



# ConsultationResponse

FROM THE RSPCA IN WALES

## Consultation response: Inquiry into Lobbying

January 2017

1. RSPCA Cymru is the main enforcer of animal welfare legislation, taking the vast majority of cruelty cases to prosecution. We also deliver primary animal rehoming services across all species, conduct rescues, including specialist rescue, working alongside the emergency services such as in flooding scenarios and collect and rehabilitate wildlife. We receive approximately 50,000 calls a year in Wales via our National Control Centre regarding direct animal welfare. Through our network of branch volunteers, animal centres and Inspectorate we collected and rescued 7,589 animals and rehomed 1,750 animals in 2015. We also work with schools and youth offending teams to educate young people on animal welfare.
2. In early 1999, the RSPCA was amongst the first charities to set up a dedicated office in Wales following the creation of the National Assembly for Wales, covering press, new media, events, campaigns and public affairs. We are a registered charity in England and Wales, charity number 219099.

### Is there a need for change?

3. The External Relations team ensure that the RSPCA complies with the existing regulations around lobbying the Welsh Government, Assembly Members, Members of Parliament, Members of the European Parliament and Councillors, as well as making sure the charity complies with the Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014, particularly around election times. Due to these regulations and our consistent apolitical approach, RSPCA Cymru did not conduct any public activities involving elected representatives during January to May 2015 for the UK General Election and January to May 2016 for the elections to the National Assembly for Wales.
4. RSPCA Cymru recognises that an ethical approach is essential to protect the confidence of the political system in Wales and have ensured consistent transparency, integrity and political balance in our work with the National Assembly for Wales since its inception and will continue to do so. We are confident that we would meet any appropriate standards introduced.

### What do you understand by the term lobbying?

5. RSPCA Cymru were founding members and are still current members of Public Affairs Cymru (PAC), who define lobbying as "All activity associated with representing the interests of a client, employer or organisation as regards any matter of public policy. This includes the provision of information and advice, as well as the actual advocacy of a point of view". The RSPCA also complies with the PAC Code of Conduct.
6. As members of PAC, RSPCA Cymru welcome the body's moves to update the Code of Conduct and have fed into the review, in particular the benefits of introducing a quality watermark for those organisations which sign up to and abide by the Code of Conduct. By having a voluntary system of regulation in place, the organisation can perhaps swiftly adapt to the changing nature of public affairs. However, there is currently an insufficiently

robust process, such as effective sanctions, for when a member fails to adhere to the code which, arguably, are essential to ensure that all organisations operate on a level playing field.

### How is lobbying regulated within your sector at the moment?

7. RSPCA Cymru is regulated by the Charity Commission and strictly adheres to the Commission's guidance on lobbying and campaigning. The Commission's guidance states that "campaigning can be a legitimate and valuable activities for charities to undertake" and goes on to say that this "must be undertaken by a charity only in the context of supporting the delivery of its charitable purposes. Unlike other forms of campaigning, it must not be the continuing and sole activity of the charity."<sup>1</sup> RSPCA Cymru believes that by campaigning for changes in the law, such as banning the use of wild animals in circuses and the keeping of primates as pet, will prevent these animals from suffering and end cruelty. The Society was set up nearly 200 years ago in 1824, for the purposes of changing the law, educating owners on animal welfare and prosecuting offenders.

### Have you encountered any problems with the current arrangements?

8. Because the issues upon which the RSPCA has strong evidence-led policies and campaigns can sometimes be viewed as controversial, we adhere strictly not only to Charity Commission's guidelines and wider best practice, but our own, strict, interpretation of clear apolitical engagement processes with elected representatives. This may not be the case with all organisations in Wales, and as such Regulations could help ensure all organisations operate to the same high standards.

### Are there any areas you consider to be unregulated in this area which pose a risk to the accountability and reputation of governance in Wales?

9. No organisation operating to even a basic standard within public affairs in Wales should be concerned about an increase in transparency and the proper scrutiny that regulation would bring. However, whilst there will undoubtedly be areas that it may not be appropriate for regulations to cover, such the private lives of elected representatives, any such regulation should seek to be clear on the parameters for any exceptions and the justifications for reserving matters from scrutiny.

### What would you consider to be the impact of introducing a new regime to deal with lobbying?

10. Lobbying plays a vital part in the political process and the creation of legislation. Many organisations, such as charities, are experts in their field for instance such as the RSPCA which is the main organisation in the criminal justice system enforcing animal cruelty offences. The RSPCA has science teams covering companion animals, farm animals, veterinary, scientific procedures and wildlife to ensure that the RSPCA's policies and campaigns are supported by the latest research and up-to-date thinking on animal welfare. These policies not only form the basis of our work in caring, rescuing and treating animals but in our evidence and meetings with the Welsh Government, Assembly Members and officials.
11. Any future regulation on lobbying in Wales must ensure that it does not curtail the development of positive legislation that is beneficial to the people, and animals. Through transparent open debate and discussion between politicians, government, the commercial and third sectors, which reassures the public that any influence is regulated and that there is a right of address allowing access to Ministers, Assembly Members and officials, organisations can ensure that a wide range of opinions and evidence is presented to maximise the potential for appropriate legislation.

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<sup>1</sup><https://www.gov.uk/government/publications/speaking-out-guidance-on-campaigning-and-political-activity-by-charities-cc9/sp>eaking-out-guidance-on-campaigning-and-political-activity-by-charities