

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

Date of Questions:	Tabled By:
25 May 2022	3.30pm on 18 May 2022

Recent Animal Welfare Updates

Wales welcomes new councils at a pivotal time for animal welfare. Following the recent local government election which took place on May 5, we now know who will be responsible for making decisions relevant to animal welfare on a local basis within each of Wales' 22 councils for the next four years. The influx of new councillors and council leaders comes at a particularly busy time for animal welfare at a Council level - given the anticipated introduction of new animal welfare legislation, with local authorities set to get additional duties which could include the licensing of animal exhibits and animal welfare establishments, along with the enforcement of CCTV in abattoirs, the compulsory microchipping for cats and more. The UK Government's Kept Animal Bill (KAB) could also see councils become responsible for enforcing bans on primate ownership and improvements to zoo regulations, as well as potentially tackling puppy smuggling and live exports, should the Senedd vote in favour of the proposed Legislative Consent Memorandum that would allow the provisions of the KAB to be applied to Wales. With the list of animal welfare legislation that will be enforced by local authorities set to grow in the near future, it is vital that the Welsh Government supports and collaborates with new authorities to ensure that they are appropriately equipped to enforce current and incoming animal welfare legislation as intended.

Local action for animals could help protect welfare. Ahead of the local elections, RSPCA Cymru launched a new document for cabinet members, councillors, enforcement officers and others in local government to support their animal welfare work. *Local Action for Animals* highlights the important role councils play in protecting the welfare of the animals in their areas while outlining what further initiatives they could take in the years ahead. 14 councils in Wales, including all in North Wales, have adopted the RSPCA's notice of motion on fireworks, aimed at boosting preparedness, public awareness and promoting alternatives, while all of Wales' 22 local authorities have banned the use of sky lanterns on council land. So far, four local authorities have banned the giving of pets such as goldfish as prizes in their localities, with RSPCA Cymru hoping that more will follow in their footsteps over the next four years.

A glue traps ban for Wales is needed more than ever. With the UK Government's Glue Traps (Offences) Act having received Royal Assent earlier this month, RSPCA Cymru is concerned that Wales is falling behind England when it comes to banning the use of these cruel and indiscriminate devices. Glue traps kill countless animals every year, with approximately 73% of instances seen by the RSPCA involving non-target species such as pets and wild animals, including birds. While the Welsh Government previously announced its intention to include a ban on the use of these devices within the Agriculture (Wales) Bill last year, the First Minister confirmed that the Bill has now been delayed until the autumn. With a ban on the use of snares also expected to be included within the Agriculture Bill alongside glue traps, any further delays to the Bill could lead to more animals suffering as a result of them becoming trapped in these devices, much to the concern of RSPCA Cymru.

An update: recognising animal sentience in Welsh law. During the last round of questions to the Minister for Rural Affairs and North Wales, and Trefnydd, two Members of the Senedd called for clarity on the Welsh Government's plans to recognise animal sentience in Welsh law. With the UK Government's Animal Welfare (Sentience) Act having received Royal Assent since, RSPCA Cymru is urging the Welsh Government to confirm how and when it plans to acknowledge that animals can experience positive and negative emotional states during the devolved policy-making process. While the Minister confirmed that the Welsh Government will determine its own direction on sentience instead of directly emulating the UK Government's approach, it is vital that a timeframe is provided to ensure that a lengthy scrutiny deficit where animals in Wales are under less protection than those in other areas of the UK does not arise. Positively, the Minister did indicate that she would ask her officials to follow up on the role education could play when it comes to increasing young people and children's awareness of animal sentience and responsible pet ownership - something RSPCA Cymru has long called for, particularly with the new curriculum soon coming into force in Wales.

Wales votes in new councils at a pivotal time for animal welfare

With the local elections having taken place on May 5, Wales' new councillors, cabinet members and council leaders are currently preparing to start representing their local communities for the next four years. Wales' local authorities play a vital role in the promotion and enforcement of a number of animal welfare laws despite facing considerable budget and resource challenges in recent years. RSPCA Cymru has long called for greater investment at a local authority level so that councils can properly enforce the law and protect animal welfare as intended. Sadly, a 'postcode lottery' of animal welfare services across Wales from the public sector is increasingly evident, as well as a lack of financial and physical resources. While the Welsh Government's local authority enforcement project that will run until 2023 is much welcome, it is crucial that new local government representatives also understand the role they have to play in protecting the welfare of the animals in their localities, hence RSPCA Cymru's calls for the Welsh Government to ensure that the relevant support in terms of ongoing funding, training and resources is in place for them.

Enforcing animal welfare legislation set by the Welsh and UK Government is set to become an increasingly demanding task with local authorities set to get additional duties which could include the licensing of animal exhibits and animal welfare establishments, along with the enforcement of CCTV in abattoirs, the compulsory microchipping of cats and more. The UK Government's Kept Animal Bill could also see councils become responsible for enforcing bans on primate ownership and improvements to zoo regulations, as well as potentially needing to tackle puppy smuggling and live exports too. With the list of animal welfare legislation ever growing, RSPCA Cymru believes there is a need for an urgent wholesale review concerning the ability of local authorities to enforce legislation that impacts upon the welfare of animals in Wales - and whether they are resourced appropriately to do this. Collaboration between the Welsh Government, local authorities and animal welfare organisations, and sharing relevant observations with each other, could help ensure that the sector is able to take a united approach towards enforcement, while sharing the workload to further improve animal welfare in Wales.

Wales' councillors, cabinet members and council leaders also have numerous other powers relating to animal welfare, including being able to introduce Public Space Protection Orders (PSPOs) in their areas. PSPOs target activities in a certain area which the local authority believes may have a detrimental effect on the quality of life - and this tool is frequently used in Wales with regards to dog control, and to tackle issues such as dog fouling. Many councils have decided to ban dogs from being walked on marked sports pitches within a PSPO, which the RSPCA fears such steps risk demonising responsible dog owners, limiting walking spots in Wales' communities and creating animosity between dog-owners and non-dog owners in a locality - so highlights the importance of animal welfare being a focal consideration in the local decision-making process..

Rather than excluding dogs from popular walking spots like marked sports pitches, the RSPCA urges local authorities to use PSPOs to make any failure in the removal of dog faeces from land an offence and require all dog owners to carry an appropriate receptacle or bag to pick up dog faeces if their dog has defecated while they are out walking; as part of a wider strategy to encourage responsible ownership. Due to the comfort and support that owners can receive from their dog, we urge local authorities not to use PSPOs to ban dogs from local cemeteries - but instead to require them to be kept on a lead in these spaces. Crucially, the local authority should ensure any authorised officer directing dog owners to take particular actions - such as requiring them to put their dog on a lead in certain situations - has the appropriate experience, knowledge and training to impose these conditions; and to ensure the welfare of the dog is not compromised. With the potential for Wales' new councils to consider introducing more PSPOs over the next four years, we encourage the Welsh Government to consider how they can work with local authorities; issuing guidance for policy-making that promotes responsible dog ownership, protects dog welfare and help create harmony between dog owners and non-dog owners in our communities.

Questions to consider:

- 1. Can the Minister confirm how the Welsh Government will support new local authorities when it comes to protecting the welfare of the animals in their communities, in particular with regards to enforcement?***
- 2. What plans does the Welsh Government have to work with local authorities to promote responsible dog ownership?***
- 3. What assessment has been made as to the success and impact of the Public Space Protection Orders (PSPOs) used by councils to tackle issues such as dog fouling, and will the Welsh Government consider issuing guidance so these powers are not used in a way which unwittingly compromises animal welfare?***

Local action for animals could help protect welfare

As well as working with the Welsh Government and Members of the Senedd to secure positive legislative changes for animals in Wales, RSPCA Cymru also works closely with cabinet members, councillors, enforcement officers and others in local government to make our communities a better place for animals to live. To provide policy support to councils in the coming years, we have created a new document, [Local Action for Animals](#), to celebrate some of the steps already taken in Wales while making proposals and suggestions for how local authorities can further utilise their limited resources to improve animal welfare.

Our local government campaigns have already had great success in Wales, and have helped secure action on community problems that pose a threat to animal welfare such as the irresponsible use of fireworks and sky lanterns. All 22 local authorities have banned the use of sky lanterns on council land following an RSPCA campaign, while 14 councils, including all in North Wales, have adopted our notice of motion on fireworks so far; aimed at boosting preparedness, public awareness and promoting alternatives. With more people than ever hosting private fireworks displays last year, we are hoping that gaining the support of new local representatives will help us to further mitigate the risks these items pose to pets, livestock and wildlife.

With summer fast approaching, we are currently in the midst of preparing to launch our Pets as Prizes campaign for 2022, which calls on councils to adopt our Notice of Motion (NOM) and ban the giving of animals such as goldfish as prizes on their land. Goldfish are the animal most commonly associated with prize-giving, with many suffering as a consequence of being unexpectedly given as a prize to unprepared new owners. Spontaneously acquiring a pet makes it impossible for owners to undertake the required research that animal ownership entails, with the welfare of the fish in question often compromised as a result. While goldfish can make excellent companion animals, they are sentient animals with specific and complex needs. For example, it is recommended that a fish tank is set up two weeks in advance to ensure that it is running smoothly - something that is not possible if a pet has been obtained suddenly. Due to a lack of preparation on their new owner's part, fish given away as prizes often suffer miserably from shock and oxygen starvation, which can lead to them dying before they arrive at their would-be homes.

Four local authorities in Wales have banned the activity so far, following RSPCA campaigning, including Caerphilly, Wrexham and Conwy County Borough Councils, as well as Newport City Council. While local authorities taking such initiatives will certainly reduce the number of fish being exposed to potential harm, we believe a Wales-wide ban enshrined in domestic law would be the most effective course of action. A ban on the giving away of pets as prizes has been in force in Scotland since 2006, and we are calling for the Welsh Government to finally follow suit and end the unnecessary suffering of goldfish and other animals once and for all; but it is hoped local bans will both demonstrate an appetite for action and the enforceability of any such action.

RSPCA Cymru previously worked closely with campaigner Holly Homer, who raised awareness of this issue in Wales and submitted a petition calling for a ban to the Welsh Parliament's Petitions Committee. Her petition raised 2,416 signatures and received attention from Members of the Senedd and the media¹. The Minister said in October 2019 that "a separate piece of work"² would happen on pets as prizes, indicating there is governmental will to act - but, as of yet, no further action has been taken. Because of this, we urge the Welsh Government to work with local authorities and other stakeholders to reduce the number of pets such as goldfish being given away at fairgrounds and fetes, to potentially encourage local authorities to act - as Ministers did with sky lanterns, and to consider how a national ban on this activity could help protect the welfare of these often-forgotten animals. As of yet there is no Code of Practice relevant to aquatic animals in Wales, with this being something that the Welsh Government could also introduce to help prospective owners understand the responsibilities and requirements involved in keeping animals such as goldfish.

Questions to consider:

- 1. How is the Welsh Government working with local authorities and other stakeholders to reduce the number of pets such as goldfish being given away as prizes at events such as fairgrounds and fetes in Wales; and will the Minister urge new councils to restrict this practice on their land?**
- 2. What evidence would the Welsh Government require to consider a national ban on the giving of pets such as goldfish and other animals as prizes in Wales?**
- 3. What consideration has the Welsh Government given to introducing a Code of Practice on the keeping of aquatic animals?**

¹ P-05-933, 'Ban Goldfish from being given away at funfairs, #OperationGoldfish

² Record of Proceedings - Climate Change, Environment and Rural Affairs Committee, Fifth Senedd, 10 October 2019

A glue traps ban is needed more than ever in Wales

Following confirmation from the First Minister that the Agriculture (Wales) Bill will be delayed until the autumn at the earliest, RSPCA Cymru is concerned that Wales is currently at risk of falling behind England when it comes to introducing a ban on glue traps. Glue traps, also known as 'glue boards' or 'sticky boards', consist of a sheet of plastic, cardboard or wood coated with non-drying adhesive designed to trap rodents such as mice and rats as they cross the board. The RSPCA is among the many animal welfare organisations who consider these traps both cruel and indiscriminate, hence our long-running calls for them to be banned.

On May 5, England's Glue Traps (Offences) Act received Royal Assent, having been brought forward as a Private Members' Bill by Jane Stevenson MP last June. A two-year transition period is now underway in England, with a ban on the use of glue traps, apart from on an exceptional basis, expected to come into force in April 2024. The new Act will ensure that licences to use glue traps are only issued to professional pest controllers, where there is no suitable alternative to preserve public health or safety.

Between 2015 and 2020, the RSPCA received 264 calls across England and Wales related to animals in distress from glue traps, regarding both target and non-target animals caught in these devices. Animals caught can be trapped in these devices for prolonged periods of time - experiencing potential pain, distress and severe suffering. Because unattended animals can die slowly from dehydration, starvation or exhaustion as a result of getting trapped, the RSPCA does not consider glue traps a humane method of rodent control. Approximately 73 percent of incidents seen by the RSPCA across England and Wales concerning glue traps involved non-target species such as pets and other wild animals, many of which were too badly maimed and injured to survive.

Following an RSPCA Cymru campaign which saw two Members of the Senedd tabling bills that would have sought to ban the use of glue traps in Wales if they had been selected during last September's backbenchers' ballot, the Welsh Government announced plans to include a ban on the use of the devices within the Agriculture Bill. While legislative proposals for a ban on glue traps were anticipated to be brought forward in the summer, during questions to the First Minister on April 26, it was confirmed that the Agriculture (Wales) Bill has been delayed "because of the need to rethink ambitions for the sector in light of the war in the Ukraine and implications for food security and sustainable food production"³. While this delay is understandable given recent and current events, RSPCA Cymru is concerned that this and any further delays will inevitably lead to more animal suffering in Wales, if the Welsh Government still intends to introduce a ban on both glue traps and snares as part of this Bill.

The Welsh Government conducted a call for evidence from stakeholders on the use and sale of glue traps in Wales earlier this year, during which the RSPCA called for a ban on both the sale and use of glue traps to be brought forward as soon as possible. While the Welsh Government has the capacity to ban the use of these cruel devices, questions still remain with regards to the sale of glue traps in both England and Wales. Earlier this year, Jane Stevenson MP highlighted that her Private Member's Bill does not extend to the sale of glue traps due to issues related to "the devolved Administrations" - given the ease of sale between England, Wales and Scotland; and, presumably, conditions of the Internal Market Act. However, with Wales, and Scotland, exploring bans too, she hoped that "at a future date the legislation, when it is aligned, will ban the sale of glue traps"⁴ - and the RSPCA urges the Welsh Government to work with counterparts in other UK nations to ensure a ban can apply to both the sale and use of glue traps in the future.

Questions to consider:

- 1. What action is the Welsh Government taking to ensure that animal suffering as a result of the ongoing use of glue traps and snares is not facilitated by any further delays to the Agriculture (Wales) Bill?**
- 2. What conclusions has the Welsh Government drawn from the call for evidence on the use and sale of glue traps in Wales that was conducted earlier this year?**
- 3. Can the Minister confirm whether any conversations have been held with the UK Government with regard to ensuring a future consistent approach towards specifically tackling the sale of glue traps, with the Glue Traps (Offences) Act having now received Royal Assent?**

³ <https://record.assembly.wales/Plenary/12810>

⁴ Public Bill Committees - Glue Traps (Offences) Bill, debated on 19 January 2022

An update: recognising animal sentience in Welsh law

With the UK Government's Animal Welfare (Sentience) Act having received Royal Assent alongside the Glue Traps (Offences) Act on May 5, RSPCA Cymru is urging the Welsh Government to clarify how and when it will formally recognise animal sentience in Welsh law. Following previous calls for clarity on the Welsh Government's plans regarding animal sentience from RSPCA Cymru last month, two Members of the Senedd raised the issue with the Minister for Rural Affairs and North Wales, and Trefnydd on April 27. During the session, the Minister confirmed the Welsh Government's intention to "determine (its) own direction on sentience, recognising that animals are sentient beings"⁵ rather than directly emulating the UK Government's approach.

As part of the new UK Sentience Act, an Animal Sentience Committee will be created to consider the adverse effects of any policy that is being or has been formulated and/or implemented on the welfare of animals as sentient beings - and can make recommendations to UK Government Ministers. As well as essentially acknowledging animals as sentient beings who can experience both positive and negative emotional states in law, the UK Government's Bill also extends this recognition to decapod crustaceans, such as crabs and lobsters, and cephalopods, like octopus and squid. This groundbreaking development was much welcomed by the RSPCA and other animal welfare groups alike, with this being the first time that these animals will be afforded such protection in the UK - but it is vital they are not left behind in the devolved decision-making process.

For Wales, the Sentience Bill means reserved laws - matters which are still the responsibility of the UK Government and UK Parliament - will now be scrutinised for their impact on animal sentience; but devolved policies will not. With the UK Government's new law having now received Royal Assent, RSPCA Cymru is concerned that a scrutiny deficit could arise if the Welsh Government does not bring forward its own plans to recognise animal sentience as a matter of priority, with this potentially leading to animals in Wales finding themselves under less protection in comparison to those in other UK nations in the near future. To ensure that animals are given the respect and protection they need in Wales, RSPCA Cymru urges the Welsh Government to pay legal regard to the needs of sentient animals as soon as realistically possible by introducing a model which would allow how sentience is considered across government departments to be reported on, with the support and oversight of an independent advisory body. We believe that the acknowledgement of animal sentience in law would send the strongest possible message that the welfare and status of animals is respected and would support the Welsh Government's ambition to ensure a 'a good quality of life for all animals in Wales' as intended in the Animal Welfare Plan for Wales.

With the new curriculum which will give teachers more flexibility to teach students about empathy and compassion as part of the new Areas and Learning Experiences (AoLEs) also being introduced in Wales in September, RSPCA Cymru is calling for this to be utilised as part of any plans on formally recognising sentience in Wales - by teaching future generations that animals experience feelings and how humans can impact upon them. The role education could play in helping raise young people and children's awareness of animal sentience and responsible pet ownership was also acknowledged by the Minister last month, with this being something she vowed to consult with her officials about. RSPCA Cymru believes that Wales' new approach in the classroom provides the perfect opportunity to inspire a kinder generation, who understand that animals have thoughts and feelings and are empathetic towards all sentient beings as a result. We would welcome any opportunity to work with decision-makers to ensure that Wales becomes a country which encourages people to consider the impact their actions have in ensuring their fellow sentient beings have a good life and are treated with the compassion and respect they deserve.

Questions to consider:

- 1. Can the Minister provide an update on the Welsh Government's plans to recognise animal sentience in Welsh law now that the UK Government's sentience law has received Royal Assent?**
- 2. Does the Minister support the creation of an independent body for Wales who would be tasked with scrutinising all devolved policy for its impact on animal sentience?**
- 3. Can the Minister confirm if she intends on holding any discussions with the Minister for Education with regard to how animal sentience and responsible pet ownership can be included in Wales' new curriculum?**

⁵ [Record of Proceedings](#), 27 April 2022

RSPCA Cymru incidents January 2022 - March 2022

From January 2022 to March 2022, the RSPCA responded to 3,391 incidents across Wales - a 1.4 percent decrease on the same time period last year. This potentially marks an increased degree of normality on the frontline, following an initial increase in calls to the RSPCA's emergency line as Covid-19 restrictions were eased last year.

Local Authority	January 2021 - March 2021	January 2022 - March 2022
Blaenau Gwent	84	74
Bridgend	108	112
Caerphilly	188	170
Cardiff	318	364
Carmarthenshire	228	205
Ceredigion	80	73
Conwy	185	175
Denbighshire	156	158
Flintshire	181	184
Gwynedd	135	138
Isle of Anglesey	94	90
Merthyr Tydfil	51	61
Monmouthshire	97	93
Neath Port Talbot	194	181
Newport	187	176
Pembrokeshire	118	115
Powys	118	133
Rhondda Cynon Taff	210	206
Swansea	346	315
The Vale of Glamorgan	138	109
Torfaen	69	122
Wrexham	153	137
TOTAL	3,438	3,391

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