



RSPCA Rolling Briefing

Rural Affairs, North Wales & Trefnydd

Questions

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

Date of Questions:	Tabled By:
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Recent Animal Welfare Updates

Animal welfare is at a critical juncture in Wales. The start of the Autumn term comes at a key time for the welfare of animals. A ban on the third party sale of puppies and kittens is coming into force, the Welsh Government is set to use regulatory powers - contained in the UK Kept Animals Bill - related to the importation of pets and the export of animals, and an Agriculture (Wales) Bill is on the horizon that has the potential to revolutionise farm animal welfare. Senedd Members also have the chance to further influence this agenda via September's Member Ballot for legislation, with the RSPCA making ten ready-to-go Bills available to MS' via its ['Laws for Paws'](#) campaign, and emails from thousands of constituents have been sent to their representatives urging them to pack the ballot with animal-friendly legislative proposals.

More action needed on puppy welfare - including on imports after the UK's Kept Animals Bill. With the ban on the third party pup sales coming into force, and consultations ongoing around attached guidance, and new dog breeding guidance, it is a busy time in Wales for policy linked to canine welfare. The Welsh Government is also due to get powers under the Kept Animals Bill with regards to restricting puppy imports. Positively, in August, a joint consultation launched - with Defra and the Scottish Government - mooted Welsh Government plans to increase the age dogs can be moved into Great Britain to six months and banning dogs entering with cropped ears or docked tails. However, these must be the latest steps in a longer journey to improve puppy welfare - and RSPCA Cymru continues to urge the Welsh Government to revisit its response to a Task and Finish Group from the Wales Animal Health and Welfare Framework Group into dog breeding law, including a decision to not to amend the 2014 regulations - despite contrary recommendations from this expert group.

Wales must keep up with England on pet theft. Following a surge in animal thefts during the Covid-19 pandemic, the UK Government announced its plans to make pet theft a specific criminal offence on 3 September. The RSPCA has long called for companion animals to be considered more than 'loss of property' to their owners, as they currently are under the Theft Act 1968, considering the devastating emotional impact having pets stolen can have on animals and people alike. While this development is very much welcomed by the RSPCA, the recent announcement - as an animal welfare matter - only applies to England, despite criminal matters being a non-devolved competence. We now hope to see the Welsh Government introduce a similar policy to tackle pet theft, or for the Senedd to have the chance to pass an LCM, using the UK Government's legislation as a vehicle.

Wales must not fall behind the EU on caged farm systems action. In June, the European Commission pledged to phase out cage systems for a variety of farm animals - a pledge the RSPCA labelled "incredible". This followed 1.4million European citizens backing a European Citizens' Initiative (ECI) 'End the Cage Age'. Legislation to phase out EU caged systems for laying hens, sows, calves, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese will be brought forward by 2023; so Wales must act too. The Welsh Government has pledged to restrict the use of cages for farmed animals - but it is unclear how far they will go.

As Covid restrictions ease, time is now to ban pets as prizes. Following the easing of Covid-19 restrictions, RSPCA Cymru is hugely concerned that the number of pets being given away as prizes will increase once more as fairground events return. Goldfish are particularly vulnerable to this practice, with many dying before their new owners can get them home as a result of shock, oxygen starvation and changes in water temperature. Animal ownership is a big responsibility and should always be planned and well thought out. We have long campaigned for Wales-wide action to ban giving away pets as prizes and as people return to fairgrounds and other events in greater numbers, we are calling for the Welsh Government to finally end this outdated and cruel practice.

Puppy welfare and tackling imports

The start of the Autumn term marks a busy time for puppy and dog welfare in Wales - with a landmark ban on the third party sale of pups and kittens in force from September 10. This comes as part of the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021, which will licence business-focussed pet sellers in Wales in line with dedicated animal welfare criteria for the first time. The Welsh Government is also presently consulting on local authority guidance attached to the new pet sales licensing regime - albeit concluding some three weeks after the new legislation comes into force¹. A consultation is also live - on new local authority guidance linked to dog breeding establishments in Wales²; though the Welsh Government has proposed only modest changes, totalling 199 words - lacking key additions related to the socialisation of pups, enrichment and staff training. A government-funded training scheme for local authority dog breeding enforcers is also ongoing.

Under the UK Government's Kept Animals Bill, the Welsh Government is also to be given the power to pass regulations restricting the importation of dogs - including those below a specified age, those which have been mutilated and pregnant bitches. RSPCA Cymru hopes the Welsh Government will utilise these powers to increase the minimum age at which puppies can be imported to at least 24 weeks; and to prohibit the importation of mutilated dogs - such as those with cropped ears. Positively, in a joint consultation launched in August with the UK Government and Scottish Government, plans have been mooted to increase the age dogs can be moved into Great Britain to six months, prohibit dogs entering with cropped ears or docked tails, and prohibit the movement of heavily pregnant bitches³ - and the Welsh Government must be a strong advocate for these changes; regardless of what other Great British nations choose to do.

It is hoped these developments form part of a far wider programme in improving dog welfare. The new consultation on dog breeding guidance follows a lengthy process since the Welsh Government announced it had commissioned a thorough review of Wales' dog breeding law by an expert task and finish panel, on the back of the BBC's high-profile documentary of September 2019, which unfortunately highlighted many of the welfare issues which persist. While the Covid-19 pandemic has of course shifted priorities, the modest changes proposed to the guidance are being consulted upon almost two years after that programme first aired. That expert task and finish panel of the Wales Animal Health and Welfare Framework Group led a very positive review into Wales' dog breeding legislation and processes on the back of that documentary - making some 55 recommendations⁴. These covered issues such as improved training for local authorities, amending the controversial minimum staff-to-dog ratio and a national database of breeders. However, it appears many of these recommendations will not be taken forward by the Welsh Government, and the modest governmental response to that review has not matched the urgency in which it was called - albeit, admittedly, amid the wider context of the pandemic. With puppy breeding so widespread in Wales, and demand potentially set to increase as people increasingly work from home in a post-Covid world, the RSPCA urges the Welsh Government to revisit all recommendations made by the Framework Group - such as a National Database of Breeders, and amending the regulations so the controversial staff-to-dog ratio no longer allows the possibility of one member of staff providing care for 20 dogs and their puppies at once.

Questions to consider:

1) How is the Welsh Government monitoring whether local authorities are sufficiently resourced to robustly enforce the new pet sales licensing laws, particularly given guidance for councils attached to the new law is being consulted on after the legislation has come into force?

2) Regardless of any decisions made by other GB nations, is the Welsh Government committed to using its powers under section 46 of the Kept Animals Bill to ban the importation of dogs under six months of age, and those with cropped ears and docked tails? Or, further to the launch of the consultation with Defra and the Scottish Government, will any regulations passed be the same across the three nations?

3) As part of a wider package of measures to protect puppies and promote the responsible sourcing of dogs, will the Welsh Government reconsider its intention not to proceed with a majority of the recommendations made by the Animal Health and Welfare Framework Group in its review of Wales' dog breeding laws - including on the controversial staff-to-dog ratio?

¹ Welsh Government consultation - Pet sales licensing regulations – local authority guidance, closes 1 October 2021

² Welsh Government consultation: Dog breeding establishments - local authority guidance, closes 17 September 2021

³ Defra - Commercial and non-commercial movements of pets into Great Britain - Consultation document, August 2021

⁴ Welsh Government Written Statement: Government Response to the Review of the animal Welfare (Breeding of Dogs) (Wales) Regulations 2014, 18 November 2020

Pet Theft

On 3 September 2021, the UK Government announced its intention to introduce a new criminal offence for pet abduction, following a reported rise in cases of animal theft during the Covid-19 pandemic. As it stands, the abduction of pets is prosecuted under the Theft Act 1968, which treats animals as a 'loss of property' to their owners; no different to a mobile phone or any other non-sentient item. The RSPCA has long highlighted the emotional distress that pet theft can have on owners and their lost animals to be taken into consideration and warmly welcomes plans to make animal abduction a criminal offence in its own right.

The announced legislation will cover all pet thefts, although it is estimated that around 70% of such offences involve dogs⁵. According to Defra, an estimated 2,000 incidents of dog thefts were reported to police in England and Wales in 2020⁶, following a sharp rise in the demand for pups during the pandemic. The price of some dog breeds is said to have increased by as much as 89% over lockdown⁷, which has been linked to the recent rise in dog thefts in the UK - as, sadly, dogs have become an increasingly profitable target for thieves.

The proposed legislation has been recommended by the UK Government's Pet Theft Taskforce which was launched in May 2021. As well as creating a new 'pet abduction' offence, the Taskforce recommended changes so microchip databases became more accessible in England, making it easier for the police to track down pet abduction instances and improving data collection around pet theft.

While we are glad to see pet theft being tackled by the UK Government, the proposed legislation does not presently apply to Wales, with animal welfare being a devolved competence. Matters of crime and theft are usually a reserved matter, but in this instance - given the offence's emphasis on animal welfare and sentience - it will be down to the Welsh Government to formulate a plan to tackle animal abductions in Wales.

With many areas in Wales reporting high levels of dog thefts since the beginning of the Covid-19 pandemic, making such activity a specific criminal offence in Wales in order to deter potential offenders is much-needed. Earlier this year, we received worrying reports of individuals posing as RSPCA workers to potentially gain access to dogs they were reportedly looking to steal⁸, while media reports of dog-walkers being targeted by potential thieves were especially prevalent during the first few months of 2021⁹.

The Welsh Government now has an opportunity to either create its own policy to tackle pet theft - or urge the UK Government to extend the new law to include Wales too, then paving the way for the Senedd to pass LCM to enshrine any UK Government policy into law for Wales. We encourage both the Welsh Government and the Senedd to give pet theft its urgent attention following the summer recess to ensure that we do not fall behind England in this area and protect both owners and their animals from the devastating consequences of such offences.

Questions to consider:

1) Following the UK Government's announcement that it will make pet theft a specific offence in England, what plans does the Welsh Government have to introduce a similar policy in Wales in order to protect both owners and their animals?

2) How is the Welsh Government working with the police and other stakeholders to tackle the issue of pet theft in Wales, following the announcement that such instances will soon be made a criminal offence in England?

3) Given the Minister's previous emphasis on the role of Wales' new Wildlife and Rural Crime Coordinator's in tackling pet theft, can the Minister make a statement on the progress made following their appointment earlier this year?

⁵ UK Government Policy paper, Pet theft taskforce report, published 3 September 2021

⁶ Ibid

⁷ Ibid

⁸<https://www.westerntelegraph.co.uk/news/19057643.pet-owners-warning-bogus-rspca-workers-make-frightening-late-night-call/>

⁹<https://www.walesonline.co.uk/news/wales-news/cardiff-pentwyn-dog-theft-police-20221352>

Caged Farm Animals

On 30 June, the European Commission made an historic announcement to phase out cage systems for a variety of farmed animals. The announcement came as part of the Commission's response to the European Citizens' Initiative (ECI) 'End the Cage Age' which saw backing from more than 1.4m citizens, including over 54,000 from the UK - including, likely, many respondents from Wales. 'End the Cage Age' called on the Commission to propose legislation to prohibit the use of cages for a host of farm animals, and highlighted how "cruel and unnecessary" cages can inflict "suffering on enormous numbers of farm animals every year"¹⁰.

In response, the Commission has proposed to bring forward legislation phase out the use of cage systems for laying hens, sows, calves, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese by 2023; and will hope to ensure any produce imported into the EU under future Free Trade Agreements (FTA) meets the same standards¹¹. The European Commission has said that funding from the Common Agricultural Policy (CAP) is expected to be used to support phasing out cages in farming, and the move could lead to hundreds of millions of farm animals being freed from caged systems in the near future.

An ECI is a mechanism which allows EU citizens to sign a petition calling on the Commission to act - and the Commission must respond if more than one million nationals from a significant number of EU member states submit a proposal, highlighting the strength of feeling which existed on this issue across the bloc. 'End the Cage Age' was only the sixth ECI to have passed the required threshold¹².

The news was labelled "incredible" for animal welfare¹³ - given that hundreds of millions of farm animals across the EU still endure cages - which can be hugely detrimental for their welfare. In Wales, farrowing crates are presently permitted - while many laying hens are confined to so-called enriched cages, which can still compromise welfare. Game birds and rabbits are among the other species still farmed in cages in Wales. Concerningly, polling for 'End the Cage Age' has found more than 16 million farm animals in the UK live in caged systems - and only 66% of farm animals that could be caged across the UK are presently reared in cage-free conditions¹⁴ - underlining the need for Welsh Government action.

Ending cages for laying hens and pigs in England is in Defra's Action Plan - and further consultation on this is expected soon. RSPCA Cymru is now urging the Welsh Government to follow the European Commission's lead and end cage systems for farm animals - preferably via a legislative route. Pledges have already been made by the UK Government for England to fund schemes from their farm support programme - including helping farmers to phase out cages for more humane methods of production. However, it is hoped Wales will ultimately match the extent of the European Commission's announcement made at the end of June.

In their programme for government, the Welsh Government pledged to "restrict the use of cages for farmed animals"¹⁵ - however, it is unclear the extent to which the Welsh Government intends to go, or when such changes will be enacted. It is hoped any such policy will be backed up by incentivising farmers to deliver high animal welfare on their farms with a new post-Brexit payments scheme that rewards the best standards, as part of a future Agriculture (Wales) Bill.

Questions to consider:

1) When will the Welsh Government publish more information about its programme for government pledge to 'restrict the use of cages for farmed animals'?

2) Does the Welsh Government's plans for caged farm animals intend to go as far as the European Commission's historic response to the 'End the Cage Age' campaign?

3) Will the Welsh Government financially incentivise farmers delivering the highest welfare standards via its planned Agriculture (Wales) Bill by - for instance - offering capital cost grants for farmers to change to a non cage system?

¹⁰ European Citizens' Initiative - End the Cage Age, Commission registration number: ECI(2018)000004, 11 September 2018

¹¹ European Commission Press: Commission to propose phasing out of cages for farm animals, 30 June 2021

¹² RSPCA news - England and Wales must act as European Commission backs landmark farm cage ban, 30 June 2021

¹³ Ibid

¹⁴ endthecageage.eu - League Table

¹⁵ Welsh Government, Programme for government 2021 to 2026 - Rural Affairs and North Wales

Pets as Prizes

As people return to fairgrounds and fetes in large numbers following the relaxation of Covid-19 restrictions, there are concerns about the outdated practice of giving pets away as prizes may return in bigger numbers. RSPCA Cymru firmly believes that now is the time to finally end the giving away of pets as prizes in Wales. Since 2015, the RSPCA has received 144 reports about goldfish and other aquatic animals being given away as prizes, although these calls stalled completely during the height of the Covid-19 pandemic as events were forced to cancel.

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.

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 media¹⁶. The Minister said in October 2019 that "a separate piece of work"¹⁷ would happen on pets as prizes, indicating there is governmental will to act - but, as of yet, no further action has been taken.

In the absence of Welsh legislation on this particular issue, the RSPCA has been successful in urging a number of local authorities to implement banning this practice on their land. Four local authorities in Wales have banned the activity so far including Caerphilly, Wrexham and Conwy County Borough Councils, as well as Newport City Council. In England, the London Assembly recently voted to back a ban on the giving of pets as prizes. The Assembly motion encouraged Mayor Sadiq Khan to ask the city's 33 local authorities to end the practice on their land and for the UK Government to introduce an outright ban¹⁸.

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 aquatic animals once and for all.

Questions to consider:

1) Further to the Minister's assertion that "a separate piece of work" would be forthcoming on pets as prizes, will she provide an update on the Welsh Government's intention to ban the cruel and outdated practice of giving away animals such as goldfish as prizes, as recommended by RSPCA Cymru?

2) 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 Councils to pass a motion restricting this practice on their land?

3) What evidence would the Welsh Government require to consider banning nationally the giving away of pets such as goldfish and other aquatic animals as prizes in Wales?

¹⁶ P-05-933, 'Ban Goldfish from being given away at funfairs, #OperationGoldfish

¹⁷ Welsh Parliament Record of Proceedings - Climate Change, Environment and Rural Affairs Committee, Fifth Senedd, 10 October 2019

¹⁸ London Evening Standard - Ban goldfish as awards at fairgrounds in London, says assembly, 3 September 2021

RSPCA Cymru incidents, June - August 2021

From June to August 2021, the RSPCA responded to 6,134 incidents across Wales - an 8.8 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	June - August 2021	June - August 2020
Blaenau Gwent	118	115
Bridgend	225	187
Caerphilly	281	221
Cardiff	791	637
Carmarthenshire	333	312
Ceredigion	129	112
Conwy	363	378
Denbighshire	363	298
Flintshire	229	264
Gwynedd	284	217
Isle of Anglesey	169	154
Merthyr Tydfil	110	76
Monmouthshire	131	119
Neath Port Talbot	336	297
Newport	313	332
Pembrokeshire	215	222
Powys	217	239
Rhondda Cynon Taff	330	263
Swansea	550	543
The Vale of Glamorgan	259	218
Torfaen	165	157
Wrexham	242	279
TOTAL	6,134	5,640

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.