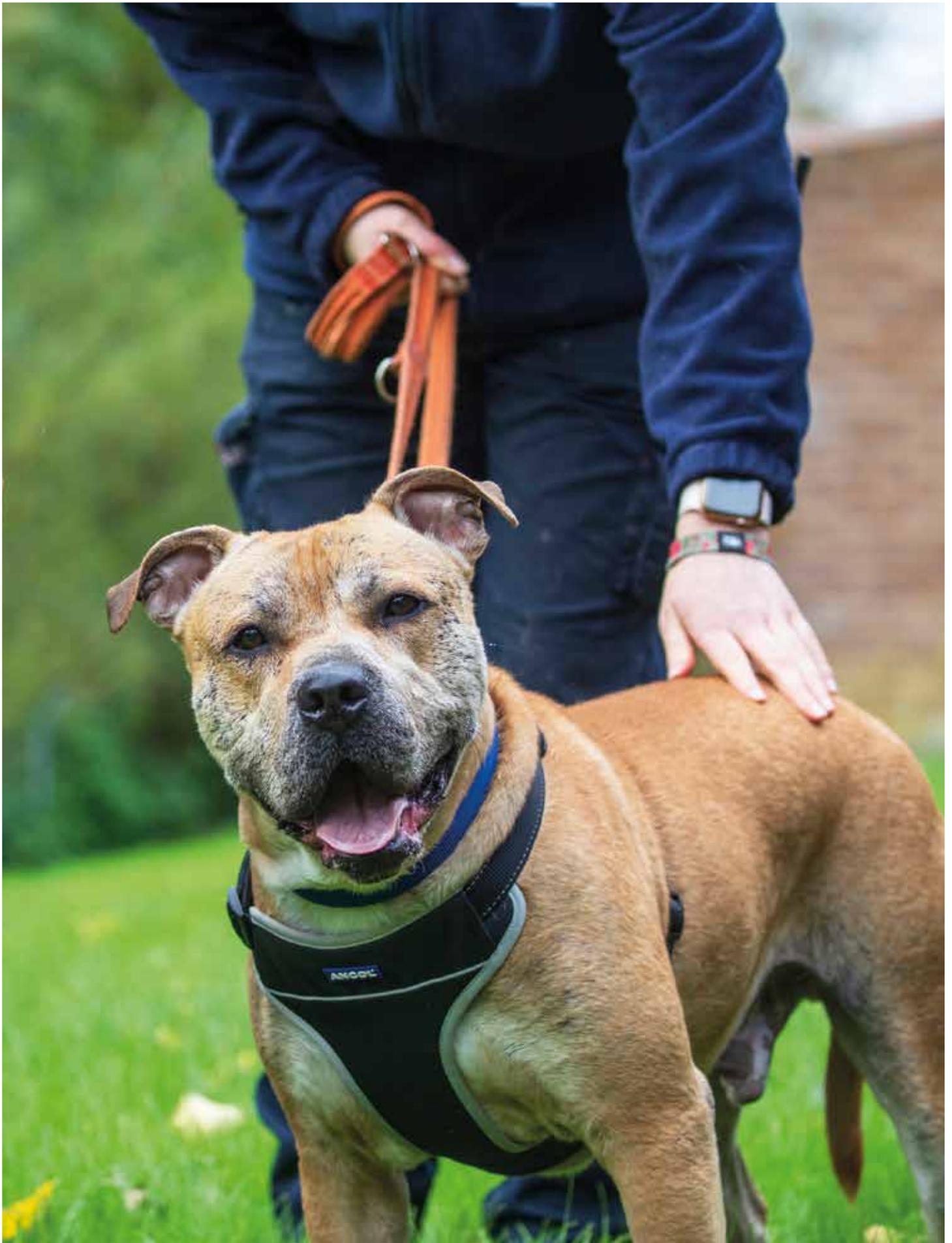




# Progressing the regulation of Animal Welfare Establishments in Wales

**April 2023**



# Foreword

RSPCA Cymru has long called for the regulation of Animal Welfare Establishments (AWEs) to provide legal safeguards for the animals inside Wales' animal sanctuaries and rescue and rehoming centres. Unlike establishments such as riding schools, dog breeders and cat boarders, AWEs are currently not subject to regulation in Wales, which essentially means that anyone can set up one, regardless of whether they have the skills or resources needed to care for animals. As it stands, there is a real gap between public expectations about the regulation of these establishments and the reality, as shown by the data featured in this report. While AWEs often do invaluable work rehabilitating and rehoming or releasing animals, there is no specific legislation in place beyond the Animal Welfare Act 2006 to protect the welfare of animals within these establishments. AWEs can be set up without the oversight of any inspection regime or any legal requirement for strong welfare standards and contingency plans to be put in place.

Inevitably, it is the RSPCA that has to pick up the pieces when things go wrong. We have investigated numerous cases of inadequate care in AWEs in recent years, including some of the most high-profile cases of AWE failings in Wales. Cases involving these establishments are often long-running and highly complex and can involve large numbers of animals and high costs. As well as requiring significant use of our officers' limited resources, our work on AWEs has also seen us rehabilitating and releasing animals, such as polecats and jackdaws, who are in desperate need of care, and finding homes for many, many cats, dogs and horses. Well-meaning people who set up AWEs with the best of intentions can quickly find themselves out of their depth, as highlighted by some sanctuary and rescue failures in Wales in recent years, and we want to help ensure that the welfare of the often vulnerable animals within these establishments is not compromised as a result. We look forward to working with the Welsh Government on the progression of AWE legislation in Wales over this Senedd term to ensure that better protections are in place for animals in need of sanctuary, rescue or rehoming.

*David Bowles*

Head of Public Affairs, RSPCA

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**While AWEs often do invaluable work rehabilitating and rehoming or releasing animals, there is no specific legislation in place beyond the Animal Welfare Act 2006 to protect the welfare of animals within these establishments.**

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# Methodology

The aim of this report is to assess the need and appetite for the regulation of AWEs in Wales and to gain an insight into the success of the Code of Practice for Animal Welfare Establishments published by the Welsh Government in 2020. This report has been compiled using various research methods, including the use of surveys and polling, data from local authorities, the Welsh Government and previous reports on this topic, and testimonials from RSPCA inspectors.

## Background and relevant documents

The term Animal Welfare Establishment is commonly used to describe “a person, organisation or establishment who holds themselves out to receive vulnerable animals on a regular basis, whether companion, farmed, wild, protected or other animals, with a view to rehabilitating and either rehoming or releasing (back to the wild), or providing long-term care.”<sup>1</sup> For the purposes of this report, the acronym AWE will be used to refer to currently unregulated establishments such as animal sanctuaries and rescue and rehoming centres.

In 2012, the Animal Welfare Network for Wales (AWNw) published a report titled *The case for the regulation of Animal Welfare Establishments in Wales*, which RSPCA Cymru contributed to as a member of the network. A voluntary *Code of Best Practice for Animal Welfare Establishments*<sup>2</sup> was published in September 2020 as a result of ongoing collaboration between the Welsh Government and AWNW, marking an important step forwards towards protecting the welfare of the animals in Wales’ AWEs. This Code of Practice (CoP) contains best practice guidance for operators, focused on the issues related to animal care, as well as staff and volunteer management. However, with the code being entirely voluntary, there are no legal guarantees that it is being followed. Since the CoP was published, the RSPCA has continued to receive reports about AWEs in Wales and to take action against such establishments, so it is unclear how much of an impact the CoP has made to date. Data from the Welsh Government suggests that the two web pages which feature links to the Code of Practice on its website have been visited only 653 times (636 visits to the English language page, 17 visits to the Welsh language page) from September 2020 – February 2022, with no other enquiries about the code or its content having been received over those 18 months<sup>3</sup>. With this document having been in place since September 2020, RSPCA Cymru felt this report was well-placed to assess whether the CoP has impacted the necessity, or appetite, for statutory regulation, and to gauge the views of the animal welfare sector, AWEs themselves and the wider public.

With a decade having passed since the publication of AWNW’s report, we are now renewing our calls for the regulation of AWEs in Wales. We conducted new research over a four-month period (October 2021 – February 2022) as part of an evidence-based contribution to future discussions on this topic, with a particular focus on the success of the CoP since its introduction in September 2020. Positively, while we were collecting evidence for the purposes of this report, the Welsh Government included the introduction of ‘registration for animal welfare establishments’ in the Animal Welfare Plan for Wales, which sets out its priorities relevant to this area up until 2026, as part of a potential expansion of The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021.

A Senedd debate on the regulation of rescue and rehoming centres also took place in November 2021<sup>4</sup>, with Members of the Senedd voting in support of the development of such legislation, much to the delight of RSPCA Cymru and many others across the animal welfare sector. As the Welsh Government consults with the sector on how best to progress such legislation, we hope this report will help fill some of the gaps in evidence that currently exist and outline some of the lessons learned since the introduction of the CoP.

1. <https://gov.wales/sites/default/files/publications/2020-09/animal-welfare-establishments-code-of-best-practice.pdf>

2. Welsh Government – *Code of Best Practice for Animal Welfare Establishments*, September 2020.

3. This information was received directly from the Welsh Government on 15 February 2022.

4. Record of Proceedings, 24 November 2021.

## Public survey

To gain an up-to-date perspective on the public's appetite for the regulation of AWEs in Wales, we conducted a public survey via YouGov which asked 1,010 adults living in Wales a series of questions on this topic<sup>5</sup>.

There is, perhaps understandably, little public understanding of how AWEs are regulated, with over a quarter of adults (27%) admitting they are unsure. Only 5% answered correctly by saying that AWEs are currently unregulated, with this being the least common answer chosen. Meanwhile, 19% of adults think that Wales' local authorities already regulate AWEs, with 11% assuming this comes under the responsibilities of the UK Government, 10% thinking it is the RSPCA who does this and 7% thinking that AWEs are self-regulated. This suggests that the public already assumes that AWEs are regulated in some form, a theme previously identified by AWWN's 2012 report, and that few are aware that there is currently no specific legislation in place for these establishments.

There is, however, huge public demand for AWEs being regulated in Wales, with **88% agreeing that they should be**. Only 3% of adults wished to see AWEs remain unregulated in Wales, with 9% answering that they were 'unsure'/'don't know'. With such an overwhelming majority being in favour of the regulation of AWEs, there is clearly a public appetite for the introduction of legislation that specifically covers these establishments.

A majority felt that regulation of AWEs should be the responsibility of either the Welsh Government (38%) or local authorities (23%). Interestingly, one in five (19%) felt the RSPCA should regulate AWEs in Wales, while 10% were in favour of AWE regulation falling under the remit of the UK Government. Giving the industry the opportunity to regulate itself was the least popular option chosen with only 4% opting for this. A further 6% of respondents answered 'unsure'/'don't know' when asked who should regulate AWEs.

The final polling question asked who the respondent would report to if they had concerns about the welfare of animals in an AWE they had visited. The majority (71%) opted to contact animal welfare charities such as ourselves in this instance, as well as the relevant local authority (35%) and the police (28%). While 6% said that they were unsure/'don't know' as to who they would contact, positively only 2% would not report their concerns at all, showing that most would find signs of poor welfare at an AWE worrying enough to act. With many choosing to contact charities, local authorities and the police, this highlights how these respective organisations are already being asked to use their resources to investigate AWEs, despite having no specific legislation relevant to these establishments to enforce.

## The current role of local authorities

Given the lack of regulation, Wales' local authorities are not yet responsible for regulating AWEs. However, our research suggests that they still receive enquiries from the public about such establishments and have also been required to become involved in investigations involving AWEs. Worryingly, research also suggests that none of Wales' local authorities have the aforementioned voluntary Code of Practice on their website and that they are yet to receive any enquiries about the CoP from the public either. The research we conducted suggests that many local authorities are currently unaware of how many AWEs there are in their locality because there is currently no requirement for these establishments to be registered, and as such this data is not routinely collected. Unfortunately, there has long been a lack of reliable data on the numbers of AWEs in Wales, with previous data gathered by the Welsh Government in 2011 estimating that there are 88 AWEs in Wales<sup>6</sup>. This lack of data has long been a concern when assessing the role AWEs play with regards to animal welfare in Wales but formal regulation by local authorities would ensure reliable records were kept.

According to our research, Wales' local authorities received 32 enquiries about AWEs over a five-year period leading up to 2021, with two local authorities taking part in ongoing investigations and/or liaison with an AWE in their area, when asked in November 2021<sup>7</sup>.

5. All figures, unless otherwise stated, are from YouGov Plc. Total sample size was 1,010 adults living in Wales. Fieldwork was undertaken between 3 and 7 February 2022. The survey was carried out online. The figures have been weighted and are representative of all Wales adults (aged 18+).

6. Animal Welfare Network for Wales, *The case for the regulation of Animal Welfare Establishments in Wales*, 2012.

7. Figures acquired via Freedom of Information requests sent to Wales' local authorities, November 2021.



88% of the public think AWEs should be regulated in Wales.

Only 5% of the public are aware that AWEs are unregulated in Wales.

82% of AWEs are in favour of the sector being regulated or licensed.

Almost half of the AWEs we surveyed have never referred to the Welsh Government's Code of Practice for AWEs.

As of November 2021, two of Wales' local authorities were conducting live investigations into AWEs, despite having no specific legislation to enforce.

## Sector survey

As well as giving the public an opportunity to share their thoughts on AWE regulation, we also approached AWEs in Wales to gather their perspective on their sanctuary, rescue or rehoming centre being regulated in the future. We approached 52 organisations in total, including RSPCA animal centres, other rescue and rehoming centres for companion animals, organisations who specialise in the rehabilitation and release of wild animals, and sanctuaries for farmed animals and equines<sup>8</sup>. The establishments we approached are all unregulated as it stands, with this number covering well over half of all AWEs in Wales according to the estimates provided by the aforementioned data collected in 2011. Twenty-eight establishments (54% of those approached) completed our anonymous survey, which featured questions related to the CoP as well as their perspectives and concerns about the future regulation of AWEs.

Positively, the majority of respondents (85.7%) considered themselves either 'very familiar' (39.2%) or 'fairly familiar' (46.4%) with the CoP, with only 14.2% of respondents not familiar with it at all. When given an opportunity to comment further, respondents suggested that more training opportunities could be offered to ensure that the CoP is being understood and followed correctly, with others calling for more to be done to address the root cause of why so many AWEs, and therefore the CoP, are needed.

While the majority of respondents were familiar with the CoP to some degree, only 10.7% of respondents told us that they refer to it on a 'very regular' basis, with half of respondents referring to it either 'fairly regularly' or 'occasionally'. Concerningly, 40% of respondents had never referred to the CoP at all, perhaps suggesting that a voluntary approach is overly flexible in this instance.

**“Some organisations and establishments don't have the required husbandry knowledge and experience to properly take care of the animals. Quite often there is no cap on the number of animals taken in and they turn into a hoarding situation – particularly those establishments that don't rehome. Rehoming needs to be done responsibly. Licensing/regulating should also happen for public confidence – some organisations raise a lot of money that isn't managed well enough to help and protect the animals it was raised for. Sanctuaries and rescues should be leading the way and setting an example of good practice; sadly many do not.”**

**Quote from surveyed AWE**

8. All figures, unless otherwise stated, are from SurveyMonkey. Total sample size was 28 Animal Welfare Establishments in Wales, with this including animal sanctuaries and rescue and rehoming centres. Fieldwork was undertaken between February 4 and March 3 2022. The survey was carried out online and the figures have been weighted.



When asked if the CoP had helped with the day-to-day running of their establishments, 16 respondents (57%) answered 'no', with the other 12 (43%) feeling that it had, with some AWEs stating it helped them identify missing policies and where improvements could be made by referencing best practice. While the respondents were evenly split between whether they thought the CoP goes far enough to protect animal welfare in AWEs, comments questioning whether there needed to be specific guidance for the different types of establishments that fall under the AWE category were also made.

More than half (53.5%) of respondents feel that the promotion of the CoP has been 'poor' so far. Only 7% of respondents felt the promotion had been good, with a further 35.7% considering it 'okay'. This suggests that considerably more could be done by Welsh Government to promote the CoP in order to support the sector with the knowledge and sharing of best practice in the interim of AWE regulation being established.

**82% of responding establishments agree that AWEs should be regulated in Wales**, with only four respondents out of the 28 (14%) answering 'no' to this question. This suggests that the sector itself is seeking regulation, with many acknowledging that welfare, husbandry and staffing standards in AWEs are not always where they should be. Concerns, however, were also

**“There is currently no legislation in place to regulate the rehoming sector, so anyone can set up their own rehoming organisation or sanctuary. This means there is little to proactively safeguard the animals involved as the local authority is not required to and so does not inspect these premises. Worryingly, poor welfare can have a knock-on effect when the animal is rehomed, as a result of these failures.”**

**Quote from surveyed AWE**

raised about the potential costs involved for these establishments and how the incoming regulations could impact on AWEs financially. Because of this, we urge the Welsh Government to consider how it will reassure the sector about any change in regulation to ensure that animal welfare is not unintentionally compromised as a result of the incoming regulations. Within the comments provided, respondents also noted that any incoming regulation for AWEs will need to be properly enforced to ensure that it is effective and that sufficient resources will need to be made available for AWEs to be monitored correctly.

# RSPCA case studies and testimonials

As the only animal welfare organisation in Wales with officers working on the ground to respond to reports of cruelty against all animals, and with 71% of the public stating they would report concerns about AWEs to an animal welfare charity, we inevitably receive enquiries from concerned members of the public about these establishments. Since AWWN's report was published in 2012, we've taken part in two particularly high-profile investigations into AWE failings in Wales, with both cases showing how the welfare of vulnerable animals can be seriously compromised when there are no requirements for inspection or welfare checks in place for AWEs.

## Case study 1:

Horse sanctuary – 137 horses removed.

Costs > £400,000

### **Keith Hogben, RSPCA inspector and equine specialist:**

“The RSPCA, World Horse Welfare (WHW) and other equine charities had had concerns about this particular establishment for quite some time as its owner had an overly flexible approach to the rescue of equines, and clearly operated outside of the law on many occasions. The sanctuary had built up a very large following on social media where the owner carried out many live broadcasts of the equines they were rescuing and was often publicly critical about the RSPCA and other equine organisations that would not act quickly enough to help horses, in their opinion.

“In November 2019, a colleague from WHW attended a location belonging to this establishment after a call had been received from the owner's partner saying that they needed help. Once our WHW colleague was on site, it became clear that many equines needed help due to their poor body condition and living environment.

“I, as the investigating officer, was asked by our WHW colleague to attend the site to help, which a fellow RSPCA colleague and I did. When I arrived at the incident location it was very apparent that a lot of equines needed urgent care, with the equine vet who was present at the location confirming that “all of the horses needed to be removed for their protection”. I then started to look at the equines one by one and many were in a poor body condition, with their ribs, hips and spines

clearly visible – even when they had rugs on. The environment was totally unsuitable for large numbers of horses and there did not seem to be any management in place. It felt like no one was in charge of the rescue and that basic welfare requirements were not being met on a daily basis.

“We removed approximately 40 horses on the first day of our joint rescue, with a further 80 horses removed from another location over the two-day period that followed. Again, many of these horses were in poor condition and needed veterinarian treatment. Sadly, a young, dead horse was found in bushes in a field, with this further confirming that no one was checking the fields on a daily basis. A further 17 horses from two locations were removed in the days that followed, with these equines also in poor condition as a result of their needs not being met. All of the horses that were removed were checked over by veterinarians and were given the treatment that they needed, and I am pleased to say that very few had to be euthanased.

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**“...the cost of this particular operation to the third sector equated to well over £400,000.”**

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“The removal of these horses was carried out in cold, wet, windy conditions, with the last horses loaded in the midst of a snow storm. For us, these were long, exhausting days, lasting at least 14 hours each day. While assisting with the removal of these horses I was also gathering evidence as it quickly became apparent that this investigation was going to be particularly complex. It eventually led to me being taken off the road for five months to complete the investigation.

“I am pleased to say that the suspect pleaded guilty to all charges under the Animal Welfare Act 2006 when the matter was presented at court. However, the cost of this particular operation to the third sector equated to well over £400,000, with this having to be covered by the charities involved and leading to a massive drain on our combined resources. These costs could have potentially been avoided had a robust system of regulation already been in force.

“As RSPCA officers on the ground, it amazes us that anyone can set up a rescue centre or sanctuary

without any licensing or having any qualifications in basic animal husbandry. While I would like to say that this was a one-off case, I have personally been involved in the removal of over 400 equines from just four unlicensed premises in Wales over the last few years.

“I feel that the owner of this particular establishment had good intentions when they started the rescue and had also secured many thousands of pounds of donations from the public and appeals on social media to aid with their work. To me, it seemed that they just could not say no to trying to help an animal in need and struggled to turn any away. Many people sent their horses to this establishment as they promised a forever home for them, but in fact this turned out to be a living nightmare for these horses. To this day, I am sure I will always remember the dead look in many of those poor horses’ eyes. There are still thousands of animals out there in rescue centres and sanctuaries that are living miserable lives due to the lack of licensing of these premises to this day.”

## Case study 2: Multi-animal sanctuary in North Wales. More than 130 animals removed

### **Leanne Hardy, RSPCA Chief Inspector for North Wales:**

“As the Chief Inspector covering the area where this establishment was located, I visited the site in question multiple times over a number of years, along with other members of RSPCA staff. We were initially called to inspect this sanctuary following a number of complaints from concerned members of the public about the welfare of the animals kept on site. The owner of this particular establishment had dedicated her life to rescuing animals of various species, and had received numerous awards for her work as well as endorsements from celebrities and other charities. We were, therefore, surprised to find a run-down site with accommodation that was largely unsuitable for the animals housed there, including dogs, cats, birds and exotic animals.

“We issued advice to the owner on several occasions, making recommendations as to how the sanctuary could be improved in order to

protect animal welfare and ensure that it was fit for purpose. Unfortunately, our advice largely fell on deaf ears, with evidence of only minor improvements made to the minimum standards to be seen on our return visits. We never walked away from the site satisfied that enough was being done to protect animal welfare and we always felt that it would be only a matter of time before we would be called to return to the establishment once again.

“With regard to the welfare issues we witnessed over the course of our inspections, we found reptiles in dirty vivariums that weren’t appropriately heated. This led to us bringing a reptile expert on site to offer advice, but this was never followed. We found birds such as parrots and macaws being kept in filthy, rotten cages that were full of faeces, with a separate aviary for free-flying budgies in a similar state. Small animals such as ferrets and

rabbits were also kept in unhygienic conditions, with males and females being kept together despite this being inadvisable. Cats were also kept in overcrowded conditions, with cat flu and other illnesses a common problem at the sanctuary. Because the establishment did not have enough staff and volunteers in place, animals were not being inspected for ongoing illnesses and issues, with many experiencing problems that should be treated as standard procedure. Neither were the animals being inspected properly when they were first admitted to the sanctuary, and there were no procedures for routine health checks or husbandry regimes in place from what we could see.

“When we pointed out the welfare and husbandry issues to the sanctuary’s owner on several occasions they seemed to struggle to accept that the situation was increasingly spiralling out of control because there was not enough staff or volunteers to tend to the animals and the accommodations they were being kept in as needed. Following a media investigation that exposed the welfare breaches at this sanctuary to the wider public, we made another series of visits and delivered between 20–30 improvement notices to the owner as a result. Although following the requirements of the notices we provided would have helped the owner protect animal welfare, improve the sanctuary’s reputation and help alleviate the concerns of the public, it was extremely difficult to get them to listen to us.

“Because of the serious welfare and management concerns in question, the establishment became subject to a statutory inquiry by the Charity Commission and we commenced an operation to remove the animals housed on site. We removed more than 130 animals in total, including companion animals such as cats, ferrets, birds and rabbits, with each animal having to be individually assessed. While two of the animals we removed had to be euthanased because they were in such poor health, we initially feared that this number would be much higher and were relieved when most of the animals could be rehomed – either by ourselves or other charities.

“Funding seemed to be the biggest challenge for this particular establishment, as well as ensuring that they had enough staff and volunteers with the appropriate experience in place. The sanctuary’s decreasing reputation

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meant that some volunteers no longer wanted to be associated with the establishment, with many not turning up as expected. Despite them not having appropriate staffing provisions in place for the animals that were in their care already, the sanctuary kept taking on more and more animals and seemed to find it difficult to say no when faced with an animal in need. While most sanctuary owners start out with the best intentions and vow to never turn an animal in need away, this isn’t always feasible, as shown by this particular case. Sadly, vulnerable animals entering these establishments can sometimes end up in even worse situations than they were in already, with sanctuary owners in such situations not realising the severity of the problems with their establishments until it is too late.

“In March 2022, it was announced that the Charity Commission had disqualified the former owner of this establishment after an official enquiry found multiple failures by the trustees of the charity, including failure to manage the animal sanctuary effectively and in accordance with animal welfare legislation. Not only does this case serve as evidence of the complexity involved in investigating cases of AWE failures, with the Charity Commission having first opened a compliance case against this organisation in 2016, it also highlights the importance of having future regulation that makes reference to good governance structures, as well as animal welfare standards.”

## RSPCA Cymru's recommendations

With there being a clear appetite for the regulation of AWEs from both the public and the animal welfare sector, and with our having experienced the potential risks of allowing such establishments to remain unregulated first hand, **RSPCA Cymru recommends that AWEs are regulated in Wales as soon as realistically possible** to help ensure that vulnerable animals are safeguarded by enabling local authorities to step in before situations such as those covered by our inspectors' testimonials spiral out of control. The existence of a voluntary Code of Practice has not impacted the need for statutory regulation; nor has it dampened the appetite for regulation to happen – among the public, the animal welfare sector or AWEs themselves. Many AWEs do incredible work to help animals in need but a lack of oversight, scrutiny and regulation mean welfare issues can escalate at establishments, with owners at risk of becoming overburdened. As it stands, anyone can call themselves a 'sanctuary' or a 'rescue' in Wales without bespoke checks and balances. This clearly needs to change as these are institutions many people trust and assume will be subject to rigorous oversight, as shown by the results of our aforementioned public survey. Recently introduced legislation in Scotland requires anyone operating a rescue or sanctuary with more than a minimum number of animals to be licenced under The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021, with a consultation to introduce a similar system in England expected in the near future. This highlights the need for Wales to act to bring consistency to the sector across Great Britain.



The RSPCA recommends the following points be considered and included within Wales' future plans for the regulation of AWEs.

### **Training and promotion of the Code of Practice for AWEs**

While our survey of the AWE sector in Wales suggests that the majority of establishments we contacted are familiar with the voluntary CoP to some degree, this does not guarantee its impact, with 40% of our respondents having never referred to it. It is likely that there are many more AWEs operating on a less visible basis who we did not contact, and it is possible that these would refer even less to the CoP. Offering training on the voluntary Code of Practice to the sector could help provide AWEs with a better understanding of how it could benefit their establishments and ensure that more are familiar with the best practices it recommends, while helping to promote the CoP itself. There is a clear need for more promotion of the CoP from Welsh Government, with this having the potential to help protect animals in Wales' AWEs in the interim of AWE regulations being introduced, with more than half of the AWEs we surveyed rating its promotion as being 'poor' so far. As such, RSPCA Cymru would urge the Welsh Government to seek to immediately improve its promotion of the CoP.

### **Stringent staffing requirements**

While AWEs are usually set up by people with good intentions, unfortunately good intentions do not always equate to good welfare, as highlighted by the Companion Animal Welfare Council's 2004 report. All AWEs have a duty of care to the animals they look after under the Animal Welfare Act 2006, with this legislation outlining the five welfare needs staff need to meet, and so it is vital that those operating AWEs are equipped with the correct skills and understand their responsibilities to the animals in their care. It is important that all staff understand their legal responsibilities, as well as the importance of having up-to-date, evidence-based standards to safeguard the welfare of the animals in their care. We have seen first hand the importance of such establishments having high training and staffing standards in place to avoid AWE failures from materialising. As well as having the relevant staff and facilities, expertise is needed to ensure that these establishments are financially sound and tick all of the boxes with regard to ensuring the health and safety of the animals within them, as well as staff and the people who visit them. The second case study above shows that being a charity does not guarantee good welfare standards as their regulator, the Charity Commission, will not audit those standards. This further highlights the need for better training and staffing.



Solid governance arrangements, and having contingency plans for when things go wrong, can prove extremely important in the long-term running of a successful AWE, and there should be additional requirements for establishments to go beyond 'minimum training and staffing standards' to ensure that they have someone with the skills and experience needed to ensure the long-term sustainability of the AWE. Including requirements that staff and volunteers must meet before caring for animals, such as the need for specific qualifications or proven experience with the species concerned, could be required by AWE regulation to help ensure that they are able to perform their duties as needed. We also recommend that each establishment be required to have a nominated vet who works with them to ensure that their animals are able to receive consistent medical treatment when needed.

### **Adequate training and funding for AWEs and their staff**

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By rescuing, rehoming and rehabilitating animals, AWEs help relieve the burden on public services that would otherwise need to step in to help these animals. It is, therefore, imperative that they are given adequate training and support to help them adapt to any incoming legislation relevant to AWEs before it is brought in. We urge the Welsh Government to work with AWEs to promote any new regulation, while also providing training opportunities. Facilitating or supplementing training courses that have been designed specifically to cover staff and management within AWEs could help ensure that they are appropriately qualified to care for their animals, while being provided with the relevant external support. This could help ensure that existing staff are able to meet the requirements suggested above and that more people are able to gain the relevant training and experience needed to care for animals and/or manage a financially sound and sustainable AWE.

### **Species-specific guidance for AWEs**

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While we categorically agree that all AWEs need regulating, we urge that due consideration be given to the acute differences between these types of establishments when considering new regulatory requirements for them. Unlike rescue and rehoming centres, some AWEs provide permanent 'forever' homes to animals that would not be able to be rehomed in most domestic settings, including wildlife, exotic and farm animals. When considering the difference between different types of AWE, it is worth noting the roles these establishments can play in treating and rehabilitating wild animals before returning them to their natural habitats. The way in which wild animals destined for release and companion animals destined for rehoming are treated by AWEs is markedly different in many ways, with the incorrect rehabilitation and



release of wild animals having the potential to compromise animal welfare. Because of the various potential differences between the animals found in different types of AWEs, RSPCA Cymru calls for this to be suitably reflected in any regulations for AWEs, and associated guidance, and for there to be a clear focus on wildlife, exotic and farm animals, as well as domesticated companion animals. Every species of animal has very specific welfare needs, therefore species-specific standards must be reflected in any regulation or associated guidance, as well as a requirement for each species to be cared for by staff who are appropriately qualified and experienced to do so. Guidance for AWEs should be introduced alongside the legislation itself, to help ensure that both local authorities and AWEs are able to familiarise themselves with their new legal responsibilities from the very beginning. The Guidance notes for conditions for Selling Animals as Pets under the The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 contains species-specific guidance covering many different types of companion animal, therefore, we recommend a similar approach be undertaken within the accompanying guidance for AWEs, also featuring a focus on farm and wild animals. Similar to those for licensed pet sellers, licences should specify what types of animals can be kept, with additional inspections required where an AWE wishes to add substantially different species to ensure there are the appropriate facilities and staff competency to care for them well.

### **Limits on the number of animals in AWEs**

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With there being the potential for AWEs to become overcrowded as owners may struggle to turn away an animal in need, we recommend that limits on the number of animals who can be kept by establishments at one time be included within AWE legislation. This should be dependent on the facilities, size and staffing provisions available at the establishment, with any limit designed to help AWEs realistically meet the welfare, medical and behavioural rehabilitation needs of the animals in their care. A staff-to-animal ratio, based on strict welfare outcomes, could be included as part of any limits, along with a requirement for local authorities to consider how many animals an AWE can realistically provide proper care for, and whether this is happening, while granting licences.

### **Sufficient support to aid local authority enforcement**

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It is vital that local authorities are sufficiently supported to enforce any new legislation. Within the aforementioned Animal Welfare Plan for Wales, the Welsh Government references the three-year training programme it has funded, to enhance its support for the training of enforcement officers in relation to legislation on dog breeding establishments. RSPCA Cymru welcomes plans to expand this scheme to support wider licensing activities involving animals and the associated professional development of enforcement officers – and we call for this to include training related to AWEs. There is already great pressure on local authorities, which makes the enforcement of animal welfare legislation difficult, therefore it is imperative that they are allocated the financial and physical resources needed to enforce the licensing of AWEs and that the relevant training is given prior to the regulations becoming legislation, with robust accompanying guidance published alongside the legislation itself. Local authorities could be required to go beyond annual inspections, which owners can potentially prepare for in advance, by making random visits to AWEs throughout the year to ensure that standards are being upheld and that animal welfare requirements are being met at all times.





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