



RSPCA Rolling Briefing

Rural Affairs, North Wales & Trefnydd

Questions

Questions to the Minister for Rural Affairs, North Wales & Trefnydd

Date of Questions:	Tabled By:
13 October 2021	3.30pm on 6 October 2021

Recent Animal Welfare Updates

Sanctuary and rescue centre regulation is long overdue in Wales. Just over a year since the Welsh Government published a voluntary Code of Practice for Animal Welfare Establishments in September 2020, RSPCA Cymru is renewing its calls for the statutory regulation of sanctuaries and rescue centres in Wales. Unlike establishments such as riding schools, dog breeders and cat boarders, sanctuaries and rescues are not currently subject to regulation, which essentially means that any member of the public can set one up, regardless as to whether they have the skills or resources needed to care for vulnerable animals. Following several high-profile cases of mismanaged sanctuaries in Wales leading to the welfare of the animals within them being severely compromised, legislation is needed to ensure that these animals are given the legal protection they need and deserve.

Wales still has more to do on dog welfare. With the first month anniversary of the introduction of LAIAR (Licencing of Activities Involving Animals (Wales) Regulations) fast approaching, we are calling for dog welfare to remain high on the Welsh Government's agenda. Welsh Government consultations have recently concluded concerning local government enforcement of this new pet sales licensing, and on updates to Wales' dog breeding guidance. With regards to dog breeding establishments, we remain concerned that many of the 55 recommendations made by the Wales Animal Health and Welfare Framework Group (WAHWFG) last year have not been taken into consideration - despite the obvious welfare benefits they would help secure for dogs in Wales. Additionally, questions remain about whether local authorities feel fully equipped to enforce this new legislation; and whether a potentially troubling loophole around profitable 'hobby breeders' - potentially exempt from both LAIAR and Wales' dog breeding law - needs addressing.

Agriculture (Wales) Bill provides important opportunities for animal welfare. Last month, the Welsh Government published its [policy response](#) to the Agriculture (Wales) Bill's White Paper, which included an update on the expected timetable for the Bill. This Bill provides us with the biggest opportunity for farm animal welfare since the onset of devolution - by rewarding farmers who prioritise high welfare products and incentivise more to do the same. Positively, within the policy response, it was also announced that the Welsh Government will also look to use the Bill to ban glue traps as well as snares, following campaigning by the RSPCA. We now seek assurances that animal welfare and sentience will be given due consideration throughout the co-design process of the Sustainable Farming Scheme to ensure that it will be beneficial for both people and animals.

More clarification is needed on Wales' powers on gene editing. Towards the end of September, the UK Government announced that it will ease its current rules to allow gene-edited crops to be tested and assessed in England. While the Welsh Government has said that it will maintain its 'precautionary approach towards genetic modification', RSPCA Cymru is concerned that the effects of the Internal Markets Act will leave Wales in a difficult position when it comes to refusing genetically-modified products, which could - though not yet - potentially extend to livestock in the future. We believe that relaxing regulations on genetically modified livestock would be a huge step backwards for animal welfare and would also jeopardise ethical consumer choices. We urge the Welsh Government to seek clarification on how the Internal Markets Act affects their current stance and wishes on gene-editing to ensure that we are not left with no choice but to accept and sell low-welfare genetically-modified animal products in future, should the UK Government ultimately ease restrictions around permitting gene-edited livestock in England in the future.

Sanctuary and rescue centre regulation

On 18 September 2020 - just over one year ago - the Welsh Government introduced its [voluntary Code of Practice for Animal Welfare Establishments \(AWEs\)](#) such as rescue centres and sanctuaries. While this was a very important step forward, one year on, we are still seeing high-profile cases of sanctuary mismanagement negatively impacting the welfare of the vulnerable animals within these settings. Because of this, RSPCA Cymru is renewing its calls for the regulation of these establishments in Wales to offer legal protection to the animals inside Wales' estimated 90 sanctuaries.

As it stands, anyone can set up a sanctuary or rescue centre in Wales, regardless as to whether they have the experience, funding or resources needed to run a successful establishment. While sanctuaries often do invaluable work to rehabilitate and rehome animals, a lack of safeguards exist to protect the welfare of animals in these settings, which can be set up with no inspection or a legal requirement for strong welfare standards and contingency plans to be put in place. In the past decade, the RSPCA has taken over ten prosecutions due to inadequate care in sanctuaries, with at least two of these having been in Wales.

Under current legislation, riding schools, dog breeders and cat boarders are all, rightly, subject to regulation and we believe it is time for sanctuaries and rescue centres to join this list. While the Welsh Government has previously confirmed its intention to extend its Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 in the future to include licensing for other animal welfare sectors - including AWEs¹, we have no timetable for this as it stands. Defra is expected to announce its consultation on sanctuaries in England in October.

Like many other establishments, animal sanctuaries and rescue centres were significantly impacted by the effects of the Covid-19 pandemic at its height, with some experiencing a 90% drop in income². RSPCA was one of the major rescues who budgeted for a 33% drop in income in 2020³ due to lack of opportunities for public fundraising such as events, street and door-to-door-activities. As well as impacting the day-to-day income and running of establishments with visitors unable to attend during lockdowns and staff needing to isolate if they contract the virus, it is possible the ongoing effects of the pandemic could lead to a rise in animal abandonments, if owners find themselves struggling to find the time and/or the money their pets need. This would inevitably put even more pressure on rescue centres, with many already struggling for space and resources as it is.

As the long-term impacts of the pandemic remain to be seen, it is more important than ever that sanctuaries have robust contingency plans in place to ensure that the welfare of the animals within their care is not compromised. Making this a legal requirement - as part of a regulatory approach - could go a long way towards ensuring this, while the need for inspection could help make sure that high-profile cases we have seen in Wales in recent years do not happen again.

Questions to consider:

- 1. Can the Minister make a statement on the Welsh Government's intention to regulate animal welfare establishments in the near future as part of an extension to the LAIAR regulations, and what the proposed timetable is for this?**
- 2. Can the Minister confirm if any assessment has been made with regards to the success of the Welsh Government's voluntary Code of Practice for Animal Welfare Establishments to date, and how this success is being monitored?**
- 3. What conversations has the Minister had with the animal welfare sector with regards to the regulation of sanctuaries and rescue centres in Wales, and what evidence would the Welsh Government like to see to consider making the regulation of sanctuaries a priority?**

¹ Welsh Parliament, Written Question - WQ83069, tabled 28 July 2021

² Coronavirus: Animal shelters facing closure as COVID-19 leads to '90% drop in income' - Sky News

³ RSPCA response - impact of the Covid-19 pandemic on animal welfare in Wales, December 2020

Dog welfare

Since 10 September, Wales' 22 local authorities have been responsible for implementing the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 (LAIAR), despite guidance on the implementation of these regulations still making its way through the consultation process. Under the new law, anyone who wants to sell pets in Wales has to meet minimum animal welfare standards for the first time, with a new licensing scheme introduced for pet sellers. Puppies or kittens under six months of age not bred by the licence holder cannot be sold - unless by a legitimate rescue centre. The law also states that puppies, kittens, ferrets or rabbits cannot be sold until they are at least eight weeks of age - while local authorities will need to provide more data about the numbers of licenced premises; ensuring increased understanding of the animal welfare picture.

In recent weeks, two consultations related to dog welfare have closed - one on updated guidance linked to Wales' 2014 dog breeding regulations, and another on LAIAR 2021's guidance. While the LAIAR guidance is generally welcome, the RSPCA fears that guidance on 'hobby breeders' will open up a significant loophole, where breeders of many different animals - including high-value dog breeds - can remain unlicensed and uninspected, exempt both from LAIAR and - if breeding fewer than three litters - Wales' 2014 dog breeding regulations. The guidance makes note of the "infrequent sale of ... surplus offspring/excess stock" by hobby breeders being out-of-scope for regulation; but this could still prove a highly profitable activity. The nature of sales, often via closed online groups or at breeder meetings and markets, will also make a thorough economic assessment incredibly difficult. Licensing officers are also being asked to make a judgement about the 'intent' and 'motive' of the breeder. This area needs additional clarification so licensing officers are best placed to make decisions that adequately protect animals.

It is welcome that the Welsh Government intends to further develop LAIAR in the coming years "with additional schedules to include other activities involving animals"⁴ - and this intention offers a clear route to further improve dog welfare over the sixth Senedd term. It is hoped the Welsh Government will use this momentum to introduce specific licensing regimes for the likes of sanctuaries, animal exhibitions, greyhound racing, dog walking and other activities in a single, easily-accessible law. Nevertheless, the ongoing existence of separate regulations for the breeding of dogs, namely the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, works contrary to this objective. RSPCA Cymru believes it would reduce complexity to streamline these pieces of law together; potentially updating the 2014 dog breeding regulations and bringing them under LAIAR.

A consultation on updated dog breeding guidance closed on 17 September. RSPCA Cymru called for the Welsh Government to revisit the recommendations made by the Wales Animal Health and Welfare Framework Group (WAHWFG) which covered issues such as amending the controversial minimum staff-to-dog ratio and a national database of breeders. Unfortunately, it appears many of these recommendations will not be taken forward - something we would like the Welsh Government to urgently reconsider, as part of a wider roadmap for improving dog and puppy welfare. Indeed, only 189 additional words were added to the guidance during its latest stage - and there is no support from Welsh Government for revising guidance around suitable accommodation and exercise provision for puppies. There is also no new emphasis on placing renewed focus on outcomes for socialisation and enrichment; nor any plans for the Welsh Government to provide templates to record the demonstration of each socialisation or enrichment activity during the inspection. It is also unclear whether recommendations for unannounced inspections, twice annual inspections and a scores-on-the-doors system for establishments will be positively considered by the Welsh Government; given the absence from the new guidance on these, too.

Questions to consider:

- 1. With final guidance for local authorities on the recently introduced Licencing of Activities Involving Animals (Wales) Regulations still unpublished as it stands, how is the Welsh Government providing support to local authorities enforcers in the interim?**
- 2. Given the scale of the WAHWFG review into Wales' dog breeding law, does the Minister have any plans to revisit and implement the 55 recommendations made by the Framework Group with regards to this legislation?**
- 3. Does the Welsh Government intend to rectify the current inconsistencies that remain between LAIAR and Wales' dog breeding regulations by streamlining these pieces of law together?**

⁴ Letter from the Minister for Rural Affairs and North Wales, and Trefnydd to Luke Fletcher MS, 21 September 202

Agriculture (Wales) Bill

The Agriculture (Wales) Bill will offer the biggest opportunity in the history of devolution to further farm animal welfare. The Bill will set the framework for Wales' post-Brexit farm payments scheme, with both RSPCA Cymru and the general public strongly supporting incentivising farmers to deliver high animal welfare on their farms as part of any new funding package. Recent polling by the RSPCA found that 82 percent of people surveyed support farmers receiving subsidies to improve animal welfare⁵, with a further 80 percent of adults in Wales saying the welfare standards of the animals reared is important in their purchasing decisions, during a recent Eurobarometer survey⁶. Furthermore, the Eurobarometer surveys highlighted that 62 percent of the British public do not feel animal welfare receives adequate importance in UK food policy⁷, while 72 percent would pay more for products from animal welfare-friendly production systems⁸.

Late last month, the Welsh Government published its [policy response](#) to the Agriculture (Wales) Bill's White Paper, which included an update on the expected timetable. A draft of the Sustainable Farming Scheme will be published next year, with farmers and other stakeholders having an opportunity to co-design the scheme. RSPCA Cymru intends to take part in the co-design process to discover how animal welfare can be included within the scheme, and how farmers could be incentivised to produce higher welfare products. We're also looking at how any changes to minimum standards would correlate with any UK Government post-Brexit trade deals, as urging Welsh farmers to adhere to higher welfare standards, while importing lower welfare/cheaper products from other countries could prove problematic. As it stands, the Bill is expected to get Royal Assent in 2023 and the new payment scheme is not due to be rolled out until 2025 - and it is vital that animal welfare is at the heart of the Sustainable Farming Scheme.

Within the policy response, it was also confirmed by the Welsh Government that the Agriculture (Wales) Bill will be used as a vehicle to ban glue traps, alongside pre-existing plans to ban snares. This is particularly exciting as this is the first time this commitment has been made with regards to glue traps. RSPCA Cymru has long highlighted the need for the Agriculture (Wales) Bill to, in addition to a ban on snares, to "explore Wales' regulation of the trapping regime as a whole"⁹; so the ban on glue traps is very welcome - and also follows two Members of the Senedd tabling legislative proposals to ban glue traps into the recent Member ballot, as part of the RSPCA's #LawsForPaws campaign¹⁰.

These developments come at a time when big question marks remain over how future Welsh Government policy will be scrutinised for its impact on animal sentience; given the progression of the UK Government's Animal Sentience Bill, which will mean all UK Government policy will be scrutinised by a Committee for its impact on animal welfare and sentient beings - but devolved policy will not; potentially creating a scrutiny deficit for animals. Given this, creating a framework where farmers will be recognised and incentivised for delivering the highest welfare standards, will help ensure animal sentience is at the heart of agricultural decision-making in Wales.

Questions to consider:

- 1. How does the Welsh Government intend to incentivise Welsh farmers to produce higher welfare products while the threat of cheaper, low-welfare imports through non-devolved trade and co-operation agreements remains prevalent?**
- 2. Can the Minister make a statement on how much consideration will be given to animal welfare and sentience during the co-designing process of the Sustainable Farming Scheme next summer?**
- 3. Will plans to ban the use of snares and glue traps in Wales come into place as soon as the Agriculture (Wales) Bill receives Royal Assent?**

⁵ RSPCA Report – Into the fold: Targeted financial support to improve farm animal welfare.

⁶ YouGov Plc. Total sample size was 1,001 Welsh adults (aged 18+). Fieldwork was undertaken between 4–8 September 2014. The survey was carried out online. The figures have been weighted and are representative of all Welsh adults (aged 18+)

⁷ European Commission, 2005. Eurobarometer – Attitudes of consumers towards the welfare of farmed animals Q12

⁸ European Commission, 2016. Attitudes of Europeans towards animal welfare. Special Eurobarometer 442.

⁹ RSPCA Cymru briefing - The use of snares in Wales - RSPCA Cymru update for Welsh Government / CCERA, November 2020

¹⁰ RSPCA news - RSPCA Cymru celebrates campaign success as Welsh Govt announce glue trap ban, 29 September 2021

Gene editing

The UK Government recently announced that it will ease its current rules to allow gene-edited crops to be tested and assessed in England - and it remains unclear whether rules will also be relaxed to permit gene-edited livestock in the future too, given potentially excluding genome edited farm animals from the definition of Genetically Modified Organisms (GMOs) was a focus of a recent Defra consultation. Positively, the Welsh Government confirmed last week that it will maintain its "precautionary approach towards genetic modification"¹¹, while Welsh Ministers have also acknowledged "considerable debate in the scientific community"¹². RSPCA Cymru hopes the Welsh Government will continue to adopt a robust stance against genetic editing, and continue to oppose any plans to exclude gene-edited farm animals from the definition of Genetically Modified Organisms (GMOs), which would allow these products to be freely sold to potentially unsuspecting consumers. The RSPCA has serious animal welfare and ethical concerns about the gene editing of livestock.

Genome editing (GE) is a group of technologies that enable an organism's genetic material (DNA) to be directly manipulated, for example by adding, removing or 'splicing' (breaking and joining) genetic material at particular locations. Gene editing animals is not the same as natural selection through breeding, because it enables instant and significant changes to the genome. With regards to its implications, gene editing can have unpredictable effects and we currently have no history of its use to show how stable the changes made are in the long term. The RSPCA is particularly concerned that the use of GE technologies threatens to push farmed animals even further towards, or further beyond, their biological limits and that animals could suffer.

RSPCA Cymru believes current regulations on GMOs are there to ensure a high level of protection for both human health and animal welfare and that they provide important safeguards and should not be relaxed - so it is welcome that the Welsh Government has adopted a precautionary stance to date. Indeed, there are alternative approaches already available to achieve the proposed objectives of genetic technologies e.g. better animal husbandry and veterinary treatment and reducing food waste. There is also great public concern and uncertainty around GE, with legitimate concerns about 'naturalness'.

If the UK Government does extend on its plans for gene-edited crops in the future by allowing the gene editing of farm animals in England too, there are fears the Welsh Government would be powerless to stop them appearing in shops in Wales due to new rules under the UK Internal Market Act - and this GE produce may not even need to be labelled. RSPCA Cymru fear this could have damaging consequences for consumer choice and animal welfare; and could make it very difficult in Wales for people to understand what they are eating, and where it came from - particularly if domestic legislation cannot stop GE foods coming across the border. While it is welcome that the UK Government has not announced post-consultation plans to permit gene-edited livestock, RSPCA Cymru hopes the Welsh Government will act as a strong voice against the practice; and - should rules be further eased in England in the future - consider what steps can be taken to stop unlabelled GE food from appearing on Wales' shelves, given the Internal Market Act.

Questions to consider:

- 1. Should the UK Government opt to allow gene-edited livestock in the future, how does the Welsh Government intend to ensure that Wales does not have to accept genetically-modified products including livestock in future, given the effects of the Internal Markets Act 2020?**
- 2. Does the Welsh Government have any plans to conduct its own research into the welfare risks associated with genetically-modified livestock?**
- 3. Can the Minister confirm whether the Welsh Government has had any conversations with the UK Government regarding genetically-modified livestock and if there are any plans for such discussions to take place?**

¹¹ BBC News - Gene-edited crops: 'No plans' to relax rules in Wales, 30 September 2021

¹² Welsh Government press office: Minister of Environment, Energy and Rural Affairs Lesley Griffiths: Genetic editing in agriculture, 7 January 2021

RSPCA Cymru incidents, July - September 2021

From July to September 2021, the RSPCA responded to 5,737 incidents across Wales - a 10 percent increase on the same time period last year; as Covid-19 restrictions significantly ease and people spend more time out and about. This marks an increased degree of normality on the frontline, after a decline in calls to the RSPCA's emergency line amid restrictions as people spent more time at home.

Local Authority	July - September 2021	July - September 2020
Blaenau Gwent	110	112
Bridgend	194	165
Caerphilly	283	206
Cardiff	685	575
Carmarthenshire	341	296
Ceredigion	121	126
Conwy	351	346
Denbighshire	315	258
Flintshire	223	233
Gwynedd	293	217
Isle of Anglesey	166	161
Merthyr Tydfil	109	74
Monmouthshire	125	113
Neath Port Talbot	286	256
Newport	298	320
Pembrokeshire	204	234
Powys	197	203
Rhondda Cynon Taff	310	240
Swansea	488	515
The Vale of Glamorgan	237	177
Torfaen	157	151
Wrexham	244	234
TOTAL	5,737	5,212

More information on the work of the RSPCA, and bespoke briefings on all of our campaigns can be found on the [PoliticalAnimal website](http://www.PoliticalAnimal.wales) - a dedicated resource for politicians and their staff. The news issue also features updates per Senedd region which may prove useful for supplementary questions.