



# RSPCA Rolling Briefing

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

Date of questions:	Tabled by:
10th of May 2023	3.30pm on 3 May 2023

### Recent animal welfare updates

**New report shows the urgent need for AWE regulation.** RSPCA Cymru has published a landmark new report to support the future regulation of Animal Welfare Establishments (AWEs) in Wales. While animal sanctuaries, rescues and rehoming centres undertake hugely important work in terms of helping animals in need, anyone can set one up - regardless as to whether they have the relevant skills, knowledge and experience. Our new report, [Progressing the regulation of Animal Welfare Establishments in Wales](#) makes a series of recommendations as to how legislation to protect the vulnerable animals in these settings could work, while showing the clear appetite among the sector and wider public for such regulation. The Animal Welfare Plan for Wales includes a focus on AWEs as part of the Welsh Government's commitment to develop a national model for the regulation of animal welfare. However, the sector is still waiting for this particular area of work to be progressed. As it stands, RSPCA Cymru is concerned the longer it takes for regulations to be applied to AWEs, the longer rescue animals in Wales remain at risk - hence the need for urgent action.

**No dog should be mutilated for money.** With the number of calls we are receiving about ear cropping higher than ever in recent years, we have launched a new campaign in conjunction with Hope Rescue to raise awareness about this problematic procedure. As well as calling on the public to report any suspicions they have in relation to ear cropping to the RSPCA, [Mutilated for Money](#) also urges Westminster to progress the Kept Animals Bill to ban the import of cropped dogs into the UK. In 2022, we received almost 400 calls about ear cropping - despite this procedure being illegal in the UK and classed as a 'mutilation' under the Animal Welfare Act 2006. While this procedure is also illegal in a number of EU countries, we are still hearing of cases where dogs with cropped ears are being imported into the UK - providing a legal loophole for animal cruelty. Because of this, we're calling on Members of the Senedd to help us raise awareness of the welfare problems associated with ear cropping among their constituents and for the Welsh Government to urge the UK Government to bring back the Kept Animals Bill before Parliamentary time runs out.

**Wales risks falling behind on compulsory cat microchipping.** RSPCA Cymru is strengthening our calls for the Welsh Government to introduce a mandatory cat microchipping requirement in Wales. In light of new regulations recently laid in Westminster that introduce mandatory cat microchipping in England, Wales is now at risk of falling behind in terms of this key legislation. Cat microchipping holds the benefits of reuniting lost and stolen animals with their owners, in addition to aiding in identification and issues such as abandonments. In Wales, puppies and dogs over the age of eight weeks are legally required to be microchipped, however kittens and cats are currently exempt from these requirements. The Welsh Government has committed to collating evidence alongside the Scottish and UK Governments with regards to the benefits of cat microchipping, however a clear objective and a relevant timetable is yet to be confirmed.

**Action is required to restrict the use of cages for farmed animals.** The Welsh Government has outlined its intention to restrict the use of cages for farmed animals - however, progress is yet to occur on this commitment. The UK Government is already taking relevant action through the Hen Caging (Prohibition) Bill, (aka Beatrice's Bill) that's currently making its way through the House of Commons, highlighting the urgent need for similar action in Wales. Following the UK's withdrawal from the European Union, it is more pivotal than ever the Welsh Government ensures animal welfare standards do not slip due to gaps in legislation. As it stands, RSPCA Cymru is concerned the longer the Welsh Government takes to tackle the issue of cages, the more animals face welfare implications due to the use of poor housing systems.

## Strong support for AWE regulation calls for action from Welsh Government

Following the RSPCA's intervention in a number of high-profile animal sanctuary failings in recent years, we have launched a brand new report - [Progressing the regulation of Animal Welfare Establishments in Wales](#). Our new report shows that 88% of the Welsh public support the regulation of AWEs such as sanctuaries, shelters, rescue and rehoming centres, with a vast majority (95%) unaware that these establishments are currently unregulated. Many AWEs are well-trusted by the public, who in turn support them with donations, but there are currently no legal requirements for inspections, strong welfare standards or contingency plans. While a majority of AWEs adhere to high welfare, staffing and husbandry requirements, their situations can quickly spiral out of control if their capacity, number of volunteers or funds start running low. Two recent case studies in our new report detail how the RSPCA has needed to step in to rescue animals from these establishments, with each case involving over 100 animals.

As well as examining the need for the regulation of such establishments in Wales, our report also evaluates the success of the Welsh Government's [Code of Practice for Animal Welfare Establishments](#). In a welcome step forward, this non-statutory, voluntary code was launched in 2020 to provide advice and guidance to AWEs. However, our new research suggests it has never been referred to by approximately half of AWEs - much to the concern of RSPCA Cymru. Support for regulation is also high across the sector, as well as among the public, with approximately 82% of AWEs in favour of legislation to ensure a consistent approach, while providing the public with much-needed assurances.

While RSPCA Cymru has long called for the regulation of AWEs, we are now calling for this to be prioritised and progressed by the Welsh Government to protect the welfare of the at risk animals in these settings. Within our new report, we make a series of recommendations as to how new legislation relevant to AWEs could work in Wales to ensure it protects welfare as intended. These include stringent staffing requirements, species-specific guidance and adequate funding and training for Wales' 22 local authorities who will likely be responsible for enforcing these regulations.

The Welsh Government committed to introducing registration for animal welfare establishments, along with commercial breeders for pets or for shooting, and animal exhibits, in the [Animal Welfare Plan for Wales](#). Within this plan a timetable is provided which suggests that a consultation and a priority document with timetables and outcomes will be published before its second anniversary in September. Support for the regulation of AWEs has previously been strong among Members of the Senedd (MSs), with a debate on the topic having taken place in November 2021. 27 MSs voted in favour of the motion that was put forward by Samuel Kurtz MS at the time, which called for regulations for these establishments, including those operating online, by 2023. During the debate which preceded this vote, the Minister for Rural Affairs and North Wales, and Trefnydd stated: *'By 2023, we will be in a position to bring forward new regulatory requirements for animal welfare establishments, to include arrangements designed to safeguard minimum training, staffing and environmental standards'*<sup>1</sup>.

If we are to safeguard the welfare of some of the most vulnerable animals in our society, it is vital that AWE regulation is progressed as an urgent matter. With our new report demonstrating why this is needed and how this could be achieved, we would welcome any opportunity to work with MSs and the Welsh Government to ensure this commitment becomes a priority. If you wish to read our new report in Welsh, you can do so [here](#).

### Questions to consider:

- 1. Can the Minister make a statement on the regulation of Animal Welfare Establishments and provide a timetable as to how and when this will progressed?**
- 2. What progress has been made to date in terms of developing a national model for animal welfare as per the Animal Welfare Plan for Wales?**
- 3. Can the Minister confirm that a consultation on the regulation of Animal Welfare Establishments and animal exhibits will be launched in 2023?**

<sup>1</sup> <https://record.assembly.wales/Plenary/12498>

## RSPCA and Hope Rescue join forces to tackle ear cropping in Wales

In response to a rise in reports of ear cropping in recent years, the RSPCA has joined up with Hope Rescue to raise awareness of the welfare issues associated with this painful and unnecessary procedure. While this specific mutilation is illegal under the Animal Welfare Act 2006, it has emerged as a 'trend' in recent years. Last year, our emergency line received more than one report every day about ear cropped dogs - with 391 incidents reported across England and Wales. Between 2020 to 2022, we received 1,066 reports and have already taken 124 calls about ear cropping across Wales and England in 2023.

As well as raising awareness of the negative impacts the procedure can have on dogs by taking away or altering an important part of their bodies used for communication, our new campaign also calls on the UK Government to ban the import of cropped dogs into the UK. While the mutilation is also illegal in a number of EU countries such as Bulgaria, Romania, Spain, Poland and Ireland<sup>2</sup>, it is still legal to import a dog with cropped ears into the UK. Not only does this provide a legal loophole but also acts as a smokescreen for illegal activity on a domestic level. While a commitment to outlaw the import of dogs with cropped ears is included in the Kept Animal Bill, this important piece of legislation has been delayed since 2021. As it stands, the RSPCA is among the many charities concerned that it could eventually be dropped altogether.

Our new research shows that 89% of adults surveyed in Wales agree the importation of dogs with cropped ears should be banned. 13% of the Welsh adults we surveyed said that they know somebody who owns a dog with cropped ears - a figure which rises to more than a quarter of those aged 18-34. Concerningly, 40% of those surveyed indicated that they would either be nervous about adopting a dog with cropped ears, or wouldn't consider it at all, while a further 24% were unsure as to whether they would rehome a mutilated dog.

The Kept Animals Bill features a multi-species focus and would restrict the keeping of primates as pets, ban the export of livestock for slaughter or further fattening and tackle livestock worrying. In terms of pets, the Bill would limit the non-commercial movement of dogs, cats and ferrets, create specific new offences linked to pet theft and close the legal loophole on importing mutilated dogs into the UK. The Welsh Government had previously stated its intention to put forward a legislative consent motion to the Senedd concerning the Kept Animals Bill - including giving the UK Government consent to introduce new rules that would pave the way for Welsh Ministers to restrict the importation of dogs with mutilations such as cropped ears. With the future of this key legislation currently in the balance, we're calling on the Welsh Government and Members of the Senedd to call on their equivalents and colleagues in Westminster to encourage the progression of the Kept Animals Bill.

Last year, a [Statement of Opinion](#) tabled by Natasha Asghar MS received cross-party support and was signed by 23 Members of the Senedd in total. The statement urged the Welsh Government to "redouble its efforts to stamp out the illegal and cruel mutilation of dogs in Wales". RSPCA Cymru has long called for the Welsh Government to launch a public awareness campaign to remind the public about the laws on cropped dogs and the welfare issues the procedure can cause pets. With some members of the public unaware that ear cropping is illegal and not fully aware of the long-term effects the procedure can have, we believe that such a campaign - potentially as part of the *Paws, Prevent, Protect* programme - could go a long way towards reducing the demand for dogs with cropped ears in Wales.

### **Questions to consider:**

- 1. If the Kept Animals Bill does not progress, can the Minister confirm how the Welsh Government would tackle the import of dogs with cropped ears into Wales?**
- 2. Does the Minister share the RSPCA's concerns that the Kept Animals Bill could be dropped by the UK Government?**
- 3. Does the Welsh Government have any plans to launch a public awareness campaign to highlight the animal welfare issues associated with mutilations such as ear cropping?**

<sup>2</sup> <https://dogstodaymagazine.co.uk/2023/04/18/charities-renew-calls-to-close-import-loophole-for-mutilated-dogs/>

## The Welsh Government needs to act on compulsory cat microchipping

In 2021, the Welsh Government illustrated its intention to consider the compulsory microchipping of cats and kittens in the Animal Welfare Plan for Wales (AWPW). As it stands, it is a mandatory requirement for puppies to be microchipped and registered by the time they are eight weeks old, but cats are currently exempt from these requirements. In the AWPW, the Welsh Government refers to joint research with the Scottish and UK Government into the effectiveness of the existing dog microchipping legislation, which will also consider and report on the potential benefits of microchipping cats and kittens. On April 19, the UK Government passed legislation in Westminster, paving the way for compulsory cat microchipping in England. We are now calling on the Welsh Government to adopt a similar approach to prevent a deficit in the number of microchipped pets in comparison to other nations across the UK.

The RSPCA has strongly welcomed the UK Government's announcement that it is to become a legal requirement for cat owners to microchip their pets after 20 weeks of age, and to ensure that the stored contact details are kept up to date within the pet microchipping database<sup>3</sup>. Under the new legislation, cat owners will be required to microchip their pets before the 10th of June 2024. Cats who are not microchipped by this date will see owners granted 21 days to microchip their felines or face a fine of up to £500. The new microchipping rules for England follow a UK Government call for evidence and a consultation on the matter, in which 99% of respondents expressed support for the measure.

Microchipping is a simple procedure for pets, where a small chip is inserted under the skin, giving an animal its own unique code. The microchip can be scanned and matched to the owner's contact details, which is then kept on a national database. Thousands of pets are lost every year, with many never reunited with their owners. Microchipping pets - and making it compulsory to microchip cats as well as dogs in Wales - gives them the best chance of being identified and returned if lost or stolen. The RSPCA currently offers the microchipping of dogs and cats to the general public from £10 per pet, with Cats Protection and RSPCA Cymru running a joint neutering and microchipping campaign in Wales where pets within low-income households can be microchipped for just £5<sup>4</sup>.

According to the latest National Survey for Wales<sup>5</sup> which featured questions on companion animals, 53% of households in Wales have a pet, with 20% of those households owning a cat. While the survey's data suggests 91% of cats and dogs are microchipped, as this refers to both species it is difficult to differentiate between microchipping statistics for cats and dogs. Recent statistics suggest 66% of cats in Wales are chipped<sup>6</sup>. In 2020, only 500 out of 3,000+ cats that arrived in our centres were previously microchipped, emphasising a clear issue with regards to the identification and registration of cats across the UK. Unchipped cats at our centres face longer waits before we can attempt to find them new homes, with this resulting in their welfare being compromised as well as additional costs for us.

RSPCA Cymru continues to call on the Welsh Government to introduce the compulsory microchipping of cats and kittens in Wales, with mandatory microchipping paving the way for reuniting more lost or injured cats with their owners. This requirement could also reduce and assist with accountability in terms of abandonments - with animal abandonments currently up by 15% in Wales according to statistics from our frontline. With it likely that a high proportion of dogs are already microchipped in Wales as it is a legislative requirement, the Welsh Government now needs to prioritise the implementation of cat microchipping to encourage responsible pet ownership on a wider scale.

### **Questions to consider:**

- 1. Can the Minister provide an update with regards to the consideration of compulsory cat microchipping in Wales?**
- 2. Will the Minister confirm whether the current microchipping regulations in Wales will eventually be extended to cats and kittens?**
- 3. What conversations has the Minister had with both the Scottish and UK Government with regards to the benefits of compulsory cat microchipping?**

<sup>3</sup> RSPCA News - RSPCA welcomes England's new mandatory microchipping law - 13 March 2023

<sup>4</sup> <https://www.cats.org.uk/what-we-do/neutering/neutering-campaigns/walescampaign>

<sup>5</sup> Welsh Government - National Survey for Wales - March 2022

<sup>6</sup> <https://www.cats.org.uk/media/11909/cats-report-2022-wales.pdf>

## RSPCA Cymru calls for progress on the use of cages for farmed animals

In the Animal Welfare Plan for Wales, the Welsh Government stated its intention to restrict the use of cages for farmed animals - much to the delight of RSPCA Cymru. As part of the Welsh Government's commitment to examine the use of cages for farmed animals, evidence will be gathered around the use of enriched cages for laying hens, farrowing crates for pigs and breeding cages for game birds. The Hen Caging (Prohibition) Bill is currently making its way through the House of Commons, highlighting the need for the Welsh Government to act in order to prevent a deficit in animal welfare standards across the UK. With restricting the use of cages also a [Programme for Government](#) commitment<sup>7</sup>, is imperative the Welsh Government makes progress on this pledge.

In a landmark decision, the European Commission has pledged to phase out the use of cages for farm animals by 2027, meaning that the lives and welfare of hundreds of millions of animals will be improved<sup>8</sup>. However, as Wales is no longer in the European Union, it is pivotal the Welsh Government ensures animal welfare is not compromised following the UK's exit from the EU. As a result of the Retained EU Law (Revocation and Reform) Bill (REUL), 44 animal welfare laws that originally derived from the EU are currently at risk, and will eventually no longer apply to Wales if this Bill passes through Westminster. Within the animal welfare laws that could be lost are prohibitions on the use of battery cages for laying hens - with this falling under the Welsh Government's portfolio. As it stands, the REUL Bill - which the Senedd withheld its consent for in March<sup>9</sup> - has a tight time frame in terms of assessing these laws. Because of this, the RSPCA is highly concerned that a number of those relevant to animal welfare will be lost due to the time period granted for consideration.

On May 16, the Agriculture (Wales) Bill will be debated in the Senedd, with it now having reached stage 3 of the Senedd's process for scrutiny of public bills. RSPCA Cymru has previously identified the Agriculture (Wales) Bill as the biggest opportunity to improve animal welfare standards in Wales since devolution. In its current form, the Agriculture (Wales) Bill grants Ministers powers to reward farmers who adhere to higher animal welfare standards. However, at this current moment in time, the Bill does not stipulate that there is any obligation for Ministers to use these powers. Because of this, RSPCA Cymru is keen to see the rewarding of higher welfare standards on the face of the Bill, to ensure that farmers who are delivering on animal welfare and setting high standards in Wales are rewarded for their work.

An imminent focus on the use of cages could also benefit animals used for 'sporting' purposes, namely game birds. The Welsh Government has previously referred to plans to review the use of cages in relation to the breeding of game birds. The Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes was introduced by the Welsh Government in 2011, but this voluntary code does not advise against the use of 'enriched' cages<sup>10</sup> - much to the disappointment of RSPCA Cymru. With the Welfare of Farmed Animals (Wales) Regulations 2007 not applying to game birds, we hope to see more focus on them in the near future - either via the planned update to the aforementioned Code of Practice or through legislation.

### **Questions to consider:**

- 1. Can the Minister provide an update on its commitment to restrict the use of cages for farmed animals?**
- 2. Has the Welsh Government given any further consideration to including the rewarding of farmers who adhere to higher animal welfare standards on the face of the Agriculture (Wales) Bill?**
- 3. Can the Minister confirm when a review of the Code of Practice for the Rearing of Gamebirds for Sporting Purposes will be undertaken?**

<sup>7</sup> Welsh Government - Animal Welfare Plan for Wales - November 2021

<sup>8</sup> <https://www.rspca.org.uk/getinvolved/campaign/endthecage>

<sup>9</sup> <https://www.gov.wales/senedd-votes-to-refuse-consent-for-retained-eu-law-bill>

<sup>10</sup> Welsh Government - Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes - 11 January 2011

