

Regulation of Animal Welfare Establishments

Key Information

- The RSPCA believes that the Government should introduce licensing of all animal rescue/rehoming centres under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
- The RSPCA has campaigned on this issue for many years; we believe regulating animal welfare establishments would drive up standards and allow for better enforcement.
- The RSPCA also recommends that the Government should provide support to the rescue sector to help existing organisations raise their standards before any mandatory licensing is introduced.
- We welcome the Government's commitment in the animal welfare strategy to consult on the licensing of rescue and rehoming centres and would like to see this as soon as possible, with the scope expanded to include wildlife rescues.

Background

Currently, to set up an Animal Welfare Establishment (AWE), or what is commonly referred to as a Sanctuary, Rescue or Rehoming Centre, no licence or animal welfare experience is required. The RSPCA is urging the Government to bring in provisions to ensure these establishments are regulated and we welcome the commitment from the Government in the animal welfare strategy to consult on this. It is important that any regulations include **both companion and wild animal rescues**.

Broadly speaking, there are two types of poor AWEs that the RSPCA encounters:

Most common are establishments where welfare standards are poor but not substantial enough to result in prosecution. The role of the RSPCA is to prevent suffering and often this can be achieved by working with the establishment if they are receptive to advice. However, animal welfare standards will often only be raised or corrected on a temporary basis, during the period the RSPCA is visiting. This creates a cycle of repeat visits that places extreme pressure on RSPCA resources, diverting our officers away from thousands of other urgent calls for help.

In the most severe cases, animals are found suffering or dying. These distressing situations often leave the RSPCA with no option but prosecution (where the evidential and public interest tests are met) because there are few other options at that late stage to find a resolution. Thankfully, these incidents happen less frequently but are an illustration of how things can and do go wrong when well meaning people with little animal welfare knowledge find themselves quickly overwhelmed by animals.

In addition, such work, which can include the serving of non-statutory notices, warning notices and even adult written cautions, can be a long process and lead to extreme frustrations for those reporting their concerns regarding that AWE to us. Finally, the RSPCA inevitably has to rescue, care for and, where possible, re-home animals from failed AWEs. In the most extreme cases, this can involve hundreds of animals and a wide range of species, including domestic, exotic and wild animals.

In Scotland, animal rehoming activities are licensed under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021. Anyone keeping five or more animals in a 12 month period must be licensed and this includes organisations and individuals. The Welsh Government held a consultation on the licensing of animal welfare establishments in 2023 and an overwhelming majority (82%) of respondents wanted to bring in a licensing system. This will be the incoming Government's main animal welfare priority post May election.

Animal Welfare Concerns

Animal Welfare Establishments can provide a service to communities and remain an important part of animal welfare. Many establishments are set up with the best of intentions. However, it is these good intentions that can contribute to some AWEs taking on too many animals and/or a broad range of species that they may not have the specialist knowledge, expertise or resources to help, ultimately compromising animal welfare standards.

This is seen most acutely in the wildlife sector where there is a myriad of legislation and a vast array of skills and specialist equipment are needed to care for species with different husbandry, diet and welfare needs. Additionally, unregulated wildlife rescues pose health risks as poor biosecurity can facilitate the spread of Avian Influenza and zoonotic disease.

An RSPCA survey found that 82% of wildlife rehabilitators believe welfare standards are inconsistent across the sector and over 68% felt statutory licensing is important.

The RSPCA also recommends that the Government should provide support to the rescue sector to help existing organisations raise their standards before any mandatory licensing is introduced. Whilst grants are available through the Association of Dog and Cat Homes (ADCH), without this support, many smaller rescues, often set up with the best of intentions but lacking specialist resources, would be forced to shut down. This sudden loss of capacity would place an unsustainable burden on the remaining sector, leaving animal welfare charities, including the RSPCA, overwhelmed with too many animals and nowhere to put them or help them, ultimately compromising the welfare of the very animals the regulation intends to protect. The Government providing support first would be a proactive measure to maintain and improve the overall capacity of the rescue sector.

The RSPCA supports regulation as the only means of truly preventing these situations arising. It would improve animal welfare, save money and help raise rehoming confidence in the organisations. Given the animals that come into AWEs are already vulnerable by definition, the care they receive should have a protected minimum standard. Some establishments refuse to acknowledge their problems and may deny access to the police, local authority and RSPCA, delaying help being given to animals whose needs are not being met under the Animal Welfare Act.

Without a licensing framework, there is no mechanism for the monitoring or oversight needed to ensure the welfare of the animals at these sites. If a licensing system was in place, with clear baseline animal standards, many of the problems in AWEs could be prevented.

Existing Standards

The Association of Dogs and Cats Homes (ADCH) has standards which could provide a good basis for licensing of rescue and rehoming centres as well as aiding the ability of local authorities to enforce any licensing regime. ADCH has 153 rescues which are already following these standards. ADCH has had enforceable standards since 2015 which are self and externally audited. These standards cover management and governance of the centre as well as the health and welfare of the cats and dogs in, and transported to, the centre. The Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 should also be considered when looking at existing standards as these also include wildlife.

RSPCA Case Study

In 2022, RSPCA inspectors attended a property registered as an 'animal rescue' charity. They were met with rooms stacked with junk and a "horrendous" stench of ammonia and faeces that stung their eyes. There was no ventilation, making it difficult to breathe. The curtains were drawn, limiting light, but numerous dogs were visible, both loose and in stacked cages, all covered in faeces.

Several owls and rabbits were kept in stacked cages, while a pheasant was found in a cardboard box too small for the bird to stand or turn, lacking both food and water. Inspectors also found several donkeys - including two heavily pregnant mares - with little to no grazing and severe lice infestations. Many were reluctant to walk due to painfully overgrown feet.

In total, over 40 animals were rescued, including rabbits, guinea pigs, donkeys, alpacas, and more than 20 dogs. There were also several wild animals including tawny owls, a little owl, a pheasant, a grey squirrel and a budgie. Most animals were removed due to current or imminent suffering; unfortunately, a tawny owl and a grey squirrel had to be euthanised.

The individual received an immediate four-month custodial sentence and a lifetime disqualification from keeping animals. The charity has since been folded.

RSPCA Position and Recommendations

- The RSPCA is urging the Government to introduce licensing of animal rescue/rehoming centres under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.
- RSPCA recommends that the Government should provide support to the rescue sector to help existing organisations raise their standards before any mandatory licensing is introduced.
- A licensing system would assist in the prevention of animal welfare establishments compromising animal welfare.
- This would also bring England in line with Scotland who have regulated their animal welfare establishments.