



# RSPCA Rolling Briefing

Rural Affairs, North Wales & Trefnydd  
Questions

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

Date of Questions:	Tabled By:
15 December 2021	3.30pm on 8 December 2021

### Recent Animal Welfare Updates

**Animal sentience must be acknowledged in devolved policy.** As the UK Government's Animal Welfare (Sentience) Bill makes its way through the House of Lords, RSPCA Cymru is calling on the Welsh Government to urgently consider how it will acknowledge animal sentience during the formation of its future policy. The Animal Sentience Bill will mean all UK Government policy will be scrutinised by a Committee for its impact on animal welfare and sentient beings - but devolved policy will not; potentially creating a scrutiny deficit for animals. We want to see the Welsh Government pay legal regard to the needs of sentient animals and report on how sentience is considered across government departments, with the support of an independent advisory body. We believe the acknowledgement of animal sentience in law would send the strongest possible message that the welfare and status of animals is respected and will go a long way towards achieving the Welsh Government's ambition of ensuring 'a good quality of life for all animals in Wales'.

**A not so merry Christmas for some.** With Christmas just around the corner and the associated festivities in full swing, RSPCA Cymru is concerned about the welfare of the reindeer currently being used during festive events. Reindeer are complex creatures that are very susceptible to many health and welfare problems, including a tendency to become easily stressed. While reindeer are kept in the UK year-around, the demand for them significantly increases around this time of year for them to be on display at festive events. Specialist deer vets report a range of problems in reindeer kept in the UK, including a lack of weight gain, weight loss, diarrhea, poor muscle development, poor antler growth, malformed antlers, low fertility and high calf mortality. Worryingly, only a one-off registration is currently required to use reindeer in such a way in Wales under the Performing Animals (Regulation) Act 1925 with no requirement to carry out inspections, nor set standards to inspect against. Because of this, we're calling on the Welsh Government to ensure that these sensitive creatures are not left behind when it comes to the future licensing of activities involving animals by committing to regulating mobile animal exhibits this Senedd term.

**No dog should be designed to suffer.** On December 13, BBC Wales will air an investigation into 'The Hidden World of Designer Dog Breeding' and those who make large profits from selling pups. With the programme set to uncover how far breeders and dealers will go to create 'designer' looks for pets at the request of their owners, RSPCA Cymru is concerned about the ongoing development of trends such as ear cropping and other practices that compromise dog welfare, as well as the prominence of illegal breeders and traders. Over the last six years, the RSPCA has seen a 621% increase in the number of reports of ear cropping and cropped ears, despite the practice being illegal in the UK. Ear cropping is a painful and unnecessary practice in which dogs' ears are removed or surgically altered without anesthetic or pain relief. If applied to Wales, the UK Kept Animals Bill will empower the Welsh Government to stop the importation of dogs with cropped ears and other mutilations such as tail docking, but there is also an urgent need to address these practices, and those who illegally breed and mutilate dogs, on a domestic level.

**Public's concern about I'm a Celebrity... Get Me Out of Here!** More than 11,000 people have taken part in the RSPCA's latest campaign complaining about the use of live animals during *I'm a Celebrity... Get Me Out of Here!* to Ofcom, the UK's communications watchdog. Disappointingly, the producers of the show decided to continue its use of live animals this year, with rats, snakes and insects all having been used during the latest round of 'bushtucker trials'. It is understood that the Welsh Government had conversations with the show's producers ahead of this year's series about licensing requirements and the legal framework, including non-native species. We urge the Welsh Government to outline its plans to address the treatment of animals in North Wales if the show is to return here next year.

## Animal sentience

With the UK Government's Animal Welfare (Sentience) Bill having reached the final stage in the House of Lords, RSPCA Cymru is concerned that Wales is currently at risk of falling behind when it comes to paying legal regard to animal sentience. Much like us, animals have the capacity to experience joy and pleasure as well as pain and suffering, but this has not been recognised in law following our departure from the European Union. While the UK Government is looking to replace the legal protection animals were previously afforded through EU law, which recognises animals as beings with feelings, via the Animal Welfare (Sentience) Bill, it will not apply to devolved policy-making.

As part of the new UK Sentience Bill, an Animal Sentience Committee will be created to make 'Ministers accountable for animal welfare in policy making'<sup>1</sup>. If we are to ensure 'a good quality of life for all animals' as outlined in the Animal Welfare Plan for Wales<sup>2</sup>, it is important that a similar approach is taken here and we urge the Welsh Government to consider establishing an Animal Sentience Committee for Wales which would ensure all Welsh Government policy is tested for its impact on sentient beings and any adverse impacts on the welfare of animals.

In a move much welcomed by the RSPCA and other animal welfare organisations, the scope of the UK Government's Bill was extended this month to include decapod crustaceans and cephalopod molluscs such as crabs, lobsters and octopus<sup>3</sup>. While the Bill is unlikely to be amended further before it progresses, it is expected that it will reach the House of Commons early next year. With just a few short weeks to go until 2022, we are urging the Welsh Government to confirm how it will eventually acknowledge animal sentience during the policy making progress, to ensure that animals in Wales are not under less protection than animals in other areas of the UK.

RSPCA research has shown that approximately 73% of people believe that animal cruelty is committed because people do not understand that animals are sentient with feelings and emotions. With the number of animal welfare incidents being reported to the RSPCA having increased in Wales in recent months in comparison to last year, we are concerned a lack of understanding of animal sentience is a factor. Because of this, we believe the acknowledgement of animal sentience in law would send the strongest possible message that the welfare and status of animals is respected and could help reduce cruelty to animals as a result.

While the aforementioned Animal Welfare Plan for Wales makes no mention of animal sentience, the Welsh Government stated in 2018 that it plans to agree to the inclusion of Wales in the UK Bill through legislative consent memorandum<sup>4</sup>. With almost four years having passed since, and with a new Welsh Government now in place, an update on the Welsh Government's latest position on legislation relevant to animal sentience is much needed. It is also unclear how an LCM would impact the Bill - and whether the Committee being established by the UK Government would then be tasked with also considering all devolved policy made in Wales for its impact on animal sentience; so clarity on the Welsh Government's intentions is important given the UK Bill's progression.

Along with acknowledging animal sentience in law, we also encourage the Welsh Government to consider facilitating training and educational programmes which aim to increase people's understanding of animal sentience and how it is relevant to us all in our everyday lives. This is especially timely with the introduction of Wales' new curriculum in 2022, which gives teachers more flexibility to teach students about empathy and compassion as part of the new Areas and Learning Experiences (AoLEs).

### **Questions to consider:**

- 1. Can the Minister confirm how the Welsh Government plans to acknowledge animal sentience in the development of all of its future policy-making, with the UK Government's Animal Welfare (Sentience) Bill currently making its way through the House of Lords?**
- 2. With regard to animal sentience, can the Minister confirm whether the Welsh Government still plans for Wales to be included in the remit of the UK Government's Animal Welfare (Sentience) Bill through legislative consent memorandum; and whether the Committee would then consider all devolved policy for its impact on sentience?**
- 3. Can the Minister confirm what consideration has been given towards establishing an independent body to scrutinise future Welsh Government policy for its impact on animal welfare and sentience?**

<sup>1</sup> <https://www.gov.uk/government/news/animals-to-be-formally-recognised-as-sentient-beings-in-domestic-law>

<sup>2</sup> <https://gov.wales/animal-welfare-plan-wales-2021-26>

<sup>3</sup> <https://www.gov.uk/government/news/lobsters-octopus-and-crabs-recognised-as-sentient-beings>

<sup>4</sup> <https://gov.wales/written-statement-animal-sentience>

## Mobile animal exhibits

With festive events such as carnivals and parades having returned to Wales over recent weeks following last year's absence due to Covid-19 restrictions, RSPCA Cymru is concerned that the reindeer being used for these events could be suffering in silence. While it is understandable that meeting a real-life reindeer at this time of year might prove magical for children and adults alike, reindeer are complex creatures that require specialist care because of their natural ability to hide illnesses that even their owners might struggle to spot until it is too late.

Reindeer are imported specifically for Christmas events and are often transported long distances and kept in small pens which give them little opportunity to retreat and hide if they feel stress - something they are particularly susceptible to when they are exposed to busy environments while being surrounded by crowds, noise and lights and repeatedly petted and fed by members of the public.

While reindeer are kept in the UK year-round, they are highly adapted to living arctic conditions which makes them significantly more complicated to care for than other hooved animals such as cattle, sheep and goats. All of the reindeer that can be found in the UK are still semi-wild and are not suited to being kept alone or in small groups in confined spaces. They are also vulnerable to a host of health and welfare problems, which is why RSPCA is concerned that those keeping small numbers of reindeer on small holdings to make money from them at seasonal events are unlikely in many instances to have the specialist knowledge needed to care for these animals properly. Mortality rates are unknown. Because of this, we are calling on people to consider the welfare implications of the animals involved in Christmas events, and to perhaps look for events which do not include live animals instead.

As it stands, only a one-off registration is required in Wales under the Performing Animals (Regulation) Act 1925 to display reindeer, with no requirement to carry out inspections, nor standards to inspect against. Within the Animal Welfare Plan for Wales, mobile animals exhibits are cited as one of the areas which could be potentially included in revised proposals for the licencing of activities involving animals<sup>5</sup>. RSPCA Cymru is calling for such exhibits to be licenced and inspected in Wales, to ensure the welfare of animals such as the reindeer, who find themselves in high demand at this time of year. Other popular mobile animal exhibits include falconry displays, circuses with domesticated animals and petting zoos - all of which are not currently subject to sufficient checks in Wales. While the use of wild animals in circuses was made illegal in Wales back in 2020, this legislation does not apply to domestic animals such as dogs, cats, horses, rabbits, pigeons or doves.

The Welsh Government has previously outlined its intention to license mobile animal exhibits and held a series of workshops back in 2018 to capture stakeholders' thoughts about how such a structure could work<sup>6</sup>, which RSPCA took part in along with a wide range of other organisations. The feedback from the workshops was predominantly supportive of the proposal to license such exhibits and was used to inform a public consultation on the Animal Welfare (Licensing of Animal Exhibits) (Wales) Regulations 2020. Interestingly, this consultation was targeted at children as well as the general public, following concerns that mobile animal exhibits have a negative impact on the attitudes of children and young people towards animals<sup>7</sup>. While the regulations were not brought in in 2020 as expected with its intended introduction coinciding with the beginning of the Covid 19 pandemic, it is now hoped that a similar scheme will be introduced during the sixth Senedd term to help protect the animals used during traveling exhibits across Wales and ensure the next generation of children develop respectful and responsible attitudes towards animals.

### **Questions to consider:**

- 1. Can the Minister confirm when the Welsh Government will be consulting on the potential inclusion of mobile animal exhibits in the revised proposals for the licensing of activities involving animals, as outlined in the Animal Welfare Plan for Wales?**
- 2. What further evidence would the Welsh Government need to progress with its intention to license mobile animal exhibits, following the stakeholder workshops and the subsequent consultation that took place back in 2018 and 2019?**
- 3. Can the Minister confirm how the Welsh Government plans to consult further with the next generation of animal owners in Wales, as it has done in the past on subjects such as mobile animal exhibits?**

<sup>5</sup> <https://gov.wales/animal-welfare-plan-wales-2021-26>

<sup>6</sup> <https://gov.wales/written-statement-mobile-animal-exhibits-1>

<sup>7</sup> [https://gov.wales/sites/default/files/consultations/2018-02/summary\\_en.pdf](https://gov.wales/sites/default/files/consultations/2018-02/summary_en.pdf)

## Designer dogs

Following previous investigations into puppy farming and badger baiting, BBC Wales Investigates is set to air a new investigation into the hidden world of 'designer dog' breeding on December 13. Given recent spikes in the demand for puppies, the investigation aims to uncover dealers who are 'willing to break the law' to enable 'a brutal trade fuelled by owners who want designer looks for their pets'<sup>8</sup>. While the exact content of the programme remains to be seen, one trend which appears to have accelerated in recent years is the desire for dogs with cropped ears, despite being classed as an illegal mutilation in the UK .

Ear cropping is a painful and unnecessary practice that is generally performed on puppies up to the age of 12 weeks, usually without anesthetic or pain relief. The procedure entails the removal of part or all of the entire ear flap and the increase in the popularity of certain breeds and types of dogs such as cane corsos and American bulldogs, is making cropping, and the look, more normal, much to the concern of the RSPCA. The number of reports we received in relation to ear cropping increased by 621% over a six year period leading up to 2020. We are worried that this trend will continue to increase especially as there appears to be growing popularity of the breeds associated with cropped ears. Ear cropping does not benefit the dog in any way and can actually be detrimental to their health, behavior and welfare. The wounds from ear cropping can take a long time to heal, need a lot of aftercare and can become infected easily. Ears are also an important part of the dog's body and are used to signal how they are feeling, meaning that surgical alteration or the removal of the ear will impact on their signaling and communication capability. While the procedure is illegal in England and Wales people are still doing, or arranging, for this to be done illegally. Unfortunately it remains legal to import dogs who have had their ears cropped in other countries providing a smokescreen for those who crop illegally.

If applied to Wales through legislative consent memorandum (LCM), the Kept Animals Bill could give the Welsh Government new powers to regulate a ban on the importation of puppies with specific mutilations such as ear cropping. While this would go a long way towards addressing the importation of dogs with cropped ears into Wales, as of yet it is unclear how the Welsh Government plans to address suggestions that illegal ear cropping is still going on at a domestic level. With the number of dogs with cropped ears in Wales having the potential to increase in coming years, RSPCA Cymru is calling for the Welsh Government to issue a public awareness campaign on this issue, to send a clear message that the illegal mutilation of dogs for cosmetic purposes is unacceptable and would welcome any opportunity to contribute towards this.

The Kept Animals Bill could also pave the way for the Welsh Government to ban the import of puppies under 24 weeks into Wales - something RSPCA Cymru is very keen to see. The Covid-19 pandemic has seen a significant rise in the demand for puppies, and the number of puppies being imported into Great Britain, both legally and illegally, as a result. This sudden demand for puppies resulted in the price for some breeds increasing dramatically in a short period of time and with British breeders unable to satisfy this sudden increase in immediate demand, the trade in imported dogs from countries with lower welfare standards rose, much to the concern of the RSPCA.

While 2021 marked an important year for animal welfare in Wales following the introduction of a ban on the third party selling of puppies back in September under the Licencing of Activities Involving Animals Regulations (LAIAR), more work is needed to tackle the common animal welfare issues associated with those profiting from puppies. RSPCA Cymru was pleased to see the Welsh Government stating, in its Animal Welfare Plan, that it could seek to revise Wales' dog breeding laws - the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 - further to the recent publication of updated statutory guidance. We urge the Welsh Government to revisit the recommendations previously made by the Wales Animal Health and Welfare Framework Group as part of this work, if it is to take place. That review was called following a previous BBC documentary into the state of dog breeding in Wales, and this upcoming programme could further expose issues with designer dog breeding in this country.

### **Questions to consider:**

- 1. Can the Minister confirm what action is being taken by Welsh Government to address illegal mutilations such as ear cropping in dogs on a domestic level in Wales?**
- 2. Can the Minister confirm how the Welsh Government intends to measure the success of the Licencing of Activities Involving Animals Regulations (LAIAR) and the three year Local Authority Enforcement Project with regards to reducing the number of unlicensed dog breeders in Wales?**
- 3. Can the Minister make a statement on the progress of the three year Local Authority Enforcement project to date and confirm whether it is meeting its annual and overall objectives so far?**

<sup>8</sup> <https://www.bbc.co.uk/programmes/m0012lhn>

## I'm a Celebrity... Get Me Out of Here!

With the reality TV show *I'm a Celebrity... Get Me Out of Here!* almost over for another year, RSPCA has seen an unprecedented amount of support for our campaign calling on the show to discontinue its use of live animals during its infamous 'bushtucker trials'. More than 11,000 animal lovers have already reported their concerns about the animals used during the show to Ofcom via our campaign action, with the number set to increase ahead of the show's finale.

While the producers of the show have released statements insisting that their use of live animals is in accordance with animal welfare laws<sup>9</sup>, a number of the animals used in the challenges, such as cockroaches and crickets, are invertebrates and are therefore not covered by the Animal Welfare Act or the Performing Animals (Regulation) Act, which applies to Wales. With animal sentience receiving more focus than ever, the RSPCA believes that subjecting many of these animals to the conditions of 'bushtucker trials' risks trivialising debates around sentience.

As well as insects, animals such as rats, lizards and snakes have also been used during this year's trials and are likely to have been subject to stress while being surrounded by screaming, panicked celebrities in small, confined spaces. RSPCA has been keeping a close eye on the trials and have been assessing each one for its potential impact on the animals being used. As of December 8, 11 trials featuring the use of live animals have taken place, with at least five more trials yet to take place before the show finishes on December 12. This year's series has seen different species of animals such as snakes and rats in close proximity during trials, something which could cause significant stress to both species, as well as inappropriate handling of animals by the contestants. With the trials often taking place outside and with temperatures having dropped over recent weeks, RSPCA is also concerned that the environment may not be suitable for animals such as lizards and snakes that cannot produce their own body heat, with it being unclear whether suitable sources of heat and light are being used.

It is understood that the Welsh Government held conversations with the producers of the show ahead of this year's series but as of yet, we have no confirmation whether these conversations focused on the use of animals for entertainment or the potential damage to local ecosystems in North Wales. With the show potentially returning to Wales again next year, we continue to urge the Welsh Government to make it clear that the use of animals for entertainment in this way is not welcome here in Wales and to join us in calling on the producers of the show to consider more humane alternatives.

### **Questions to consider:**

- 1. Can the Minister confirm whether, following conversations her team held with the producers of *I'm a Celebrity... Get Me Out of Here!*, she was satisfied with the level of welfare given to the animals used during the programme?**
- 2. What action will the Welsh Government take to mitigate the risks to animals and local ecosystems if *I'm a Celebrity... Get Me Out of Here!* is to return to North Wales next year?**
- 3. What assessment has the Welsh Government made of the way *I'm a Celebrity... Get Me Out of Here!* portrays animals?**

<sup>9</sup> <https://metro.co.uk/2021/11/19/im-a-celebrity-2021-rspca-urges-producers-to-stop-using-live-animals-15632970/>

## RSPCA Cymru incidents, September - November 2021

From September to November 2021, the RSPCA responded to 4,318 incidents across Wales - a 4.8 percent increase on the same time period last year; with Covid-19 restrictions now significantly eased and people spending 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	September - November 2021	September - November 2020
Blaenau Gwent	95	92
Bridgend	147	142
Caerphilly	203	174
Cardiff	381	480
Carmarthenshire	297	265
Ceredigion	100	111
Conwy	234	219
Denbighshire	173	139
Flintshire	182	182
Gwynedd	192	165
Isle of Anglesey	123	120
Merthyr Tydfil	89	63
Monmouthshire	126	90
Neath Port Talbot	235	199
Newport	289	222
Pembrokeshire	166	218
Powys	168	170
Rhondda Cynon Taff	268	254
Swansea	394	400
The Vale of Glamorgan	163	118
Torfaen	110	123
Wrexham	183	173
<b>TOTAL</b>	<b>4,318</b>	<b>4,119</b>

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 issue also features updates per Senedd region which may prove useful for supplementary questions.