
ADDENDUM

This short report has been produced by AWWN, through the work of the reconvened AWWN Animal Welfare Establishments (AWEs) or 'sanctuaries' Working Group, to act as an addendum to the 2012 report which can be read [here: http://tinyurl.com/AWWN-AWE](http://tinyurl.com/AWWN-AWE)

Background

The report *The Case for the regulation of Animal Welfare Establishments in Wales* was presented to the Welsh Government in October 2012. The Welsh Government asked for time to consider the detail and the associated recommendations. Following a meeting at the beginning of 2015 to discuss this policy area the Chief Veterinary Officer, Christianne Glossop, wrote to the Network in April of that year to agree further work and areas it had jointly been agreed to investigate. Please see Annex 1 for a copy of this letter.

The Management Committee of AWWN sent an invitation to the whole AWWN membership to meet and discuss the issues raised. That meeting took place on 14th September 2015 and included Mike Radford, Reader of Law at Aberdeen University, who was the legal and legislative advisor to the original working group. Welsh Government officials also joined the meeting to observe. Please see Annex 2 for a full list of attendees and minutes for that meeting. The Network is grateful once again that Mr Radford has been able to invest his time and resources into this project.

It was agreed that a smaller working group would convene to consider the issues raised and prepare the wording of the addendum. All AWWN members were invited to put their names forward for the group and the names and organisations of those who participated can be found in Annex 3. The group met on 16th December 2015 and Monday 1st February, with all other agreements made electronically. As the full AWWN Executive Board was not meeting again until April the final wording of the addendum was put to the Board for electronic sign off by 26th February because the Network had agreed to submit the report before Easter recess (as purdah for the election immediately follows recess) which starts on 21st March. Thus the final report was submitted to the Welsh Government on Monday 29th February 2016.

Terms of Reference

The terms of reference for the working group were therefore those outlined in the Chief Veterinary Officer's letter, namely

1. to revisit the case for self-regulation / voluntary registration
2. to look at the development of an agreed code of practice

In addition AWWN agreed to collate recent case studies of problems with sanctuaries to ensure the case for regulation is up to date. Please see Annex 4.

Discussion

This section is divided into two to reflect the agreed areas within the Terms of Reference.

1. Self-regulation / voluntary registration

The working group set out to revisit the core discussions around self-regulation from 2012 in order to reproduce them in bullet form in this report and demonstrate the process we went through as well as ensure no additional factors occurring since 2012 have been missed.

This table represents the working group's session in December 2015

Self or voluntary regulation - the arguments	
Positive	Negative
Cheaper to implement for government	It is not cheaper in the long run as the local authority, courts, police and animal welfare sector bear the costs when AWEs fail
Potential for those that join up to have better buy-in due to perceived credibility and collective responsibility	Problem AWEs will never buy-in
Specialist knowledge held and accessed within system	Public confidence will be zero when problems are not prevented and it is deemed to be misleading (as the registration body will be powerless)
Perception of proportional approach - more appreciated when applied to the voluntary sector	Public assumption that regulation exists (e.g. that the Charity Commission will ensure animal welfare standards when in fact they can't and don't).
	Voluntary schemes can often be commercial activities which brings marketplace concerns and problems of profit vs effectiveness
	There would be a loss of potential for Local Authorities (as the licensing authority) being able to develop their holistic specialist and wider knowledge
	Areas such as financial status would be excluded as the sector could not be forced to share that with each other when they are in competition (but finances are appropriate when assessing capacity to operate an AWE)
	No power of access
	No power of sanction (other than exclusion from an accredited scheme, which would have no impact as they could still operate unless successfully prosecuted and prohibited from owning or taking care of animals - but even that could be circumvented)
	There would be insufficient income to operate the scheme from just those NGOs willing to voluntarily join and pay
	No level playing field when non-accredited AWEs could continue.

It is fundamentally important to note that no central body or organisation currently exists to undertake the work needed for voluntary registration. Arguably none exists with the authority or the expertise on the range of species needed to be covered. Local authorities are already overstretched and for some the number of AWEs in their area may not cover their administration costs. The RSPCA is often suggested for this role, however it should be noted that the RSPCA does not have the means or authority and more importantly it would present a potential conflict of interest as has been discussed in Mr Wooler's review of the RSPCA's prosecution function (see report [here](#) for reference).

Other forms of self-regulation do exist within our own sector, such as the British Horse Society's (BHS) censing of livery yards. This scheme works well for those livery yards wishing to become accredited, however there are no requirements for those not registered with the BHS to operate to any particular standard and such there is no sanction for bad practice and indeed nor annual monitoring of standards. The local authority or RSPCA would have to secure a warrant based on convincing evidence of welfare problems before any action could be taken but without the power of access (for the local authority) this can be extremely hard and, more often, impossible to obtain. Therefore it is important to note that the BHS wholeheartedly support the case for regulation.

2. Code of Practice

AWNW remains firmly of the belief that a Code of Practice for the operation of a sanctuary (AWE) is essential. However a Code should not be viewed as a substitute to regulation as it cannot provide local authorities with the necessary right of access and inspection powers. It should also be noted that when referring to a Code of Practice in this context it is specifically surrounding the policies and operational parameters of AWEs and should not be confused with Codes of Practice for the keeping of certain species of animals - these are also essential of course but have a wider purpose than just within AWEs.

AWNW would also recommend that any Code of Practice, whether accompanied by regulation or not, is made under the Animal Welfare Act (2006) and is therefore statutory. Unfortunately the terminology of 'code of practice' has been adopted in many forms across the sector which produces confusion and potentially results in some types of codes being ignored and disregarded. A statutory document, passed by Government into law, carries a greater significance - and the potential to act as a preventative tool - within the sector.

Even a statutory Code will not alone prevent issues arising - as with other Codes of Practice not everyone will follow the guidance within it - but it will provide a clear steer from Government as to what is acceptable practice within AWEs. This will be useful both for AWE operators themselves and also to the Courts should a prosecution proceed. Of course a contravention of the Code itself would not form an offence but the Code would provide essential standards against which the court can make a judgement. Clear standards will also be better communicated to the press and public when action does have to be taken - helping to prevent the authorities from being labelled as hostile to the voluntary sector.

Conclusion & Recommendations

AWNW acknowledges that the 2012 report may have deficiencies - specifically around the detailed explanation of our deliberations and reasoning behind the recommendations. It was however signed off by all participating members in the working group, which included representatives from local authorities, and this process was observed throughout by a representative of the Welsh Government. It remains a true reflection of the discussions of AWNW on this issue between 2010 and 2012.

This section has also been divided into the two areas under consideration

1. Self-regulation / voluntary registration

In this subsequent exercise producing an addendum the Network has reconsidered and properly explored the case for self or voluntary regulation, as outlined above, and found it significantly deficient for tackling the problem AWEs. The model of self/voluntary regulation is often tempting because it may sound proportionate and perhaps therefore fairer. Whilst that might be the case in some instances, it does not provide the crucial mechanisms for the prevention of the severe end of animal welfare problems and cruelty - and this is the aim of AWWN and should be the aim of any legislative or policy change at a Welsh Government level, we would argue. Without any legal basis to act, the current situation, which arguably is worsening in these recent fiscal times, would only persist with self/voluntary regulation. And on this point it should be noted that the Network feels very strongly that the status quo is neither sustainable nor acceptable.

2. Code of Practice

Following discussions by the working group the Network would like to build on the original recommendations for a Code of Practice to include additional requirements. Below there is a reproduction of the table on page 23 of the original report with the new additions in red.

In addition it was recognised that a legal definition for AWEs is needed. Without an accompanying regulation, it is anticipated this may cause problems as the Animal Welfare Act itself does not define a 'sanctuary' or 'animal welfare establishment'. As a result we have removed the sub-division of 'compulsory requirements' and 'non-compulsory requirements'. It may be that some of these would sit better within a regulation, but for the purposes of this section we have included all areas as one complete list.

Recommendations for inclusion in a Code of Practice for AWEs:

- Record keeping - must be put in place to cover any key areas of animal welfare, to include, as a minimum,
 - referral of animals / paper trail and all pertinent details
 - the receipt and disposal of animals,
 - any veterinary care and the feeding and care regime for each animal (refer to compulsory wildlife recording 5.5 in the main report);
- Euthanasia – under what circumstances a decision to euthanase would be made and ability to enact;
- Vet checks/vaccinations – nominated veterinary surgeon and ability to provide;
- Breeding from animals in care – reasons;
- Hygiene/disease control;
- Staff and volunteer training/competency:
 - the establishment licence holder is responsible for ensuring that they, or a responsible member of staff at a managerial or supervisory level, have adequate knowledge and skills to implement legislative requirements and to ensure the well-being of animals in their care;

- where existing skills and knowledge are not demonstrable, completion of a programme of training from an accredited education provider should be attained by the licensee and/or responsible member of staff;
- Number and type of animals able to be accommodated and where. If wild animals are to be taken in, how each species will be housed etc. **The AWE should demonstrate (and make available to external scrutiny) that they have the means, resources, staff, expertise (related to each species) to operate. Also reference WCVA guidance on good governance.**
- **Stray animals policy - whether these are taken in, how long they are kept and what attempts will be made to reunite the animal with its owner dogs Include a sentence on strays**
- **Specific details for environmental enrichment & behavioural needs**
- **Comprehensive emergency and contingency plans for both disease and evacuation (linked to euthanasia policy)**
- **Wildlife (for free living British wildlife that should not be kept confined post rehabilitation or kept as a pet) clear rehabilitation, release and euthanasia policies**
- **Policy on public access/display (which is not appropriate for wild animals);**
- **Ownership – such as ‘signing over’ animals when they are taken in and when rehomed (if the AWE retains ownership) must be clear what the policies are**
- **Rehoming procedures and practices**
- **Fostering arrangements – for organisations that utilise a network of fosters or multiple small sites, they would need to demonstrate the main organisation takes responsibility of the welfare of animals kept by their fosterers and private boarding establishments through robust and enforced set of policies to cover this**
- **Release protocols for wildlife including feral cats**
- **Neutering and microchipping (including adherence to the ID legislation where applicable for dogs and horses)**
- **Policies in relation to all relevant animal welfare legislation in Wales (list legislation / link to WG)**

In addition, AWWN would like to offer its expertise to continue the working group to develop the framework for a Code of Practice and work on this could start by late spring. In order to undertake this and apply the necessary resources, AWWN would like assurances from the Welsh Government that their intention will be to produce the final code on a statutory basis under the Animal Welfare Act (2006).

Public support for regulation

It is hoped that this brief report has been of use to the Welsh Government and AWWN remains committed to assisting where possible. It is also worth noting the public in Wales have expressed their support on this issue. The RSPCA commissioned a YouGov poll in 2013¹ which found that 69% of the public think Welsh Government should regulate, 23% answered don't know which could reflect the complexity and hidden nature of this problem, and significantly only 8% of the public thought the Government shouldn't regulate. In addition, hundreds of letters generated by RSPCA supporters have been sent to the Minister urging the Welsh Government to regulate.

¹ All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 1,012 Welsh adults. Fieldwork was undertaken between 18th-22nd July 2013. The survey was carried out online. The figures have been weighted and are representative (politically) of all Welsh adults (aged 18+).

Annexes

- Annex 1: Letter from the Chief Veterinary Officer
- Annex 2: Meeting Notes
- Annex 3: Working Group Members
- Annex 4: Case Studies

NB: please note this is not intended to be an exhaustive list or quantitative analysis of AWE cases that have occurred since the publication of the original report, but is intended to be an illustration of the fact that very significant examples are ongoing - and these are situations which the animal welfare sector (and sometimes local authorities and police) are shouldering the burden for. It should also be noted that an attempt was made to calculate the costs to each organisation involved in these case studies, but given their complexities, it was an impossible task to quantify the time of all resources involved, (which include veterinary, hospital, legal, court, prosecution, media/political queries & rehoming). It also demonstrates that our organisations are not set up to calculate these costs individually or when working in partnership, making it difficult to produce accurate figure. However we are confident that a problem at even a medium sized AWE will usually result in five, or more often six, figure sums and take, on average, one to two years to resolve.

Annex 1

Swyddfa'r Prif Swyddog Milfeddygol
Office of the Chief Veterinary Officer



Llywodraeth Cymru
Welsh Government

2nd April 2015

Claire Lawson
c/o RSPCA Cymru
6 Cae Gwyrdd
Greenmeadow Springs
Tongwynlais
Cardiff
CF15 7AB

Dear

Claire

We are writing following the meeting that was held in Cathays Park on Animal Welfare Establishments (AWEs) or "sanctuaries" at which you explained your rationale for this work, and the meeting of the Animal Health and Welfare Framework Group (Framework Group) that was held in March. This letter also comments on the way forward for consideration of AWEs and evidencing future developments on animal welfare by using the auspices of the Animal Welfare Network Wales (AWNW) and the work of the Animal Health and Welfare Framework Group.


At the February meeting – in summary, it was agreed:

- to move towards promoting responsible ownership of AWEs;
- for the third sector to consider what further actions could be taken through voluntary action; and
- to consider how a staged approach in raising standards in animal sanctuaries could be taken.

The AWWN report on AWEs (and its definition which helpfully provides a focus), primarily hinges on the development of subordinate legislation. You will be aware that the development of legislation will take substantially more work for it to be considered an option but we believe there are ways forward prior to legislation, which were discussed and briefly summarised above.

The main view at the February meeting was that recommendations in your AWE report seem to have been dismissed. These are:

- self regulation;
- voluntary registration; and/or
- the development of an agreed code of practice.

 **BUDDSODDWYR** | **INVESTORS**
MEWN POBL | **IN PEOPLE**

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Your report also does make a valid argument for:

- standards setting;
- record keeping;
- named veterinary supervision; and
- health planning and education.

We would suggest that all of the above needs to be explored further by AWWN.

In the Framework Group's March meeting a positive view of working with AWWN was given, especially on the development of a staged approach and in particular a code of practice on AWEs. The role of the AWWN is seen as important, and the Framework Group is keen to establish links and to work together.

Turning to the wider opportunities, we understand that AWWN are also considering it's future governance. This could be an opportunity to align work with the Framework Group on the evidential work needed in supporting policy development on animal welfare. For example and in this instance, our understanding is that the Network are considering creation of 2 working groups e.g. equines and small furries. The Framework Group would be supportive of this approach as they are also considering priorities on this basis as well as the concerns on AWEs. If this succeeds, it could open up a regular and fruitful dialogue for the future.

Following your discussions with the AWWN, it would be helpful, that as far as you can, to keep us informed of progress as it will help to take forward our consideration of next steps.

Yours sincerely

Christianne

Dr Christianne Glossop, BVet Med, PhD, ARAgS, MRCVS
Chief Veterinary Officer for Wales

Annex 2



Meeting Notes

AWNW Animal Welfare Establishments Meeting
Monday 14th September 2015
11am – 4pm
RSPCA Cymru, 6 Cae Gwyrdd,
Greenmeadow Springs Business Park, Cardiff, CF15 7AB

Present:

Meeting Chair:

Claire Lawson

AWNW Chair / RSPCA Cymru

Independent Facilitator:

Mike Radford

Management Committee:

Sian Edwards

Dogs Trust

Nic de Brauwere

Redwings Horse Sanctuary

AWNW Manager:

Bethan Spear

AWNW (minutes)

Attendance:

Jan Thompson

Bransby Horses

Lee Hackett

British Horse Society

Jane Clements

Cats Protection

Sue Dobbs

Cats Protection

Tamlin Watson

Donkey Sanctuary

Vanessa Waddon

Hope Rescue

Liz Davies

Great Dane Care

Phil Jones

World Horse Welfare

Simon Allen

Gower Bird Hospital

Sarah Marsh

Help my Pet Project

Greg Glendell

Birds First UK

Cordelia Britton

Wild Futures

Adam Grogan

RSPCA

Kirsten Stevens-Wood

Hedgehog Helpline

Erica Dickson

Hedgehog Helpline

Alan Gibbs

British Rabbit Council

Observers

Irene Allen

Welsh Government

Sian Smith

Welsh Government

Welcome

- Meeting opened at 11:10am
- Everyone introduced themselves

Background & history

- It was mentioned that going forward we might need a smaller working group
- The group heard about the Animal Health and Welfare Framework Group, as well as changes within Welsh Government
- There is no guarantee of a legislative journey with regard to AWEs
- Other changes can be made: code of conduct / industry standards
- The group need to evidence the impact of AWEs
- There are 4 issues with AWEs:
 - 1) They start with good intentions, but then they often become too big
 - 2) The public do not know that no one checks the quality of AWEs
 - 3) The impact of when AWEs go wrong often falls on charities
 - 4) There is conflict within the RSPCA as they often prosecute, but then rescue & rehome the animals
- The regulation of AWEs is a politically sensitive issue
- It is hard to define an AWE and so there is an issue of regulating them - we don't want to force the good ones out, nor do we want people to think we believe they aren't doing a good job or aren't being responsible

Actions

IA to send a copy of the AHWF group report to everyone

Issues

- We need to be clear with who & what we are addressing as it is such a sensitive issue
- We need to decide whether or not a welfare offence is sufficient
- If registered charities were regulated, it could be demanding but would play into the public accountability, and it would be harder for organisations & individuals
- Voluntary unincorporated organisations: someone who holds themselves out to take in unwanted animals. These would need to register with their Local Authority, and the LA would inspect them. If they failed to register, then they would need to be licensed
- There will always be an issue on getting access

Codes of Practice (CoP)

- Is there evidence that CoP will work?
- Voluntary codes don't reach those who we need to - people who sign up to them are already doing good work
- Voluntary codes need a commercial reward - this isn't apparent in the third sector
- Should CoP include that all AWEs have a vet nominated, as well as a destruction policy & rehoming policy
- Community safety should also be covered - public go into AWEs, and so both dangerous animals & biosecurity should be looked at

Review Jersey CoP for AWEs

The situation as it is in Wales

- Bats Conservation Trust - can give a list of carers in Wales
- The rise of social media has a lot to play in both the advice & acquiring of animals
- With regards to biosecurity, the AHWF group would need to know where these animals are

NdB to provide 2 case studies

VW to provide 1 case study

- AWEs in Wales are often saving animals from other countries & bringing them over the border
- Good AWEs will have very good records
- Open / closed AWEs:
- City wildlife has closed
- Friends of the Animals RCT
- Greyhound Rescue Wales

TW to provide case study

SD to provide case study

SE to provide overview of dog pounds

Consideration of alternatives

- If we can't legislate ownership, then we can legislate those who help when ownership goes wrong
- Early intervention is often needed
- A voluntary code on its own was ruled out by the group (Cats Protection would like it noted that they want both a Code and legislation)
- It was decided that legislation was needed by the group with regards to registration and a code

Annex 3

Working Group Members²

Organisation	Name	Role
RSPCA Cymru	Claire Lawson	Chair
RSPCA	Adam Grogan	
Dogs Trust	Sian Edwards	
Donkey Sanctuary	Tamlin Watson	
Hope Rescue	Vanessa Waddon	
Gower Bird Hospital	Simon Allen	
Redwings	Nic de Brauwere	
British Horse Society	Lee Hackett	
Torfaen County Borough Council	Alison Hughes	Local Authorities - Licensing
Welsh Government	Sian Smith	Observer
Reader of Law, Aberdeen University	Mike Radford	Legal Advisor
Animal Welfare Network Wales	Bethan Spear	Secretariat

² Jacqui Cuff & Sue Dobbs from Cats Protection attended the working group meetings. Cats Protection have asked for their name to be removed from this Addendum.

Annex 4

Case Study 1

Originating organisation:	Donkey Sanctuary
Status - historic or ongoing:	Ongoing
Pending prosecution or outcome of case:	N/A
List of species involved:	Horses, ponies, donkeys, pigs, goats, sheep, alpacas, dogs, geese, ducks, cats.
Numbers of each species:	Horses / Ponies: 8-32 Donkeys: 4-23 Alpacas: 4 Pigs: 2 Goats / sheep: 4-12 Dogs: 12- 25 Geese / ducks: 6 Cats: 10+
List of applicable legislation:	Animal Welfare Act 2006 Code of Practice for the welfare of dogs Code of Practice for the welfare of cats Code of Practice for the welfare of equines
AWE is known to be operated by a charity or not:	AWE at first glance appears to be a charity but this AWE does not have charitable status.
Number and detail of all charities and agencies involved in resolving or managing the situation (including the LA):	Local Authority, RSPCA, The Donkey Sanctuary, World Horse Welfare, British Horse Society, Dogs Trust.

Initially this AWE was located in Manchester before relocating to Wales in the late 90s. Ever since discovery the AWE has required the involvement of both the Donkey Sanctuary, RSPCA and other agencies at various times. Access and legal problems including those of a very serious nature involving the police, along with resource challenges faced by the local authority, have prevented action on a scale that is needed to prevent animals suffering at this site.

A multitude of issues have been investigated including: underweight animals, overgrown hooves, animals with clinical disease receiving little or sometimes no veterinary care, no access to clean water, inadequate shelter, shelters deep in dung and mud, matted coats, no parasite control, insufficient food, overgrazing on horse sick pasture, lack of dung removal from fields, ragwort, unsafe field environments due to loose fencing and other hazards, dogs confined in unsuitable, tiny, dirty environments with little or no access to run out, unsafe/ illegal (until recent law changes) body/rubbish disposal on site, cutting fencing to allow AWE animals to graze on other people's land.

The AWE is active in the community, with a presence at markets and shows where donations from the public are collected. The AWE has a very active social media account with annual requests for money for a new car, money for shelters, food, rugs etc. It is possible that donors believe the AWE to be a charity although this is not the case.

Although action by vets, the RSPCA and council, has been taken in some circumstances, which has seen animals removed/ euthanised this has had no impact overall to the AWE and the welfare of the remaining animals in the long term. This AWE was started with the best of intentions, but without any policy for euthanasia, rehoming or limits on animal numbers the owner's resources became depleted to the extent that animal welfare was compromised and suffering was allowed to occur.

Case Study 2

Originating organisation:	Gower Bird Hospital
Status - historic or ongoing:	Historic
Pending prosecution or outcome of case:	N/A
List of species involved:	Hedgehogs
Numbers of each species:	2
List of applicable legislation:	Wildlife & Countryside Act 1981 Animal Welfare Act 2006
AWE is known to be operated by a charity or not:	Unknown
Number and detail of all charities and agencies involved in resolving or managing the situation (including the LA):	Gower Bird Hospital Veterinary Practice

There are an unknown number of “hedgehog carers” or wildlife rehabilitators in Wales. To become a hedgehog carer or a wildlife rehabilitator you simply need to add your name to a list – no checks are made and no training is necessary or required. There are unaccredited one day workshops which teach basic first aid and how to administer injections and subcutaneous fluids which some people attend. Subcutaneous injections can cause injury; also relatively large amounts of fluid are painful and are used as an emergency treatment. Unfortunately a lack of veterinary training, knowledge and experience can result in very poor welfare standards for hedgehogs and other wildlife which simply wouldn't be allowed for domesticated animals. The following cases of two hedgehogs are a typical example of unnecessary suffering caused by an overzealous interpretation of very basic training at a typical (and unregulated) AWE level.

Two hedgehogs (18904 and 18905) were brought to Gower Bird Hospital (GBH) by a hedgehog carer as they were “not thriving”.

Hedgehog 18904 was a young female in poor condition weighing 224g when taken into care. This hedgehog was given two different antibiotic injections daily for 8 days and two injections to treat lungworm. The hedgehog was also given 20mls of subcutaneous fluids twice or three times a day every day for 10 days even though she had started eating on the third day. On day 13 she was taken to the attending vet where she was anaesthetized and a small wound needing no treatment was found. On day 14 the hedgehog weighed 342g and was eating a little every day but was again given 20ml of subcutaneous fluid twice a day for 5 days and once a day for the following 4 days before being brought to GBH, During her 24 days of care she had been given a total of 62 injections, 44 of which were injections of 20mls of subcutaneous fluids.

Hedgehog 18905 was a young male hedgehog in fair condition weighing 328g which ate cat food immediately when taken into care. This hedgehog was given an antibiotic injection daily for 7 days and two injections to treat lungworm and a topical fluke treatment. The hedgehog was also given 20mls of subcutaneous fluids twice a day every day even though he had started eating on the first day. During his 17 days of care he had been given a total of 41 injections, 34 of which were injections of 20mls of subcutaneous fluids.

On arrival at GBH we kept the handling of both hedgehogs to an absolute minimum to reduce stress. 18904 weighed 351g. Lungworm was still present so we treated with Levamisole. 18905 weighed 393g. Fluke was still present and was treated. We gave no painful, unnecessary subcutaneous fluids to either hedgehog. Both started to thrive almost immediately - 18904 with a 25% weight gain within a week, 18905 with a 10% weight gain within a week. 14 days later they weighed 517g and 596g respectively. They were released weighing 846g and 860g..

These hedgehogs needed appropriate veterinary treatment and husbandry. These cases highlight the need for AWEs

- a) to be regulated through risk-based monitoring;
- b) to include regular veterinary assessment by a suitably qualified veterinary professional;
- c) to have staff and volunteers qualified via accredited training courses and examinations.

Case Study 3

Originating organisation:	Hope Rescue
Status - historic or ongoing:	Ongoing
Pending prosecution or outcome of case:	Not known at this time
List of species involved:	Dogs and some farm animals
Numbers of each species:	50+ dogs (other such as small furies and farm animals now unknown)
List of applicable legislation:	Animal Welfare Act 2006 Code of Practice for the welfare of dogs
AWE is known to be operated by a charity or not:	Unknown
Number and detail of all charities and agencies involved in resolving or managing the situation (including the LA):	Hope Rescue RSPCA Local Authority

This AWE has come to the attention of various agencies since 2009. From that time offers of help have resulted in many animals, mainly dogs, being taken on by other charities with some of those dogs being in a terrible physical state e.g. with matted coats, visible mammary tumours and bad teeth. Further veterinary examination revealed other serious conditions such as heart problems. Some of the dogs in the worst state were actually the pet animals of the AWE's owner. There has been a significant burden on other rescues who have committed resources such as vet costs and volunteer time.

Since the initial contact and help offered, the AWE has frustratingly developed its operations further, but then as more people have been involved with the running of the site, more reports of a very concerning nature have come in. These included issues around insufficient volunteers and staff to cope with the animals on site; accommodation conditions such as a lack of heat and lighting, poor quality food/storage; a distinct lack of appropriate and timely veterinary treatment; and concerns regarding the sale of some pets from this location.

Staff and volunteers have reported being very distressed at conditions on site and the behaviour of the owner who was not making assessments that certain animals would need to be euthanased (say on veterinary advice) but would threaten that outcome for animals volunteers had grown attached to in order to exert authority/power.

When visited by various authorities the AWE has responded to advice by addressing the more serious problems. Although in such instances advice can only currently be issued against existing legislation so there can be no requirement to develop sufficient policies and procedures in place to prevent the inevitable decline and other problems on site. As conditions fluctuate to extremes and advice has sometimes been acted upon, no further action, along the lines of prosecution, which in itself means the situation is set to continue with no end in sight. The time and money spent by all the organisations involved has therefore been very high indeed.

Case Study 4

Originating organisation:	Redwings Horse Sanctuary
Status - historic or ongoing:	Ongoing
Pending prosecution or outcome of case:	Pending prosecution
List of species involved:	Equines and dogs
Numbers of each species:	20 equines, number of dogs unknown
List of applicable legislation:	Animal Welfare Act 2006 Code of Practice for the welfare of equines
AWE is known to be operated by a charity or not:	Not a charity
Number and detail of all charities and agencies involved in resolving or managing the situation (including the LA):	Redwings RSPCA Local Authority

A local rescue centre, being run by three members of the same family, is situated in a very remote and inaccessible site. Members of the public do not readily have access to any area that enables viewing of the animals and their facilities. Therefore complaints have only ever been received by chance. There is evidence to show the proprietor obtains animals by purchasing them from dealers in other counties. It is believed that animals are taken in in good health; but periodically animals are shown to the public via the media who run stories about funds being required to help the animals found, brought in or rescued by the establishment (which not a charity). The animals are the same ones previously purchased but are then presented in a suffering state. The information suggests that the proprietor is letting the animals deteriorate to provide material to fund raise with. Other allegations of an equally troubling nature are currently being investigated.

The situation has been of concern to the enforcement and welfare bodies for over twelve months but evidence of the proprietor causing the suffering or neglecting the animals was not immediately apparent through the isolated opportunities afforded to the agencies to engage with the proprietor. Because the situation can only be monitored by gaining access to the premises; and complaints are few and far between, making the link between formerly healthy animals and then subsequent suffering has been difficult to establish to the extent that the Animal Welfare Act 2006 can be applied. After a series of visits where improvement notices, advice and support were given, an occasion has arisen leading to animals being taken into possession under the Animal Welfare Act 2006.

Only one individual is involved in the prosecution, which means the AWE could continue under the other two family members.

Two overriding concerns with this AWE are:

1) the complaints that led to welfare concerns being identified were by sheer chance and possibly happened several years after the proprietor had been neglecting animals, meaning that they were never protected by the legislation because they were not 'visible' to a potential complainant.

2) the work required to get to the point where the Animal Welfare Act 2006 might be adequate to lead to a successful prosecution has been a lengthy and labour intensive process; and has not adequately protected animals that have ultimately suffered during this time; and while the process of investigation and bringing a case continue, the proprietor continues to take on more animals. This is not only poor for the animals involved; but also frustrating as it potentially creates a larger workload for the welfare groups to deal with if, as is quite possible, a successful conviction under the Animal Welfare Act 2006 leads to the animals all needing to be found new homes.

Case Study 5

Originating organisation:	RSPCA
Status - historic or ongoing:	Ongoing
Pending prosecution or outcome of case:	Pending prosecution
List of species involved:	Wild birds, exotics, horses, cats and farm animals.
Numbers of each species:	
List of applicable legislation:	Animal Welfare Act 2006 Code of Practice for the welfare of dogs Code of Practice for the welfare of cats Code of Practice for the welfare of equines Wildlife & Countryside Act 1981
AWE is known to be operated by a charity or not:	Registered charity
Number and detail of all charities and agencies involved in resolving or managing the situation (including the LA):	RSPCA Local Authority Animal & Plant Health Authority

There are a number of ongoing issues with sanctuaries in Wales.

One current situation the RSPCA is involved in is in regards to a multi-species AWE in Wales. RSPCA Inspectors have provided guidance and advice. This has involved various Inspectors and covered various aspects and species including wildlife, exotics, horses, cats and farm animals.

The RSPCA has been liaising with the Local Authority along with Animal & Plant Health Authority. Their time and resource is unknown at the time of writing.

Due to the current nature of the case it would be inappropriate to comment further at the time of publication of this addendum.

Case Study 6

Originating organisation:	World Horse Welfare
Status - historic or ongoing:	Historic
Pending prosecution or outcome of case:	Successful prosecution against two individuals in regard to four horses who were found to have suffered unnecessarily.
List of species involved:	Horses
Numbers of each species:	25 horses at the charity. 4 were involved in the prosecution.
List of applicable legislation:	Animal Welfare Act 2006 Code of Practice for the welfare of equines
AWE is known to be operated by a charity or not:	Registered Charity
Number and detail of all charities and agencies involved in resolving or managing the situation (including the LA):	World Horse Welfare RSPCA

Reports to World Horse Welfare of poor conditions at this AWE came from members of the public and were investigated. Twenty four horses were kept in a small number of fenced-off fields with no stabling or permanent facilities. The owner was questioned about the lack of facilities when needing to treat injured or sick horses and the response was they were trying to fundraise to build stables. It had been reported in the local paper that the charity was in financial trouble and owed £500 rent for the field and £371 for vet fees.

Four horses were found to be very underweight and problems requiring veterinary attention included lice, muscle wastage and untreated sores. It was proved that they had not seen a vet for nine months. The Charity was investigated by the RSPCA and World Horse Welfare and a Vet certified that the four horses were suffering unnecessarily. A successful prosecution of the two owners followed.

In court the District Judge said "This is not a case of people being deliberately cruel. They were being cruel by being kind" He also said "I am of the view you were blinded by your kindness, whether by the financial troubles you were in or simply you had too much to do". The Judge banned both owners from keeping horses for 5 years. One was also ordered to pay £150 costs and complete 60 hours of unpaid work, with the other ordered to pay £250 costs and 100 hours of community work.