. Relevant secondary legislation includes the Welfare of Farmed Animals (England) Regulations 2007, the Welfare of Farmed Animals (Wales) Regulations 2007/3070, the Welfare of Farmed Animals (Scotland) Regulations 2010/388 and the Welfare of Farmed Animals (Northern Ireland) Regulations 2012/156.

Additionally there are Codes of Recommendations for various species, providing guidance to farmers and industry. Although these are not legally binding they do have evidential value under the primary legislation: section 14(4) of the Animal Welfare Act 2006, section 16 of the Welfare of Animals Act (Northern Ireland) 2011 and section 37 of the Animal Health and Welfare (Scotland) Act 2006 provide that, in proceedings under each of the respective Acts or secondary regulations, failure to comply with a code may be relied upon as tending to establish liability and compliance may be relied upon as tending to negative liability. However, under the government's Red Tape Challenge initiative, it consulted on reforming the codes in England for laying hens, pigs, cattle, rabbits, deer, sheep, ducks, goats, turkeys, meat and breeding chickens and replacing them with guidance developed by industry. If this reform goes ahead, it remains to be seen whether this will enhance or detract from the current level of protection and detail.<sup>13</sup>

In relation to transport of farmed animals, European Union Regulation 1/2005 on the protection of animals during transport and related operations, which makes provision for space and maximum journey times, has direct effect in the UK.

In relation to slaughter, the Welfare of Animals (Slaughter or Killing) (WASK) Regulations 1995 were made to give effect to European Union Directive 93/119/EC. That has since been replaced by European Union Regulation 1099/2009, which has direct effect in the UK since 2013. The Department for Environment, Food and Rural Affairs subsequently held a consultation regarding proposed new regulations, The Welfare of Animals at the Time of Killing (England) Regulations.<sup>14</sup> The European Union requirements have been supplemented in some cases by further national legislation, for example, Scotland has introduced the Welfare of Animals at the Time of Killing (Scotland) Regulations 2012.

## Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The UK government has made significant progress in improving the welfare of this category of animals and has acted on scientific evidence about the needs of farm animals, leading the way internationally by banning the veal crate in 1990 and the dry sow stall in 1999, ahead of the 2007 and 2013 European Union wide bans.<sup>15</sup> The government is encouraged to go beyond the minimum requirements of the European Union battery cage ban by also banning enriched cage systems for

<sup>13</sup> Defra, Red Tape Challenge Agriculture Theme Proposals, January 2014

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/275742/red-tape-challenge-agriculture-proposals.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/275742/red-tape-challenge-agriculture-proposals.pdf)

<sup>14</sup> <https://www.gov.uk/government/consultations/welfare-of-animals-at-the-time-of-killing>

<sup>15</sup> <http://www.publications.parliament.uk/pa/cm200809/cmselect/cmenvfru/96/96.pdf>

laying hens.

According to a 2009 report "Farm Animal Welfare in Great Britain: Past, Present and Future" produced by the Farm Animal Welfare Committee (formerly the Farm Animal Welfare Council), an independent governmental advisory body, there is strong welfare legislation and good compliance generally, with most farmers having made determined efforts to ensure an acceptable quality of life for farm animals.<sup>16</sup> During its existence, the Farm Animal Welfare Committee has had influence on the development of animal protection around the world through developing the concept of the Five Freedoms and producing a wealth of high profile scientific evidence-based reports and advice.<sup>17</sup>

The Codes of Recommendations have been valuable in providing guidance to those involved in the farming industry, and have assisted the promotion of animal welfare legislation and promoted good practice. However, in January 2014 the government announced under its Red Tape Challenge an intention to replace ten codes of practice in England with guidance produced in partnership with industry.<sup>18</sup> It is hoped that this does not result in a weakening of the current standards or in a reduction in the currently helpful level of detail.

Regarding compliance, the UK's Chief Veterinary Officer reported in 2009 that Animal Health, an executive agency for the Department for Environment, Food and Rural Affairs that also works on behalf of the Scottish Executive and the Welsh Assembly (now called the Animal and Plant Health Agency), had found a level of compliance with animal welfare legislation of 99% at inspections carried out at markets. The agency also found a 97% level of compliance on thousands of random inspections of farms, although the level of compliance for inspections made in response to complaints or to farms targeted for inspection using a risk model was much lower, at 77%.<sup>19</sup>

The government is also investing in research and development projects on animal welfare, for example, for the financial year 2009 to 2010 the Department for Environment, Food and Rural Affairs spent £2.9 million to inform and support effective policies on animal welfare.<sup>20</sup> The department comments that "policies such as climate change mitigation, livestock intensification and improved food security and increasing food production to meet key global environmental challenges, all have the potential to affect animal welfare, and robust welfare evidence is needed to underpin government policy in these areas."<sup>21</sup> This is a strong indication of farm animal welfare being considered in a variety of government policies.

The challenge for the UK government for the future will be to maintain and build on the work that it has done to advance farm animal welfare. For example, in 2011 the Farm Animal Welfare Committee highlighted the need for strategy and policy to move beyond aiming for an absence of

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<sup>16</sup> Farm Animal Welfare in Great Britain: Past, Present and Future, October 2009, FAWC  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/319292/Farm\\_Animal\\_Welfare\\_in\\_Great\\_Britain\\_-\\_Past\\_\\_Present\\_and\\_Future.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319292/Farm_Animal_Welfare_in_Great_Britain_-_Past__Present_and_Future.pdf)

<sup>17</sup> <http://www.fawc.org.uk>

<sup>18</sup> <http://www.redtapechallenge.cabinetoffice.gov.uk/themehome/agriculture/>

<sup>19</sup> Defra, Progress through partnership: The UK Chief Veterinary Officer's 2009 report on animal health and welfare, August 2010 <http://archive.defra.gov.uk/corporate/about/who/cvo/documents/2009report.pdf>

<sup>20</sup> <http://archive.defra.gov.uk/corporate/about/who/cvo/documents/2009report.pdf>

<sup>21</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/221082/pb13904-evidenceplan-animal-welfare.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221082/pb13904-evidenceplan-animal-welfare.pdf)



cruelty and suffering and a duty to provide for an animal's needs, to ensuring that each and every farm animal will have had a life worth living with a growing number experiencing a good life.<sup>22</sup>

#### Are there economic and societal barriers to improving this aspect of animal welfare?

In previous years UK legislation protecting farm animals has tended to set minimum standards above those required by the European Union. However, the Farm Animal Welfare Committee has noted that the standard is now set increasingly at a European Union level.<sup>23</sup>

Following the Macdonald review<sup>24</sup> and a review into cost and responsibility sharing,<sup>25</sup> the government has committed to cutting red tape and devolving responsibility to industry. In January 2014 the Department for Environment, Food and Rural Affairs announced its intention to simplify the regulatory landscape, including by replacing ten statutory welfare codes in England with guidance. The consequences of these measures on continuing improvement of farm animal welfare are as yet unknown.<sup>26</sup> The lack of statutory codes could make it more difficult to enforce farm animal welfare legislation and there may be concerns that the new guidance may not contain the same level of protection or detailed guidance. This delegation of responsibility to industry may represent a barrier to improvement in this area.

International trade obligations and pressures may also present some degree of barrier to improvement in the context of the export of live animals from the UK to the European continent and beyond.<sup>27</sup>

#### Are enforcement mechanisms in place in policy and legislation?

Enforcement is undertaken by a number of organisations including local authorities, and in England, Wales and Scotland the Animal and Plant Health Agency and the Food Standards Agency. In Northern Ireland similar functions are undertaken by the Department of Agriculture and Rural Development.

In England and Wales, a cruelty offence under section 4 of the Animal Welfare Act 2006 is punishable with imprisonment of up to 51 weeks and/or a fine of up to £20,000 (section 32(1)). A duty of care offence under section 9 is punishable with imprisonment of up to 51 weeks and/or a fine of up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 32(2)). The court also has powers to confiscate animals (section 33) and to make disqualification orders (section 34). Inspectors can serve improvement notices stating which

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/319292/Farm\\_Animal\\_Welfare\\_in\\_Great\\_Britain\\_-\\_Past\\_\\_Present\\_and\\_Future.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319292/Farm_Animal_Welfare_in_Great_Britain_-_Past__Present_and_Future.pdf)

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/319292/Farm\\_Animal\\_Welfare\\_in\\_Great\\_Britain\\_-\\_Past\\_\\_Present\\_and\\_Future.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319292/Farm_Animal_Welfare_in_Great_Britain_-_Past__Present_and_Future.pdf)

<sup>24</sup> Defra, Government Response to the Farming Regulation Task Force, February 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69506/pb13717-farmregulationtaskforce-response.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69506/pb13717-farmregulationtaskforce-response.pdf)

<sup>25</sup> England Advisory Group on Responsibility and Cost Sharing, Final Report: Responsibility and Cost Sharing for Animal Health and Welfare, December 2010 <http://archive.defra.gov.uk/foodfarm/policy/animalhealth/sharing/pdf/rcsag-report101213.pdf>

<sup>26</sup> Defra, Red Tape Challenge Agriculture Theme Proposals, January 2014

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/275742/red-tape-challenge-agriculture-proposals.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/275742/red-tape-challenge-agriculture-proposals.pdf)

<sup>27</sup> <http://www.defra.gov.uk/animal-trade/>

steps are required to be taken to comply with the duty of care provisions of section 9 (section 10). Similar provisions exist in the Welfare of Animals Act (Northern Ireland) 2011, with penalties for cruelty offences and duty of care offences of up to six months imprisonment and/or fines up to the statutory maximum for summary conviction and up to two years imprisonment and/or fines for conviction on indictment (section 31). The court has confiscation powers (section 32) and disqualification powers (section 33). Inspectors can serve improvement notices stating which steps are required to be taken to comply with the duty of care provisions of section 9 (section 10). Likewise in the Animal Health and Welfare (Scotland) Act 2006, there are penalties for cruelty offences of up to 12 months imprisonment and/or fines up to £20,000 and for duty of care offences of up to six months imprisonment and/or fines up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 46). The court has confiscation powers (section 39) and disqualification powers (section 40). Inspectors can serve care notices stating which steps are required to be taken to comply with the duty of care provisions of section 24 (section 25). Secondary regulations also contain enforcement mechanisms; for example, breach of provisions of the Welfare of Farmed Animals (England) Regulations 2007 is punishable with imprisonment of up to 51 weeks and/or a fine of up to level 4 on the standard scale (currently £2,500 under section 37 of the Criminal Justice Act 1982) (paragraph 9).

#### 4. b. There are laws that apply to animals in captivity

**Ranking: B**

<b>Part 1: Verification</b>
<p><b>There is legislation</b></p> <p>The protection of the Animal Welfare Act 2006 (for England and Wales), the Animal Health and Welfare Act (Scotland) 2006 and the Welfare of Animals Act (Northern Ireland) 2011 applies to animals in captivity.</p> <p>The general anti-cruelty provisions under section 4 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 19 of the Animal Health and Welfare (Scotland) Act 2006 apply to this category of animals. Section 9 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 24 of the Animal Health and Welfare (Scotland) Act 2006 also create a duty of care, requiring that a person who is responsible for an animal takes such steps as are reasonable in the circumstances (which includes the lawful purpose for which the animal is kept and any lawful activity undertaken in relation to the animal) to ensure that the needs of that animal are met to the extent required by good practice. The list of needs covers the principles of the Five Freedoms. Section 12 of the Animal Welfare Act 2006, section 11 of the Welfare of Animals Act (Northern Ireland) 2011, and section 51 of the Animal Health and Welfare (Scotland) Act 2006 give powers for secondary regulations to be made. In England, Wales and Scotland, the Zoo Licensing Act 1981 contains welfare-related provisions that were added in 2003 to give effect to European Union Directive 1999/22, including a</p>

requirement that animals are provided with an environment well adapted to meet the physical, physiological and social needs of their species (section 1A(c)(i)). The Zoos Licensing Regulations (Northern Ireland) 2003 require that animals are accommodated under conditions which aim to satisfy the biological and conservation requirements of the individual species, including by providing species-specific enclosure enrichment (paragraph 3(7)(c)). This legislation applies to all non-plant and non-fungus organisms and so extends to all animals including fish and invertebrates (section 21(1) Zoo Licensing Act 1981 and paragraph 2(1) Zoos Licensing Regulations (Northern Ireland) 2003).

Other legislation requires licensing for the keeping of certain wild animals; for example, the Dangerous Wild Animals Act 1976, the Wildlife and Countryside Act 1981, the Destructive Imported Animals Act 1932 and the Grey Squirrels (Prohibition of Importation and Keeping) Order 1937. A licence under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 is also required for any travelling circus in England using wild animals.

The UK has banned the farming of animals for their fur on welfare grounds: in 2000 England and Wales banned fur farming under the Fur Farming (Prohibition) Act of 2000 and (although they had no fur farms) Northern Ireland and Scotland took similar action shortly afterwards.

## Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The Zoo Licensing Act 1981 has been in force since 1984 with zoos assessed by government appointed inspectors and local authorities responsible for enforcement. The introduction of the Act was followed by the closure of some substandard zoos.

Supplementary minimum standards were published in 1990 for UK dolphinariums, and had the effect of closing them all down. Since that time no dolphinariums have been built in the UK and no cetaceans are held in captivity in the UK. These standards have therefore addressed widespread welfare concerns about the keeping of cetaceans in captivity.<sup>28</sup>

The current zoo licensing legislation includes welfare considerations and issues such as psychological needs and enclosure enrichment.

Under the Animal Welfare Act 2006 it is an offence to fail to meet the needs of animals in captivity. It is legal to own primates in the UK (although some may require licences or permits). Precise numbers of primates in captivity are not known but it is believed they run into the thousands. In 2006, when announcing a consultation on producing a Code of Practice on this subject to provide keepers with advice on how to meet the welfare needs of primates (as required under the Animal Welfare Act 2006), the Minister responsible at that time advised Parliament: "We all agree that primates do not make suitable pets ... the government intends to develop a code for the keeping of primates." and that "Its likely effect will be to restrict their keeping to zoos, scientific institutions and specialist keepers."<sup>29</sup> In 2010 the Department for Environment, Food and Rural Affairs issued the Code of Practice for the Welfare of Privately Kept Non-Human Primates. Recently the Environment, Food and

<sup>28</sup><http://www.bornfree.org.uk/campaigns/zoo-check/captive-whales-dolphins/uk/>

<sup>29</sup> HC Deb, 19 January 2006, col 156

Rural Affairs Committee of the House of Commons conducted an inquiry into the keeping of primates as pets, <sup>30</sup> and the Code is due to be reviewed in 2015.
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
There are not considered to be any significant barriers to improving the welfare of animals in captivity given political will to do so, although funding of local authorities could become an issue as they are responsible for much of the animal welfare enforcement.
<b>Are enforcement mechanisms in place in policy and legislation?</b>
Local authorities are responsible for licensing and enforcement under the Zoo Licensing Act and other relevant legislation. In England and Wales, a cruelty offence under section 4 of the Animal Welfare Act 2006 is punishable with imprisonment of up to 51 weeks and/or a fine of up to £20,000 (section 32(1)). A duty of care offence under section 9 is punishable with imprisonment of up to 51 weeks and/or a fine of up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 32(2)). The court also has powers to confiscate animals (section 33) and to make disqualification orders (section 34). Inspectors can serve improvement notices stating which steps are required to be taken to comply with the duty of care provisions of section 9 (section 10). Similar provisions exist in the Welfare of Animals Act (Northern Ireland) 2011, with penalties for cruelty offences and duty of care offences of up to six months imprisonment and/or fines up to the statutory maximum for summary conviction and up to two years imprisonment and/or fines for conviction on indictment (section 31). The court has confiscation powers (section 32) and disqualification powers (section 33). Inspectors can serve improvement notices stating which steps are required to be taken to comply with the duty of care provisions of section 9 (section 10). Likewise in the Animal Health and Welfare (Scotland) Act 2006, there are penalties for cruelty offences of up to 12 months imprisonment and/or fines up to £20,000 and for duty of care offences of up to six months imprisonment and/or fines up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 46). The court has confiscation powers (section 39) and disqualification powers (section 40). Inspectors can serve care notices stating which steps are required to be taken to comply with the duty of care provisions of section 24 (section 25). Under the Zoo Licensing Act 1981 and the Zoos Licensing Regulations (Northern Ireland) 2003 there are powers for local authorities to amend licence conditions and to close zoos for failure to comply.

#### 4. c. There are laws that apply to companion animals

**Ranking: A**

<b>Part 1: Verification</b>
There is legislation

<sup>30</sup> <http://www.parliament.uk/business/committees/committees-a-z/commons-select/environment-food-and-rural-affairs-committee/inquiries/parliament-2010/primates-as-pets/>

The protection of the Animal Welfare Act 2006 (for England and Wales), the Animal Health and Welfare Act (Scotland) 2006 and the Welfare of Animals Act (Northern Ireland) 2011 applies to animals in captivity.

The general anti-cruelty provisions under section 4 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 19 of the Animal Health and Welfare (Scotland) Act 2006 apply to this category of animals. Section 9 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 24 of the Animal Health and Welfare (Scotland) Act 2006 also create a duty of care, requiring that a person who is responsible for an animal takes such steps as are reasonable in the circumstances (which includes the lawful purpose for which the animal is kept and any lawful activity undertaken in relation to the animal) to ensure that the needs of that animal are met to the extent required by good practice. The list of needs covers the principles of the Five Freedoms.

Section 6 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011 prohibit docking dogs' tails otherwise than for medical purposes, or if the dog is a certified working dog that is not more than five days old. Section 20 of the Animal Health and Welfare (Scotland) Act 2006 makes the same ban with an exemption only for medical purposes.

Section 11 of the Animal Welfare Act 2006, section 15 of the Welfare of Animals Act (Northern Ireland) 2011 and section 30 of the Animal Health and Welfare (Scotland) Act 2006 prohibit the sale of animals to anyone aged under 16.

Section 12 of the Animal Welfare Act 2006, section 11 of the Welfare of Animals Act (Northern Ireland) 2011, and section 51 of the Animal Health and Welfare (Scotland) Act 2006 give powers for secondary regulations to be made.

The government's coalition agreement states that the government will promote responsible pet ownership and will ensure that enforcement agencies target irresponsible owners of dangerous dogs.<sup>31</sup> In 2013 the Westminster government published new draft legislation.<sup>32</sup> Legislation in force relating to dog ownership includes the Dangerous Dogs Act 1991 (for England and Wales), the Dogs (Northern Ireland) Order 1983 and the Control of Dogs (Scotland) Act 2010. To tackle the problem of stray dogs and to encourage responsible dog ownership the government in England is introducing compulsory microchipping of dogs from April 2016. 33 Wales is introducing compulsory microchipping from 2015. Legislation in Northern Ireland already requires dog owners to hold licenses and includes compulsory microchipping since 2013 (Articles 3 and 6 Dogs (Northern Ireland) Order 1983).

There is also legislation applying to the operation of pet shops (the Pet Animals Act 1951), animal boarding establishments (the Animal Boarding Establishments Act 1963) and dog breeding (the Breeding of Dogs Acts 1973 and 1991 and the Breeding and Sale of Dogs (Welfare) Act 1999) that require premises to be licensed.

Additionally there are Codes of Practice which provide guidance, relating to dogs, cats, rabbits, and horses, ponies and donkeys. Although these are not legally binding they do have evidential value

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<sup>31</sup> HM Government, The Coalition: our programme for government, May 2010 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf)

<sup>32</sup> House of Commons Library Briefing, Dangerous Dogs, 30 May 2013 at <http://www.parliament.uk/briefing-papers/sn04348.pdf>

<sup>33</sup> <https://www.gov.uk/government/news/all-dogs-in-england-to-get-free-microchips>

under the primary legislation: section 14(4) of the Animal Welfare Act 2006, section 16 of the Welfare of Animals Act (Northern Ireland) 2011 and section 37 of the Animal Health and Welfare (Scotland) Act 2006 provide that, in proceedings under each of the respective Acts or secondary regulations, failure to comply with a code may be relied upon as tending to establish liability and compliance may be relied upon as tending to negative liability.

## Part 2: Assessment

### Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

In 2010 the Department for Environment, Food and Rural Affairs and the devolved administrations established the Advisory Council on the Welfare Issues of Dog Breeding to provide advice and guidance to governments, and those responsible for the welfare of dogs, on problems associated with poor standards in dog breeding. At the time Animal Welfare Minister, Lord Henley said, "Britain is a country of dog lovers. The way that dogs are bred really impacts on their health and the Council will help us to improve their welfare and quality of life."<sup>34</sup>

In 2012 and 2013 the Welsh Assembly investigated and proposed actions to tackle welfare concerns about puppy farming in the country and proposed new Regulations.<sup>35</sup>

Prosecutions do take place under the legislation; for example, warning notices have been issued under the Animal Welfare Act 2006 to owners of obese dogs and cats.<sup>36</sup>

The existing legislation and proposed improvements are effective to make companion animal welfare a mainstream concern of society.

### Are there economic and societal barriers to improving this aspect of animal welfare?

Local authorities are responsible for many aspects of enforcement, for example, collection of stray animals. Concern has been expressed about a lack of funding for local authorities in the face of government spending cuts in a time of austerity. For example, the Royal College of Veterinary Surgeons has commented that, as local authority enforcement teams tend to be small and as resources are increasingly stretched, it can be difficult to carry out in-depth investigations into breaches of the Animal Welfare Act.<sup>37</sup> In 2010 the RSPCA expressed concerns that the number of Inspectors appointed by local authorities under the Act has not been as great as first thought and that many local authorities are unclear of the role of Inspectors, what training they require and how they should be appointed.<sup>38</sup>

The introduction of compulsory dog microchipping and registration in England, Scotland and Wales (already in place in Northern Ireland) should assist with the removal of barriers to the promotion of responsible pet ownership and to dealing with problems arising from strays. The government is encouraged to consider extending this to cats.

### Are enforcement mechanisms in place in policy and legislation?

<sup>34</sup> <https://www.gov.uk/government/news/welfare-issues-of-dog-breeding-meeting>

<sup>35</sup> <http://wales.gov.uk/about/cabinet/cabinetstatements/2013/breedingofdogs/?lang=en>

<sup>36</sup> RSPCA, Prosecutions Department Annual Report, 2009 at

<http://www.rspca.org.uk/ImageLocator/LocateAsset?asset=document&assetId=1232721535439&mode=prd>

<sup>37</sup> RCVS Response Animal Welfare Post Legislative Scrutiny 21 February 2011 <http://www.rcvs.org.uk/document-library/rcvs-response-animal-welfare-post-legislative-scrutiny/>

<sup>38</sup> RSPCA, Review of the Animal Welfare Act 2006: The RSPCA's experience of its use and recommendations for the future, April 2010.

In England and Wales, a cruelty offence under section 4 of the Animal Welfare Act 2006, or an offence of tail docking under section 6, is punishable with imprisonment of up to 51 weeks and/or a fine of up to £20,000 (section 32(1)). A duty of care offence under section 9 is punishable with imprisonment of up to 51 weeks and/or a fine of up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 32(2)). An offence of selling to a minor is punishable with imprisonment of up to 51 weeks and/or a fine of up to level 4 on the standard scale (currently £2,500 under section 37 of the Criminal Justice Act 1982) (section 32(4)). The court also has powers to confiscate animals (section 33) and to make disqualification orders (section 34). Inspectors can serve improvement notices stating which steps are required to be taken to comply with the duty of care provisions of section 9 (section 10).

Similar provisions exist in the Welfare of Animals Act (Northern Ireland) 2011, with penalties for cruelty offences, duty of care offences and tail docking offences of up to six months imprisonment and/or fines up to the statutory maximum for summary conviction and up to two years imprisonment and/or fines for conviction on indictment, and penalties for selling to a minor of up to six months imprisonment and/or fines up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 31). The court has confiscation powers (section 32) and disqualification powers (section 33). Inspectors can serve improvement notices stating which steps are required to be taken to comply with the duty of care provisions of section 9 (section 10).

Likewise in the Animal Health and Welfare (Scotland) Act 2006, there are penalties for cruelty offences of up to 12 months imprisonment and/or fines up to £20,000, and for duty of care offences, tail docking offences and selling to a minor of up to six months imprisonment and/or fines up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 46). The court has confiscation powers (section 39) and disqualification powers (section 40). Inspectors can serve care notices stating which steps are required to be taken to comply with the duty of care provisions of section 24 (section 25).

#### 4. d. There are laws that apply to animals used for draught or recreational purposes

**Ranking: B**

##### Part 1: Verification

There is legislation

The protection of the Animal Welfare Act 2006 (for England and Wales), the Animal Health and Welfare Act (Scotland) 2006 and the Welfare of Animals Act (Northern Ireland) 2011 applies to animals used for draught or recreational purposes.

The general anti-cruelty provisions under section 4 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 19 of the Animal Health and Welfare (Scotland) Act 2006 apply to this category of animals. Section 9 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 24 of the Animal Health and Welfare (Scotland) Act 2006 also create a duty of care, requiring that a person who is responsible

for an animal takes such steps as are reasonable in the circumstances (which includes the lawful purpose for which the animal is kept and any lawful activity undertaken in relation to the animal) to ensure that the needs of that animal are met to the extent required by good practice. The list of needs covers the principles of the Five Freedoms.

Section 8 of the Animal Welfare Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011, and section 23 of the Animal Health and Welfare (Scotland) Act 2006 create offences associated with animal fighting, including attempting to cause an animal to fight, receiving money for admission to a fight, making bets on a fight, keeping animals or premises for fighting and showing or possessing videos of fights.

Section 12 of the Animal Welfare Act 2006, section 11 of the Welfare of Animals Act (Northern Ireland) 2011, and section 51 of the Animal Health and Welfare (Scotland) Act 2006 give powers for secondary regulations to be made.

The training and exhibition of performing animals in England, Scotland and Wales is also regulated by the Performing Animals (Regulation) Act 1925 that requires trainers and exhibitors to be registered with the relevant local authority. A licence under the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 is also required for any travelling circus in England using wild animals, and welfare standards for greyhound racing tracks in England are regulated under the Welfare of Racing Greyhound Regulations 2010.

## Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Codes of Practice and government advice to animal owners and keepers assist in promoting good animal welfare. Consultations by government also promote animal welfare issues.

In 2009 the Department for Environment, Food and Rural Affairs issued a Code of Practice for the Welfare of Horses, Donkeys, Ponies and their Hybrids.<sup>39</sup> Wales, Scotland and Northern Ireland also have similar codes.

None of the four governments has introduced a ban on the use of wild animals in circuses; although in 2012 the coalition government announced an intention to do so on ethical grounds, there being insufficient evidence that a ban was necessary on welfare grounds.<sup>40</sup> A licensing scheme was set up by the Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 as an interim measure pending the introduction of a ban. This announcement of an intention to ban the use of wild animals in circuses followed a 2010 consultation by the Department for Environment, Food and Rural Affairs on the issue of the use of wild animals in circuses, which resulted in an overwhelming majority of respondents calling for a ban.<sup>41</sup> Between January and April 2014 the government in Scotland also consulted on the issue.<sup>42</sup>

Are there economic and societal barriers to improving this aspect of animal welfare?

<sup>39</sup> <https://www.gov.uk/government/publications/code-of-practice-for-the-welfare-of-horses-ponies-donkeys-and-their-hybrids>

<sup>40</sup> Defra Policy statement on Wild Animals in Travelling Circuses accessed on 17 February 2014 at <https://www.gov.uk/government/policies/protecting-animal-welfare/supporting-pages/wild-animals-in-travelling-circuses>

<sup>41</sup> <http://archive.defra.gov.uk/foodfarm/farmanimal/welfare/documents/responses.pdf>

<sup>42</sup> <http://news.scotland.gov.uk/News/Circus-animals-consultation-88a.aspx>



A lack of funding for local authorities could represent a potential barrier to improvement of the welfare of animals used for draught or recreational purposes. However, the government has demonstrated effectiveness in addressing animal welfare issues and has structures and systems in place to deal with issues as they arise, and shows a desire to address problems associated with the use of animals in circuses.

#### Are enforcement mechanisms in place in policy and legislation?

In England and Wales, a cruelty offence under section 4 or an animal fighting offence under section 8 of the Animal Welfare Act 2006 is punishable with imprisonment of up to 51 weeks and/or a fine of up to £20,000 (section 32(1)). A duty of care offence under section 9 is punishable with imprisonment of up to 51 weeks and/or a fine of up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 32(2)). The court also has powers to confiscate animals (section 33) and to make disqualification orders (section 34). Inspectors can serve improvement notices stating which steps are required to be taken to comply with the duty of care provisions of section 9 (section 10).

Similar provisions exist in the Welfare of Animals Act (Northern Ireland) 2011, with penalties for cruelty offences, duty of care offences and animal fighting offences of up to six months imprisonment and/or fines up to the statutory maximum for summary conviction and up to two years imprisonment and/or fines for conviction on indictment (section 31). The court has confiscation powers (section 32) and disqualification powers (section 33). Inspectors can serve improvement notices stating which steps are required to be taken to comply with the duty of care provisions of section 9 (section 10).

Likewise in the Animal Health and Welfare (Scotland) Act 2006, there are penalties for cruelty offences and animal fighting offences of up to 12 months imprisonment and/or fines up to £20,000 and for duty of care offences of up to six months imprisonment and/or fines up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 46). The court has confiscation powers (section 39) and disqualification powers (section 40). Inspectors can serve care notices stating which steps are required to be taken to comply with the duty of care provisions of section 24 (section 25).

#### 4. e. There are laws that apply to animals used for scientific research

Ranking: A

##### Part 1: Verification

##### There is legislation

The protection of the Animal Welfare Act 2006, of the Welfare of Animals Act (Northern Ireland) 2011 and of the Animal Health and Welfare Act 2006 does not apply to anything done lawfully under the Animals (Scientific Procedures) Act 1986 (sections 58(1), 52(1) and 47 respectively). The use of animals in experiments and testing is governed across the UK by the Animals (Scientific Procedures) Act 1986.

Section 3 of the Animals (Scientific Procedures) Act 1986 prohibits carrying out regulated

procedures on vertebrates or cephalopods without a licence. A regulated procedure is one that may cause that animal a level of pain, suffering, distress or lasting harm equivalent to, or higher than, that caused by the introduction of a needle in accordance with good veterinary practice (section 2). Licences may only be granted for specified medical purposes or for education or training other than in primary or secondary schools, if the research cannot be done using a non-animal method. The research must also use the minimum number of animals, use animals with the lowest degree of neurophysiological sensitivity, cause the least pain, suffering, distress or lasting harm, and be most likely to produce satisfactory results. A licence will not be granted for the use of cats, dogs, primates or equidae if other species are suitable (section 5). This Act has been revised to transpose the requirements of European Union Directive 2010/63, and contains some higher standards than the Directive requires.

In July 2013 the Cosmetic Products Enforcement Regulations 2013/1478 entered into force in all parts of the UK, implementing European Union Regulation 1223/2009 which prohibits animal testing for cosmetic products.

The coalition government is committed to work to reduce the numbers of animals used in scientific research.<sup>43</sup> A draft code of practice on the care and accommodation of animals was published in February 2013.

## Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The Home Office's Animals in Science Regulation Unit oversees the implementation of the Animals (Scientific Procedures) Act 1986, producing an annual report including statistics on the numbers of animals used in scientific research.<sup>44</sup>

The establishment of an independent advisory committee, the Animal Procedures Committee, has secured involvement of civil society in the implementation of the legislation. This was established to provide the Home Secretary and the Northern Ireland Minister of Health, Social Services and Public Safety with independent advice about the operation of the Act and their functions under it. The legislation required the interests of animal protection stakeholders to be represented on the Committee. In 2013 the Animals in Science Committee replaced the Animal Procedures Committee. The Animals in Science Committee's role includes advising animal protection organisations on sharing best practice within the UK and coordinating best practice by exchanging information within the European Union.<sup>45</sup>

Are there economic and societal barriers to improving this aspect of animal welfare?

The coalition government has committed to reducing the number of animals used in scientific research and there is a dedicated unit at the Home Office overseeing this area of work, carrying out inspections, collecting data and reporting on its work. There do not appear to be any significant barriers to improvement in this area.

<sup>43</sup> HM Government, The Coalition: our programme for government, May 2010 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf)

<sup>44</sup> <https://www.gov.uk/government/publications/animals-in-science-regulation-unit-annual-report-2012>

<sup>45</sup> <https://www.gov.uk/government/organisations/animals-in-science-committee/about>

#### Are enforcement mechanisms in place in policy and legislation?

Carrying out a procedure in breach of section 3 of the Animals (Scientific Procedures) Act 1986 is an offence punishable with a fine and/or imprisonment of up to two years (on conviction on indictment) or a fine and/or imprisonment of up to six months (on summary conviction). Specified offences under European Union Regulation 1223/2009 are punishable with fines and/or imprisonment under paragraph 13 of the Cosmetic Products Enforcement Regulations 2013. Where a procedure is not lawfully approved under the Animals (Scientific Procedures) Act 1986, the offences and enforcement mechanisms under the Animal Welfare Act 2006, the Welfare of Animals Act (Northern Ireland) 2011 and the Animal Health and Welfare (Scotland) Act 2006 would also apply.

#### 4. f. There are laws that apply to wild animals

##### Ranking: B

#### Part 1: Verification

##### There is legislation

The protection of the Animal Welfare Act 2006 (for England and Wales), the Animal Health and Welfare Act (Scotland) 2006 and the Welfare of Animals Act (Northern Ireland) 2011 applies to wild animals only when they are under the control of man (whether temporarily or permanently) or not living in a wild state (section 2, section 2 and section 17 respectively). This protection would therefore include a wild animal that has been captured or trapped, or an injured wild animal that has been picked up.

In England, Scotland and Wales, section 1 of the Wild Mammals (Protection) Act 1996 prohibits carrying out certain specified conducts to mammals which are not domestic or captive, such as mutilating, kicking, burning or drowning to wild mammals with intent to inflict unnecessary suffering. This does not extend to suffering caused by failure to act. Exemptions include the lawful use of poisons and killing in a reasonably swift and humane manner in the course of lawful hunting or pest control (section 2).

Legislation banning the hunting of wild mammals with dogs has been introduced in England and Wales (the Hunting Act 2004) and Scotland (the Protection of Wild Mammals (Scotland) Act 2002). Schedule 1 of the Hunting Act 2004 sets out several classes of exemption including flushing out or stalking rats and rabbits, the use of up to two dogs to flush out foxes to guns for predation control, and the use of one dog below ground to flush out a fox to guns to protect game birds. This exempted hunting can only take place on land which either belongs to the hunter, or for which he has been given written permission to use for flushing out or stalking by the land owner or occupier (Schedule 1).

Section 1 of the Wildlife and Countryside Act 1981 prohibits intentionally killing, injuring or taking any wild bird, or taking or damaging nests or eggs, in England and Wales. In Scotland this is extended to reckless actions. The Wildlife and Natural Environment Act (Northern Ireland) 2011 is aimed at protecting, conserving and enhancing wildlife and natural habitats and covers birds, deer,

game and prevents, for example, interference with nests, the use of certain pesticides and the use of certain traps.

Part 3 of the Conservation of Habitats and Species Regulations 2010 prohibits the deliberate killing, injuring, capture or disturbance of species listed in the European Habitats Directive. Section 9 of the Wildlife and Countryside Act 1981 (as amended) provides similar protection for native animal species listed in Schedule 5 of the Act.

The current government's Coalition Agreement commits the UK to introduce measures to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity. Additionally the Agreement commits the government to giving Parliament an opportunity to express its view on the repeal of the Hunting Act 2004. On the international front the Agreement also commits the UK to oppose the resumption of commercial whaling, to press for a ban on ivory sales and to tackle the smuggling and illegal trade of wildlife. The UK government's role in pressing for a ban on ivory sales and tackling the wildlife trade is visible internationally, with international summits held in 2013 and 2014 in London.<sup>46</sup>

Legislation covers the use of traps and snares and certain types are permitted (Wildlife and Countryside Act 1981, Wildlife Order (Northern Ireland) 1985, Pests Act 1954).

In 2012 the Department for Environment, Food and Rural Affairs published a report on the use of neck snares on animals in England and Wales and held a consultation. As at the date of publication of this report the Department advises that it is currently working with stakeholders on the way forward.<sup>47</sup>

The government in Scotland introduced new wildlife legislation in 2011 updating some provisions that were over 200 years old. The Wildlife and Natural Environment (Scotland) Act 2011 covers a wide range of areas including introducing compulsory training for snare operators, tagging of snares and new close seasons for hares.<sup>48</sup>

Section 107 of the Marine (Scotland) Act 2010 makes it an offence to kill or take any seal at any time, except under specific licence or for reasons of animal welfare. Licence conditions are aimed at addressing conservation and animal welfare issues. The Act replaced previous legislation that permitted unregulated seal shooting.

The Animal and Plant Health Agency, an executive agency of the Department for Environment, Food and Rural Affairs, includes a Wildlife Incident Investigation Scheme and a Wildlife Incident Unit playing a key role in investigating the effects of pesticides on animals, insects and the environment.<sup>49</sup>

Legislation relating to wildlife in England and Wales is currently subject to a review by the Law Commission. In October 2013 the Law Commission published an interim statement containing a recommendation that a single statute should be developed to cover species-specific law on the conservation, protection and exploitation of wildlife because the current legal regime "makes it difficult for individuals to discover the exact legislative regime that applies to a particular species, or even to know how to find it."<sup>50</sup> In October 2014 the Department for Environment, Food and Rural

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<sup>46</sup> <https://www.gov.uk/government/policy-advisory-groups/tackling-illegal-wildlife-trafficking-inter-ministerial-working-group>

<sup>47</sup> <http://wales.gov.uk/about/cabinet/decisions/dr2012/janmar/enviro/5879403/?lang=en>

<sup>48</sup> <http://www.scotland.gov.uk/News/Releases/2011/03/03100802>

<sup>49</sup> <http://www.fera.defra.gov.uk/wildlifeIncidentUnit/>

<sup>50</sup> Law Commission, Wildlife Law Interim Statement, 15 October 2013 at [http://lawcommission.justice.gov.uk/docs/cp206\\_wildlife\\_interim\\_statement.pdf](http://lawcommission.justice.gov.uk/docs/cp206_wildlife_interim_statement.pdf)

Affairs advised that the Law Commission will complete its project by preparing a final report and draft bill, which will be submitted to the Department at the end of 2014 for further consideration.

## Part 2: Assessment

### Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

There is a wealth of legislation aimed at protecting wild animals in the UK from acts of cruelty, to help to protect their habitat and to cover their exploitation in sports and control via game management activities.

The UK government is also taking a lead in the fight against the illegal wildlife trade internationally, with a recent initiative being announced involving the Department for Environment, Food and Rural Affairs and the Department for International Development and UK funding of £10 million.<sup>51</sup>

The UK's National Wildlife Crime Unit gathers intelligence and assists police forces and other enforcement and regulatory bodies across the UK. The UK's wildlife crime priorities include badger, bat and raptor persecution and illegal trade in CITES species. Scotland's Crown Office and Procurator Fiscal Service's Wildlife and Environmental Crime Unit investigate and manage the prosecution of cases involving crimes against wildlife and the environment in Scotland.

However, the UK continues to permit activities that have been found to involve animal suffering and that have been banned in some other countries. For example, the hunting of wild mammals below ground continues to be permitted in the UK, although the relevant legislation demonstrates an attempt to place some welfare-related restrictions on these activities (Schedule 1, Hunting Act 2004), and hunting with dogs is still legal in Northern Ireland.

The government has licensed badger culling by groups of farmers, in an attempt to control the spread of bovine tuberculosis, and culls have occurred in two areas. The effectiveness and humaneness of shooting badgers was assessed. This has been very controversial and has been criticised by some animal protection and conservation organisations.<sup>52</sup>

### Are there economic and societal barriers to improving this aspect of animal welfare?

There are not considered to be any significant barriers to improving welfare in the UK for this category of animals, particularly given the coalition government's commitments to wildlife and the review of wildlife legislation that is underway. The suggested repeal of the Hunting Act 2004 would represent a retrograde step for animal welfare.

### Are enforcement mechanisms in place in policy and legislation?

Where a wild animal is under the control of man, a cruelty offence is punishable in England and Wales with imprisonment of up to 51 weeks and/or a fine of up to £20,000 (section 32(1) Animal Welfare Act 2006), in Northern Ireland with up to six months imprisonment and/or fines up to the statutory maximum for summary conviction and up to two years imprisonment and/or fines for conviction on indictment (section 31 Welfare of Animals Act (Northern Ireland) 2011) and up to 12 months imprisonment and/or fines up to £20,000 and for duty of care offences of up to six months imprisonment and/or fines up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 46) Animal Health and Welfare (Scotland) Act 2006.

<sup>51</sup> Defra, DFID, UK boosts fight against illegal wildlife trade, 23 December 2013

<sup>52</sup> For example: <http://www.express.co.uk/news/nature/454084/Badger-Cull-Owen-Patterson-admits-overstating-number-of-cattle-infected-with-bovine>

An offence under the Wild Mammals (Protection) Act 1996 in England, Wales or Scotland is punishable with imprisonment of up to six months and/or a fine of up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 5). The same penalties apply for contravention of the Protection of Badgers Act 1992 (section 12).

Contravention of the Hunting Act 2004 is punishable only with a fine, of up to level 5 on the standard scale (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 6); in Scotland imprisonment of up to six months is also possible (section 8, Protection of Wild Mammals (Scotland) Act 2002).

Contravention of the provisions of the Wildlife and Countryside Act 1981 (in England, Wales and Scotland) or of the Wildlife and Natural Environment Act (Northern Ireland) 2011 is punishable with imprisonment and/or fines, of up to six months imprisonment and/or up to level 5 on the standard scale of fines (currently £5,000 under section 37 of the Criminal Justice Act 1982) (section 21 and section 24 respectively).

## Goal 2: Presence of effective governance structures and systems

### 5. The government has assigned responsibility and accountability for improving animal protection at a high government level and has provided resources

Ranking: A

<b>Part 1: Verification</b>
There is legislation
<p>In England, the Department for Environment, Food and Rural Affairs has responsibility for animal welfare, other than in scientific research. The Secretary of State is identified as responsible under the Animal Welfare Act 2006. Animal welfare is one of the top priorities highlighted on the department’s website<sup>53</sup> and is one of the issues highlighted in the UK Coalition Government’s Agreement.<sup>54</sup> The department funds research into animal welfare and protection<sup>55</sup> and has established an Animal Health and Welfare Board for England comprising a range of stakeholders to assist it in making policy and strategy recommendations.<sup>56</sup> Animal welfare is assigned to an Animal Welfare Minister. At a devolved government level, animal welfare is also the responsibility of the Welsh Assembly Government’s Department for Rural Affairs, the Scottish Executive Environment and Rural Affairs Department and the Department of Agricultural and Rural Development in Northern Ireland.</p>

<sup>53</sup> <https://www.gov.uk/government/policies/protecting-animal-welfare>

<sup>54</sup> HM Government, The Coalition: our programme for government, May 2010 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf)

<sup>55</sup> <http://archive.defra.gov.uk/foodfarm/farmanimal/welfare/onfarm/randd.htm>

<sup>56</sup> <http://www.defra.gov.uk/ahwbe/>

The Home Office has responsibility for the regulation of the welfare of the use of animals in science, a non-devolved issue, and control of dangerous dogs. The Home Office has an Animals in Science Regulation Unit for which there is ministerial responsibility. The unit includes a licensing team, an inspectorate and a business support unit. The 2012 Annual Report advised that there were 22 individuals involved in the Inspectorate and a licensing team of 20.<sup>57</sup>

In 2004 the governments of England, Scotland and Wales agreed a ten-year animal health and welfare strategy for Great Britain.<sup>58</sup> Steering groups were established to oversee implementation of the strategy and frameworks were established thus demonstrating government commitment to improve animal health and welfare. Alongside the strategy an evidence base was published to establish a baseline against which progress could be measured.<sup>59</sup>

Local authorities are given enforcement and inspection powers and duties in legislation relating to farm animals, for example in sections 30 (enforcement) and 51 (appointment of inspectors) of the Animal Welfare Act 2006.

## Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

Each of the devolved administrations highlights the importance of animal protection on their websites and also through a range of governmental activities on the legislative, enforcement and policy front. Animal welfare issues are further considered via bodies that have been established to advise government on animal welfare strategy and policy. For example, The Farm Animal Welfare Committee, formerly the Farm Animal Welfare Council, is an expert committee of the Department for Environment, Food and Rural Affairs and the Devolved Administrations in Scotland and Wales. The Committee provides advice to the Department for Environment, Food and Rural Affairs and the Devolved Administrations in Scotland and Wales on the welfare of farmed animals, including farmed animals on agricultural land, at market, in transit and at the place of killing.<sup>60</sup>

The Department for Environment, Food and Rural Affairs also works with the Dog Advisory Council<sup>61</sup>, the Companion Animal Welfare Sector Council<sup>62</sup>, and Equine Sector Council for Health and Welfare, bodies that feed into the Animal Health and Welfare Board of England.<sup>63</sup> This board brings together experts including farmers, veterinarians, welfare experts and others from outside government together with the Chief Veterinary Officer and civil servants to make direct policy recommendations on policy affecting the health and welfare of all kept animals such as farm animals, horses and pets.

The visibility of those responsible for animal protection in government also facilitates engagement on

<sup>57</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/212449/asru-annual-report-2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212449/asru-annual-report-2012.pdf)

<sup>58</sup> Animal Health and Welfare Strategy of Great Britain, Defra, 2004 at <http://www.scotland.gov.uk/Resource/Doc/35596/0014443.pdf>

<sup>59</sup> Defra, Animal Health and Welfare Strategy for Great Britain: The Evidence Base, 2004 <http://archive.defra.gov.uk/foodfarm/policy/animalhealth/strategy/evidence-base.pdf>

<sup>60</sup> <http://www.defra.gov.uk/fawc/>

<sup>61</sup> <http://www.dogadvisorycouncil.com>

<sup>62</sup> <http://www.casco.org.uk>

<sup>63</sup> <http://www.defra.gov.uk/ahwbe/>

animal welfare by a range of stakeholders including NGOs.
<b>Are there economic and societal barriers to improving this aspect of animal welfare?</b>
<p>The Coalition Government has a good regulation agenda and is adopting a “one in, two out” approach to policy and legislation development. In the context of animal health and animal welfare there is a commitment to reducing the burden of legislation and regulation on industry and sharing costs and responsibility with industry.<sup>64</sup> It is not yet known whether this approach will have a positive or negative effect on animal welfare in the UK, as it could result in removing some degree of protection and/or detail in the current Codes of Practice.</p> <p>However, currently there are not considered to be any significant barriers to improving animal welfare given the importance assigned to it by the government.</p> <p>There is also clear budgetary allowance for work in this area. In 2011 the animal welfare budget was devolved; for 2011/12 Scotland and Wales each had £21 million and England £105 million to spend on animal health and welfare work.<sup>65</sup> This further demonstrates a clear desire for improvement.</p>
<b>Are enforcement mechanisms in place in policy and legislation?</b>
The responsibilities of the relevant government bodies are mandated by legislation.

### Goal 3: Implementation of animal protection standards

#### 6. The government is actively engaged with the OIE to improve animal welfare internationally, regionally and nationally

**Ranking: C**

<b>Part 1: Verification</b>
<b>There is policy</b>
<p>The UK is actively supporting its common agenda with the OIE within the European Union and internationally. For example, the 2009 Report of the UK’s Chief Veterinary Officer advises that the Department for Environment, Food and Rural Affairs worked during that year with the European Union and the OIE on the further development of a number of terrestrial code chapters on transport and slaughter, and to introduce new chapters on stray dogs and the transport of fish. Additionally in 2009 the Department commented on proposed new chapters on broilers and beef cattle, and</p>

<sup>64</sup> The report of the independent Farming Regulation Task Force, Striking a balance: reducing burdens; increasing responsibility; earning recognition:  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/69201/pb13527-farm-reg-task-report.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69201/pb13527-farm-reg-task-report.pdf)

<sup>65</sup> Defra, Press release, Animal health and welfare budgets devolved, 14 March 2011 at  
<https://www.gov.uk/government/news/animal-health-and-welfare-budgets-devolved>



worked to seek revisions of the killing section with respect to the development of systems for humane killing of poultry for disease control purposes. The Chief Veterinary Officer also reported that the UK's team shared its expertise on killing methods for disease control at the OIE's European regional meeting and at the most recent 3<sup>rd</sup> OIE international conference in animal welfare. To promote animal welfare globally the Department for Environment, Food and Rural Affairs assisted in providing training in welfare science and legislation to the veterinary services and non-government organisations of ten non-European Union countries and contributed to the European Union's Better Training for Safer Food programme, on welfare during transport, for veterinarians in the Union and many third countries in Africa, Asia and South America. Government websites highlight a working relationship with the OIE.<sup>66</sup>

**Part 2: Assessment**

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The various government departments responsible for animal health and welfare provide guidance and advice to animal keepers and owners, for example, there are Codes of Practice on the transport of animals as well as on farm animal welfare.<sup>67</sup> The guiding principles of the OIE and the eleven standards are being implemented in the UK. The Department for Environment, Food and Rural Affairs advises on its website that it is working with the OIE, and working with the OIE also features in information produced by the department's Animal and Plant Health Agency, particularly with respect to animal disease.

Are there economic and societal barriers to improving this aspect of animal welfare?

There are not considered to be any barriers to the UK government working in partnership with the OIE to improve animal welfare. The government has demonstrated that it is active in international fora to improve animal welfare and has committed resources to doing so.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

**7. The government has incorporated the OIE's guiding principles for animal welfare and its animal welfare standards into policy and legislation**

**Ranking: B**

**Part 1: Verification**

There is legislation

The Department for Environment, Food and Rural Affairs and the relevant devolved governmental departments act in accordance with the guiding principles of the OIE and there is relevant policy and legislation.

<sup>66</sup> <https://www.gov.uk/government/policies/protecting-animal-welfare#who-were-working-with>

<sup>67</sup> <https://www.gov.uk/government/policies/protecting-animal-welfare/supporting-pages/animal-welfare-in-transport>

All eight points of the OIE's Guiding Principles for Animal Welfare are incorporated by legislation including: the Animal Welfare Act 2006, the Animal Health and Welfare Act 2006 (Scotland) and the Welfare of Animals Act (Northern Ireland) 2011. All eleven OIE standards are covered; some appear in legislation such as the Animals (Scientific Procedures) Act 1986 and the Welfare of Farmed Animals (England) Regulations 2007, and others are covered by the Codes of Practice which have quasi-statutory authority.

**Part 2: Assessment**

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

The UK government is an international leader on animal welfare. The government has assigned responsibility for animal welfare at high levels and provided resources to improve animal welfare and to fulfil its commitments with respect to the European Union and the OIE. The OIE's guiding principles are founded on the Five Freedoms, which were developed in 1979 by the Farm Animal Welfare Council (now the Farm Animal Welfare Committee), an advisory body to the UK government.

Are there economic and societal barriers to improving this aspect of animal welfare?

There do not appear to be any barriers to the UK continuing to improve animal welfare. The country scores highly on World Governance Indicators and has a solid foundation and a long history for continuing to improve animal welfare and for providing international leadership in this area.

Are enforcement mechanisms in place in policy and legislation?

There are enforcement mechanisms for the UK's legislation for all categories of animals. This legislation incorporates the OIE's guiding principles and standards and there is evidence of welfare surveillance, reporting, licensing, guidance provision and prosecutions.

**8. The government publishes reports on progress towards goals set to monitor and improve standards of animal welfare**

**Ranking: C**

**Part 1: Verification**

There is policy

The current UK Coalition Agreement outlines commitments on animal welfare and reports on progress against these commitments have been published, including by the Home Office with respect to reducing the number of animals used in scientific research.<sup>68</sup> The government's own midterm review published in 2013 did not report against its commitments on animal welfare, referring to animal health only. However, the midterm review advised that the government had

<sup>68</sup> Home Office, Animals in Science Regulation Unit Annual Report 2012 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/212449/asru-annual-report-2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212449/asru-annual-report-2012.pdf)

published the National Ecosystem Assessment, the Natural Environment White Paper and the Biodiversity Strategy, setting out the government's plans for protecting ecosystems, wildlife and natural habitats.<sup>69</sup>

The 2004 Animal Health and Welfare Strategy for Great Britain set out strategic aims and objectives for all animals for ten years and it would therefore be possible to compare the commitments against government activity reports.<sup>70</sup> In 2010 Northern Ireland agreed an all-island animal health and welfare strategy for Ireland that has a livestock health focus.<sup>71</sup>

The Animal and Plant Health Agency, an executive agency working on behalf of the Department for Environment, Food & Rural Affairs, Scottish government and Welsh government publishes reports on its activities including surveillance and inspection.

The Department for Environment, Food and Rural Affairs and the devolved departments responsible for animal welfare publish reports on many activity areas affecting animal welfare, as do the various advisory committees, for example, the Farm Animal Welfare Committee. The Animal Health and Welfare Board for England published its first annual report in April 2013.<sup>72</sup>

In February 2014 the UK government published its Delivery Plan to reduce the number of animals used in scientific research. The plan was developed in collaboration between the Home Office Animals in Science Regulation Unit, the Department for Business, Innovation and Skills and the Government Office for Science, and involved a large number of stakeholder organisations including the National Centre for the Replacement, Refinement and Reduction of Animals in Research as well as experts from academia, research councils and government advisory committees.<sup>73</sup>

The Scottish government has reported on prosecutions under the Animal Health and Welfare (Scotland) Act 2006.<sup>74</sup> The Northern Ireland government has also reported on prosecutions under its Act.<sup>75</sup>

## Part 2: Assessment

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

There is a great deal of animal welfare activity in the UK. The UK government and its advisory bodies publish excellent reports, invest in research and make valuable recommendations. However, it is difficult to find a coordinated report for the UK that summarises the progress that is being made and that highlights the resources available to assist others. The devolved nature of animal protection in the UK adds to this problem.

It is recommended that the UK government produces coordinated overview reports that can serve as

<sup>69</sup> <https://www.gov.uk/government/publications/the-coalition-government-mid-term-review>

<sup>70</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/192951/animal-health-welfare-strategy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/192951/animal-health-welfare-strategy.pdf)

<sup>71</sup> <http://www.agriculture.gov.ie/animalhealthwelfare/allislandanimalhealthandwelfarestrategy/>

<sup>72</sup> <http://www.defra.gov.uk/ahwbe/files/ahwbeannualreport-12-13.pdf>

<sup>73</sup> The Home Office, Department for Business, Innovation and Skills and Department of Health, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/277942/bis-14-589-working-to-reduce-the-use-of\\_animals-in-research.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/277942/bis-14-589-working-to-reduce-the-use-of_animals-in-research.pdf)

<sup>74</sup> For example, in Scotland: <http://www.scotland.gov.uk/Publications/2013/09/2382/3>

<sup>75</sup> Northern Ireland Assembly Written Answers Booklet, 05.02.14 at

<http://aims.niassembly.gov.uk/questions/printquestionssummary.aspx?docid=187937>

models of best practice. It may be that the UK is already heading in this direction. In a recent policy paper outlining its plans to further build the evidence base for animal welfare, the Department for Environment, Food and Rural Affairs described animal welfare as a public good but advised there was limited understanding of the value it creates for UK society. The department highlighted how many policies such as climate change mitigation, livestock intensification and improved food security all have the potential to affect animal welfare and that robust welfare evidence is needed to underpin government policy.<sup>76</sup>

**Are there economic and societal barriers to improving this aspect of animal welfare?**

A great many reports on animal welfare are already published by the UK government and its advisory bodies, and given political will there are no perceivable barriers to introducing further reports on the animal welfare goals that have been set and the progress being made, and using this as a tool to improve animal welfare.

**Are enforcement mechanisms in place in policy and legislation?**

There are clear policy commitments to reporting on progress towards animal welfare goals, providing some degree of accountability.

## Goal 4: Provision of humane education

### 9. Animal care and protection are included in the national education system

**Ranking: F**

#### Part 1: Verification

**There is no policy or legislation**

Various subject areas within the national curricula of England, Scotland, Wales and Northern Ireland do give schools and teachers opportunities to introduce the issue of animal care and protection should they wish to do so, and resources are available from animal welfare and industry bodies. However, animal protection is not a formal part of the UK's education system with a few isolated exceptions, for example, Education Scotland's National Qualification in Higher Sciences website includes animal welfare in the Scottish Qualification Authorities topic content for Biology.<sup>77</sup> In 2013, in response to a call from animal protection organisations for the basic needs of animals covered under the Animal Welfare Act 2006 to be included within the national curriculum<sup>78</sup>, the Minister of State responsible for education advised in a letter that it was not appropriate to do so within the

<sup>76</sup> Defra, Animal Welfare Evidence Plan 2013/14 - 2017/18, March 2013 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/221082/pb13904-evidenceplan-animal-welfare.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221082/pb13904-evidenceplan-animal-welfare.pdf)

<sup>77</sup> <http://www.educationscotland.gov.uk/highersciences/biology/unitthree/scienceoffood/topicdetails.asp>

<sup>78</sup> House of Lords, Grand Committee, Motion on the National Curriculum, 26 March 2013: <http://www.publications.parliament.uk/pa/ld201213/ldhansrd/text/130326-gc0001.htm>

topic of science but said that the government fully expects teachers to consider tacking issues of social and environmental importance including animal welfare.<sup>79</sup>  
 In 2011 the advisory body the Farm Animal Welfare Committee published a report "Education, Communication and Knowledge Application in Relation to Farm Animal Welfare" that advised that at present farm animal welfare receives only limited attention in schools and recommended that any revisions of the national curricula in England, Scotland and Wales should include ensuring that school pupils, in an age-appropriate manner, "learn about where our food comes from and about how farm animals are - and should be - treated".<sup>80</sup>

**Part 2: Assessment**

Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?

There is evidence that some schools and teachers are choosing to introduce animal protection issues to the classroom. The RSPCA uses the proportion of UK schools that incorporate animal welfare into the curriculum as an indicator of the UK's performance on animal welfare. Its 2009 survey, based on replies received from 564 schools, found that 92% of schools provided at least one lesson about animal welfare.<sup>81</sup>

Are there economic and societal barriers to improving this aspect of animal welfare?

There are frequent revisions of the national curricula and there are education websites for each of the relevant government departments of England, Northern Ireland, Scotland and Wales. A range of educational resources is already produced by both industry and NGOs on a range of issues concerning animals. However the national curriculum for England was recently revised and there was significant activity by charities, MPs and Members of the House of Lords asking for the curriculum to include the basic needs of animals in accordance with the Animal Welfare Act 2006, but this was unsuccessful. This suggests that there may be barriers to improvement here.

Are enforcement mechanisms in place in policy and legislation?

There are no enforcement mechanisms relevant to this indicator.

**Goal 5: Communication and awareness**

**10. The government works with others to improve animal protection by consulting and engaging relevant stakeholders, including NGOs**

<sup>79</sup>Gove, Michael, Secretary of State letter, dated 19 April 2013,

<http://www.hugoswire.org.uk/sites/www.hugoswire.org.uk/files/animalwelfarecurriculum.pdf>

<sup>80</sup> Farm Animal Welfare Committee, Education, Communication and Knowledge Application in Relation to Farm Animal Welfare, December 2011 <http://www.defra.gov.uk/fawc/files/Report-on-Education-Communication-and-Knowledge-Application-in-Relation-to-Farm-Animal-Welfare.pdf>

<sup>81</sup> RSPCA, The welfare state: Five years measuring animal welfare in the UK 2005 - 2009,

<http://content.www.rspca.org.uk/cmsprd/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobnocache=false&blobtable=MungoBlobs&blobwhere=1233025713089&ssbinary=true>

**Ranking: A**

<b>Part 1: Verification</b>
<b>There is legislation</b>
<p>There are requirements set out in legislation for consultation of various stakeholders. These include requirements under the Animal Welfare Act 2006 for the government to consult “such persons appearing to the authority to represent any interests concerned as the authority considers appropriate” before making secondary regulations on various issues (for example, on exemptions to the prohibition on mutilations, section 5), and for the Secretary of State to consult the same persons about the draft of new codes of practice (section 15). Similar provisions exist in the Animal Health and Welfare (Scotland) Act 2006 and the Welfare of Animals Act (Northern Ireland) 2011. It could be beneficial if this were to be explicitly stated to include animal welfare representatives.</p> <p>The UK government has established advisory bodies that include a wide range of stakeholders interested in promoting the health and welfare of animals. These bodies include, for example, the Animals in Science Committee (formerly the Animal Procedures Committee), the Farm Animal Welfare Committee (formerly the Farm Animal Welfare Council), the Companion Animal Welfare Sector Council and the Zoos Expert Committee (formerly the Zoos Forum). Members on these committees include individuals with links to NGOs. Government departments also work with NGOs.</p> <p>Animal Health and Welfare Frameworks led by the Animal and Plant Health Agency, an executive agency of the Department for Environment, Food and Rural Affairs, aimed at implementing strategic animal health and welfare commitments, have at their basis partnership working with local authorities, professional societies, prosecutors, police and government.<sup>82</sup></p>

<b>Part 2: Assessment</b>
<b>Are policy and legal provisions effective in acknowledging animal welfare as a mainstream concern?</b>
<p>The governments of England, Northern Ireland, Scotland and Wales have all demonstrated instances of consulting a wide range of stakeholders on animal welfare issues. The Department for Environment, Food and Rural Affairs established The Animal Health and Welfare Board for England to bring the stakeholders most affected by policy decisions directly into the policy making framework, heralding this as putting the decisions into the hands of those doing the work on the ground.<sup>83</sup> The Board came into existence following a review into responsibility and cost sharing.<sup>84</sup></p> <p>In January 2014 the Welsh government advised on its website that it is working on the development of a new Animal Health and Welfare Framework for Wales to replace the Great Britain Animal Health and Welfare Strategy. The government highlighted its intention to develop the framework to ensure continued partnership working between government and industry stakeholders.<sup>85</sup></p> <p>The government announced in 2014 that under its Red Tape Challenge the codes of practice for</p>

<sup>82</sup> <http://www.scotland.gov.uk/Resource/0043/00438852.pdf>

<sup>83</sup> <https://www.gov.uk/government/news/sharing-responsibility-for-animal-health-and-welfare-policy>

<sup>84</sup> <http://archive.defra.gov.uk/foodfarm/policy/animalhealth/sharing/pdf/rcsag-report101213.pdf>

<sup>85</sup> <http://wales.gov.uk/topics/environmentcountryside/ahw/wales-animal-health-welfare>

laying hens, pigs, cattle, rabbits, deer, sheep, ducks, goats, turkeys, meat and breeding chickens in England would be replaced with guidance developed by industry and thus involving consultation with one branch of stakeholders, although it is at present unclear whether this will be positive for animal welfare or whether it may detract from the current level of protection and detail.<sup>86</sup> It could be beneficial if this consultation could also include animal welfare representatives.

**Are there economic and societal barriers to improving this aspect of animal welfare?**

There are no significant barriers relating to this indicator. Relevant government bodies have clear assignment of animal protection responsibilities and it is possible for stakeholders to make approaches to discuss issues of interest. Animal welfare is included amongst the priorities of the UK Coalition Government and there are a number of stakeholder bodies. There is also a stated intention to work with stakeholders and to involve them in the development and implementation of policy.

**Are enforcement mechanisms in place in policy and legislation?**

Engagement between government and stakeholders is driven by the need to fulfil legislative and policy commitment. Some consultation takes place as a direct result of legislative mandate, and some stakeholder bodies such as the Animals in Science Committee have been formed as a result of legislative requirements.

**Publication: November 2014**

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<sup>86</sup> Defra, Red Tape Challenge Agriculture Theme Proposals, January 2014 at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/275742/redtape-challenge-agriculture-proposals.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/275742/redtape-challenge-agriculture-proposals.pdf)

## United Kingdom of Great Britain and Northern Ireland: Socioeconomic information

### Politics

Where not otherwise noted, information for this section has been sourced from the Economist Intelligence Unit's (EIU) country profiles.

#### Government type

Constitutional monarchy

#### Capital

London

#### International law organisation<sup>87 88</sup>

Accepts ICJ and ICC jurisdiction

#### Suffrage<sup>89</sup>

18

#### Legal system

Based on statute and common law

#### Executive branch

Head of state: Queen Elizabeth II

Prime ministers: David Cameron

#### Judicial branch

The Supreme Court is at the apex of the court structure in the UK<sup>90</sup>. There are 12 Justices in

the Supreme Court, including the President and Deputy-President<sup>91</sup>. The Justices are appointed through a selection commission convened by the Lord Chancellor<sup>92</sup>.

#### Legislative branch

The United Kingdom has a bicameral parliament consisting of the House of Commons, the lower house, with 650 members, and the upper house, the House of Lords, with approximately 750 members. Elections take place every five years.

#### Political parties

Conservative Party, Labour Party, Liberal Democrats

### Economics

Where not otherwise noted, information for this section has been sourced from the World Bank.

The main driver of growth in the UK economy is currently private consumption and the construction industry<sup>93</sup>. Although the economy

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<sup>87</sup>

[http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&mtdsg\\_no=XVIII-10&chapter=18&lang=en#11](http://treaties.un.org/Pages/ViewDetails.aspx?src=TR&EATY&mtdsg_no=XVIII-10&chapter=18&lang=en#11)

<sup>88</sup> <http://www.icj-cij.org/jurisdiction/index.php?p1=5&p2=1&p3=3>

<sup>89</sup> <http://aceproject.org/epic-en/CDTable?question=VR001#g>

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<sup>90</sup>

[http://www.judiciary.gov.uk/Resources/JCO/Images/Layout/courts\\_structure.pdf](http://www.judiciary.gov.uk/Resources/JCO/Images/Layout/courts_structure.pdf)

<sup>91</sup> <http://www.supremecourt.uk/about/the-supreme-court.html>

<sup>92</sup> <http://www.supremecourt.uk/docs/appointments-of-justices.pdf>

<sup>93</sup> <http://coface.com/Economic-Studies-and-Country-Risks/United-Kingdom>



is currently in recovery, with “fiscal cuts looming and unemployment stubbornly high, the rate of growth will be fairly tepid by historical standards”<sup>94</sup>. As Europe and the UK’s main trading partners’ economies improve, it is expected that exports will perform well in 2014<sup>95</sup>. Domestically, social security contributions will be cut while corporation tax will be reduced by a percentage point to 23%<sup>96</sup>. Households are also expected to see a rise in real wages in 2014 as historically low interest rates continue into 2014 and confidence increases, linked to the soaring house market<sup>97</sup>. In the longer term, growth will depend on increasing productivity levels, which remains low compared to the US, Germany and France. The EIU forecasts the growth rate of real GDP to average out at 1.7% for the period 2012-30<sup>98</sup>.

#### Main trading partners (2012)<sup>99</sup>

##### Import

Germany - 12.9%

China - 7.8%

Netherlands - 7.7%

##### Export

US - 13.7%

Germany - 10.7%

Netherlands - 8.3%

<sup>94</sup> <http://www.businessmonitor.com/united-kingdom##>

<sup>95</sup> <http://coface.com/Economic-Studies-and-Country-Risks/United-Kingdom>

<sup>96</sup> <http://coface.com/Economic-Studies-and-Country-Risks/United-Kingdom>

<sup>97</sup> <http://coface.com/Economic-Studies-and-Country-Risks/United-Kingdom>

<sup>98</sup>

<http://country.eiu.com/article.aspx?articleid=450589029&Country=UK&topic=Economy&subtopic=Long-term+outlook&subsubtopic=Summary>

<sup>99</sup><http://country.eiu.com/article.aspx?articleid=1951430179&Country=UK&topic=Summary&subtopic=Fact+sheet>

#### Commodities (2012)<sup>100</sup>

##### Imports

Electrical machinery - 12.5%

Mechanical machinery - 8.4%

Crude oil - 7.3%

##### Exports

Mechanical machinery - 13.1%

Electrical machinery - 8.1%

Pharmaceutical products - 7.8%

#### GDP (current USD, 2012)

\$2,435,173,775,671

#### GDP per capita, PPP (2012)

\$36,901

#### Labour force, total (2012)

32,029,363.00

#### Currency

Pound

#### Equivalence to 1 USD

0.6375

#### Central government debt, total, (% of GDP, 2011)

101.2

#### Manufacturing, value added (% of GDP, 2012)

11 (2010)

#### Agriculture, value added (% of GDP, 2012)

1 (2010)

#### Industry, value added (% of GDP, 2012)

<sup>100</sup><http://country.eiu.com/article.aspx?articleid=1951430179&Country=UK&topic=Summary&subtopic=Fact+sheet>

22 (2010)

Exports (% of GDP) (2012)

32

Imports (% of GDP) (2012)

34

Services, etc., value added (% of GDP) (2012)

78 (2010)

Unemployment rate, (% 2011)

7.8

Education expenditure (% of GDP, 2012)

5.6 (2009)

Adjusted savings: Education expenditure USD (2011)

127,068,279,520

Population growth, annual % (2012)

0.8

Population: ages 0-14 (% of total) (2012)

18

Population: ages 15-64 (% of total) (2012)

65

Population: ages 65 and over (% of total) (2012)

17

Population living in rural areas (% of total) (2012)

20

Population living in urban areas (% of total) (2012)

80

## Society

Where not otherwise noted, information for this section has been sourced from the World Bank.

Total population (2012)

63,227,526

## Religion

Christian (71.1%), Unaffiliated (21.3%), Muslim (4.4%), Hindu (1.3%), Other religions (0.8%), Jewish (0.5%), Buddhist (0.4%), Folk religions (0.3%)

## Languages

English. Welsh is also spoken in Wales, and Gaelic in parts of Scotland<sup>101</sup>

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<sup>101</sup><http://country.eiu.com/article.aspx?articleid=1010904285&Country=UK&topic=Summary&subtopic=Basic+data>

