



Animal Welfare (Sentience) Bill: progress for animal welfare

Ensuring animals have a good life by advocating on their behalf

Key issues...

- ★ The RSPCA strongly supports the Animal Welfare (Sentience) Bill, which will restore the UK as a world leader on animal welfare impacts to Government policymaking, delivers on manifesto and Government commitments and replaces the only piece of legislation that was not carried over when the UK left the EU on 1 January 2020.
- ★ The legislation has been discussed for over six months in the House of Lords, where it had cross party support and was improved upon to widen the definition of which animals are sentient.
- ★ The RSPCA supports the inclusion of decapod crustaceans and cephalopods within the scope of the Bill, following a groundbreaking scientific review of the evidence for sentience in these animals.
- ★ The Bill does three important things: defines which animals are sentient; agrees that Government departments need to take into account, but not prioritise, animal sentience when making policy decisions; and sets up a Committee to assess how Government balances the needs of sentient animals against public interests within policy decisions.
- ★ A majority of the public polled supports this Bill and the establishment of the Committee.

What does the Animal Welfare (Sentience) Bill do

The Animal Welfare (Sentience) Bill draws across Article 13 from the Lisbon Treaty, the only legal act that was not transferred when the UK left the EU in 2020. The UK had a pivotal role in proposing and getting agreement on the sentience Treaty Article in 1997.

The legislation commands strong public support, exemplified by an e-petition that reached 103,000 signatures¹ and a 2021 YouGov poll showing over two thirds of the British public to be supportive of requiring the consideration of animals' interests across Government policy.² The legislation also attracted cross-party political support when it was debated in the House of Lords.³

The Bill will deliver three key outcomes:

- A legal recognition of animal sentience (capacity to experience feelings and/or emotions, both positive and negative) of all vertebrate animals, and of decapod crustaceans and cephalopods.
- A responsibility for Ministers to consider the welfare needs of sentient beings when making and implementing policies.
- The establishment of an Animal Sentience Committee (ASC) to assess the extent to which the Government is considering the ways in which any policies impact the welfare of animals. The appointment of the Committee will be undertaken by the Secretary of State in line with existing rules on public appointments. The Government has published the Terms of Reference for this Committee which the RSPCA welcomes.

The Bill improves upon Article 13 in the Lisbon Treaty by removing exemptions that previously applied to activities such as cultural practices that cause unacceptable and avoidable animal suffering (e.g. bullfighting) and sets up a clear process through the Committee to assess impact of policy decisions on animals. Such a process brings it into line with the process that already exists for environmental issues and for endangered British animals such as bats.

¹ <https://petition.parliament.uk/archived/petitions/242239>

² https://www.wcl.org.uk/docs/WCL_Results.pdf

³ e.g. [Sentience and Welfare of Animals - Hansard - UK Parliament](#)

For further information or if you have any questions please contact: politicalaffairs@rspca.org.uk

What does the Animal Welfare (Sentience) Bill not do?

The Bill enjoyed cross party support in the House of Lords (Government, Labour, Liberal Democrat, Green and Crossbench Peers supported it) and any votes held were won by overwhelming majorities. Indeed, the Bill was improved in the Lords by widening its scope of sentient animals to include decapod crustaceans and cephalopods and publishing the Terms of Reference of the Committee. However, the Bill did receive opposition from a small minority of Peers and the debates during the passage of the Bill in the Lords encapsulate many of the myths and misconceptions that surround this Bill.

The Bill does not stop lawful activities such as shooting, ‘pest’ control⁴, religious slaughter⁵ and animal experiments from taking place. It has no powers to do this and nor does the Committee that is set up by the Bill. The Committee’s job is simple, namely to look at any Government policy that could impact on animal welfare and assess how the Government took into account the sentient animals that were impacted. They will produce a report that will be published and the relevant Ministers will take this into account, but may not act on it, when making future decisions.

The Bill’s work could not have been done by existing Committees. The Government was clear in the Lords that, whilst other Committees may exist, none do the work that the Animal Sentience Committee will undertake, namely to assess how Government policy was formed taking into account animal sentience balanced against public policy needs³. However to ensure efficiency, the Government has set up an Animal Welfare Centre of Expertise which includes all the existing Committees sponsored by Defra so ensuring consistency among them and sharing of membership where applicable. The Animal Sentience Committee will also recognise the Animals in Science Committee (sponsored by the Home Office), and avoid duplication of its functions. The cost of the Animal Sentience Committee is in line with the running of other Committees and less than £0.5 million annually.

The Bill does not increase the chance of the Government being judicially reviewed. The Government was very clear that the design of the Bill was precisely to limit Judicial Review by ensuring the Bill focuses on the actions of the Committee so the Bill does not alter at all the position on judicially reviewing Government policy.

Conclusion

The RSPCA warmly welcomes the Animal Welfare (Sentience) Bill, believes that it has improved during its passage in the House of Lords and has satisfactorily answered all of the questions the RSPCA had its in first submission to Efra on the Bill last year in particular around composition of the Committee, scope of the Bill and ensuring animal sentience is taken into account in Government policy⁶.

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[https://hansard.parliament.uk/lords/2021-12-06/debates/E5A0F1AB-2327-4080-BEB2-C94811305BCD/AnimalWelfare\(Sentience\)Bill\(HL\)](https://hansard.parliament.uk/lords/2021-12-06/debates/E5A0F1AB-2327-4080-BEB2-C94811305BCD/AnimalWelfare(Sentience)Bill(HL))

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[https://hansard.parliament.uk/lords/2021-07-06/debates/B8CBC730-DC86-4D6C-B915-C145CF158B80/AnimalWelfare\(Sentience\)Bill\(HL\)](https://hansard.parliament.uk/lords/2021-07-06/debates/B8CBC730-DC86-4D6C-B915-C145CF158B80/AnimalWelfare(Sentience)Bill(HL))

⁶ Efra 2021. RSPCA submission to Efra on the Animal Welfare (Sentience) Bill AWB0007

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