

Senedd Cymru
Y Pwyllgor Newid Hinsawdd, Amgylchedd
a Materion Gwledig
Gwaith gwaddol
CCERA(5) LW 03
Ymateb gan RSPCA Cymru

Welsh Parliament
Climate Change, Environment and Rural
Affairs Committee
Legacy work
CCERA(5) LW 03
Evidence from RSPCA Cymru

Introduction

RSPCA Cymru welcomes the opportunity to respond to the Climate Change, Environment and Rural Affairs (CCERA) Committee's review of its work over the course of the fifth Senedd - a period which has brought about numerous legislative changes, and seen the Committee make continuous strides in terms of how they scrutinise the work of the Welsh Government in relation to the animal welfare and environmental sectors.

The RSPCA place great value on the work of the CCERA Committee and are pleased to be able to contribute to this report. Indeed, we hugely value our close working relationship with the Committee, its members, its staff and the Senedd Research team who support its work. Our views on the work of the Committee over the Senedd term as seen below are broken down based on some of the reports, inquiries and legislative scrutiny undertaken by the committee over the last five years. We have also provided some further thoughts on the general work programme of the Committee over the course of this Senedd - and what we hope may be included in the work programme in the future.

While our views below predominantly relate to animal welfare - these also overlap largely with the agriculture and food sector.

CCERA Committee Reports

We have grouped the reports published over the course of the fifth Senedd into relevant themes within the animal welfare, agricultural and food sectors.

Bovine TB

Report on the Welsh Government's Refreshed TB Eradication programme - 23 May 2017

The Committee's 2017 Report on the Welsh Government's refreshed TB Eradication Programme was a hugely welcomed resource, in part supporting the views of the RSPCA, but importantly that of the available evidence against badger culling and for a scientifically-led approach.

The RSPCA is dedicated to seeing the eradication of bTB from Wales, but we remain opposed, in principle, to the taking or killing of any wild animal or the infliction of suffering upon them. Exceptions to this principle are dependent on an assessment of the evidence and whether, for example, there are alternative methods of resolving problems. In relation to bovine TB, where there is clearly a disease problem on farms, the RSPCA argues that a range of cattle measures combined with vaccinating badgers is the more appropriate way of addressing the problem. This is why we support the Welsh Government's current strategy.

We were particularly pleased to see the Committee's clear consideration to the welfare and sustainability of badgers within Wales' wildlife population, as well as its support for a vaccination programme. We welcome the committee's views on the need for continued review of the available evidence and the RSPCA would - as always - support the Committee's continued exploration of this issue from an animal welfare perspective.

While the RSPCA remains satisfied with the Welsh Government TB eradication programme we support any further consideration of the issue by the Committee and would welcome opportunities to work with the farming and agriculture community to provide a welfare perspective on this difficult issue.

Snares

The Use of Snares in Wales - 28 June 2017

RSPCA Cymru is opposed to the manufacture, sale and use of all snares or any trap that causes suffering and have voiced our support for an outright ban on the practice in recent years. We therefore have long supported further regulation of trapping in Wales - and hugely welcomed the Committee's decision to undertake an inquiry into the use of snares in Wales. As highlighted by the Committee's 2017 report, 51,000 fox snares can be active in Wales at any one time¹ and while the use of certain snares is legal and commonplace in Wales, their continued use can often have serious and fatal welfare implications, including for non-target species. Indeed, due to the indiscriminate nature of snares, the RSPCA receives multiple calls each year relating to domestic pets, including cats and dogs, and some protected wild animals, like badgers, being caught in dangerous snares, which can result in loss of life. Even with adherence to good practice, estimates suggest the number of non-target species caught by a snare is unlikely to drop below 40 percent².

While the introduction of the Code of Best Practice on the Use of Snares in 2015 sought to raise awareness and understanding of the law concerning snaring, what has become clear is often a lack of compliance with the 2015 Code, raising questions over its efficacy and raising public interest in an outright ban on the cruel and indiscriminate practice.

The Welsh Government recently announced that they would be seeking to regulate the sale and manufacture of snares in Wales via a future Agriculture (Wales) Bill - partly, we believe, as a result of the Committee's Report and the Welsh Government Working Group set up following that Report, of which RSPCA is a member.

The CCERA Committee's 2017 Report on Snares was strongly welcomed by the RSPCA - and the impact of this inquiry and its recommendations have been widespread in the years which have followed. The inquiry took on board the views of a wide range of stakeholders and called for strong action to be taken by the Welsh Government on this issue, in line with the available evidence which suggests a clear lack of compliance with the existing Code of Practice.

The recommendations of the Review, particularly recommendations 1, 2, 3, 4 and 7 were welcomed by the RSPCA.

The report itself shone light on a bigger issue that we have seen increasingly across the Sector in recent years - that of the efficacy of Codes of Practice more generally and the promotion of those Codes. Within the report - the committee states: *"The Committee would like to see greater promotion of the code to ensure that all users of snares are reached, for example in urban communities."* While this has indeed been an issue relevant to the Code of Practice on Snares, it is an issue which can be found across all Codes of Practice and all Sectors. While the Codes are extremely useful tools - and, in some instances, a starting point for greater regulation - the RSPCA has concerns about the promotion, pick-up and efficacy of them, with them often published online with little advertisement or roll-out plan. What has become apparent is that many stakeholder groups and communities to whom a certain Code would be relevant are unaware of its existence, nevermind the conditions it imposes upon them. This has seen the RSPCA conduct our own work in a bid to further promote Codes of Practice relating to animal welfare - and a broader piece of work from the Committee as to the success of Codes of Practice, and what steps could be taken to further promote the important animal welfare advice they include, could be a hugely beneficial exercise for animal welfare.

Such an issue raises the importance of Recommendation 1 - *The Welsh Government should undertake an annual review of the Code and publish a report of that review* - of the Report, as well as of the Committee in ensuring Welsh Government accountability. Had this recommendation to publish an annual review of the Code been taken onboard by the Government, it would be safe to assume that compliance

¹ [Climate Change, Environment and Rural Affairs Committee, Report on the Use of Snares in Wales, 2017](#)

² Report of the Independent Working Group on Snares, Defra, August 2005

would be far greater than it currently is. Accordingly, RSPCA supports calls for regular reviews of both the Snares Code of Practice and others, including the recently published Code of Best Practice for Animal Welfare Establishments.

The report itself has been an extremely useful resource for the RSPCA, allowing us to cite data that would have otherwise been unavailable - as well as supporting our calls for a ban on manufacture, sale and use of snares in Wales. The requirement now on the Welsh Government to report annually to the Committee on the use of snares in Wales, and compliance with the Code, is a hugely useful exercise - and an opportunity for the RSPCA to highlight the raft of concerning incidents dealt with by the RSPCA inspectorate each year concerning the use of snares in Wales. In light of this, and the impact of this first inquiry, it may be prudent for the Committee to return to the issue of snares in the next Senedd, revisiting its recommendations and ensuring that the Welsh Government consider strengthening its position on the future regulation of snares, particularly in the context of a forthcoming Agriculture (Wales) Bill.

The RSPCA would welcome any opportunities to feed into further work streams on the issue of snares - with our frontline officers having a great wealth of experience of their indiscriminate and cruel nature; witnessing first hand the pain and suffering these devices can cause animals..

RSPCA Cymru's briefing document on the use of snares in Wales can be found online [here](#).

Food in Wales

Under this theme the RSPCA addresses two of the Committee's reports:

- 1. Rethinking Food in Wales: Public Procurement - 4 June 2018**
- 2. Report on Rethinking food in Wales: Food branding and processing - 18 June 2019**

Rethinking Food in Wales: Public Procurement - 4 June 2018

The RSPCA believes that everybody in Wales should have the opportunity and choice to source food that has been produced to the very highest animal welfare standards. With more and more people within Wales becoming socially conscious, welfare positive food choices have become increasingly important to members of the public and free-range, organically bred and cruel-free food has become more commonplace across supermarkets and shops over recent years. A 2014 poll found that welfare standards of the animals reared is important in 80 percent of Welsh adults' purchasing decisions³.

The RSPCA - alongside our partners RSPCA Assured - has been promoting welfare friendly food for decades, with RSPCA Assured (previously Freedom Food) launched in 1994. The Assured scheme now has more than 3,000 members across farming and food production in England and Wales; have been acknowledged as a higher level scheme by the UK government; and unlike other labelling schemes, are completely independent from the food and farming industries. While clear progress has been made in the public procurement sector, with more and more bodies sourcing welfare friendly products, there is still a great deal of progress to be made.

In a historic move the Senedd became the first legislature in the UK to switch solely to Freedom Food eggs and salmon in 2010 which was supported by 81% of the staff, civil servants and Members working within the estate. Further to the expansion of Freedom Food products on the Senedd estate's menu, we would urge the Welsh Government, Local Authorities and major corporations to lead the way in Wales in sourcing and procuring higher welfare products.

The RSPCA welcomed the conclusions and recommendations of the review, particularly those in relation to Wales' food strategy post-Brexit - and the importance of ensuring high standards of animal welfare are maintained across Wales. With the Welsh Government's Agriculture (Wales) Bill White Paper now out for consultation, RSPCA Cymru are eager to ensure that animal welfare is considered a 'public good' under the legislation - incentivising farmers who produce higher welfare soon, and increasingly the likelihood of the highest standards of welfare produce appearing in the food procurement process. We will be closely

³ <https://politicalanimal.org.uk/combined%20RSPCA%20Animal%20Welfare%20and%20Food%20Indicators.pdf>

engaging with the consultation process - outlining the importance of high standards of welfare in food production, the benefits it brings both to the producers and consumers - as well as the opportunity it offers the Welsh Government to make Wales a world leader of high welfare food production, procurement and consumption. Public procurement can lead the way in sourcing such levels of produce.

Moving forward, the RSPCA would welcome any further consideration by the Committee of the importance of welfare friendly food production within Wales - its value both to producers and consumers. In addition to this, we believe the committee should further consider how best the Welsh Government can support and incentivise farmers to produce welfare friendly food, and the introduction of the Agriculture (Wales) Bill in the next Senedd term - and the Committee's scrutiny of the legislation - will be crucial in delivering that.

Report on Rethinking food in Wales: Food branding and processing - 18 June 2019

The second report on Rethinking Food in Wales, much like the first, provided an unequivocal position on the importance of food standards in Wales. RSPCA Cymru welcomed the report, noting its particular stance on the importance of animal welfare standards in food production and labelling, as well as how Wales ensures such standards post-Brexit.

As stated above, RSPCA Assured (Previously Freedom Food) launched in 1994, with the aim of supporting those already producing high welfare food, encouraging others within the sector to do the same, and clearly labelling food as being of high welfare to allow the public the choice and opportunity to consume products that were produced free of cruelty and suffering - but also that meet the RSPCA's strict welfare standards.

With now more than 3,000 members across England and Wales, the RSPCA Assured logo - alongside others such as Red Tractor - have become a hallmark for higher welfare produce, and is something that many consumers actively seek when making their food purchases. The success of such schemes - we believe - should be seen as an incentive for the Welsh Government to further support higher welfare food production and labelling in Wales, particularly post-Brexit, to ensure that all producers have the correct financial support and consumers the variety of choice.

The Committee's work on this issue - tied in closely with its work on the future of land management in Wales - has produced positive recommendations with regards to food production, procurement and labelling. RSPCA Cymru would like to see the Committee provide further analysis and scrutiny of the importance of higher welfare food production and labelling, the benefits both to the producers and consumers, as well as to the millions of animals that are used to produce food each year in Wales.

In addition to this, the RSPCA would welcome any reports looking more closely at the Welsh Government Food and Drink Strategy which is expected in 2021, again highlighting the importance of welfare promotion within this Strategy, and the impact this is having on production across Wales. The RSPCA would welcome any opportunities to feed into such reviews, and provide any relevant evidence on the issue.

Service Animals

Report on the LCM for the Animal Welfare (Service Animals) Bill - 14 February 2019

The Animal Welfare (Service Animals) Bill was an important and timely piece of legislation, that the RSPCA welcomed across both England and Wales. The Bill, which serves to protect service animals from unnecessary suffering by allowing Courts to disregard Section 4(3)(c)(ii) of the Animal Welfare Act (2006) acts a reminder that animal welfare is of the utmost importance within Wales and that actions detrimental to animal welfare will not be tolerated.

The RSPCA welcomed the Committee's report on the LCM for the Bill, as well as the overwhelming support for an LCM to be brought forward on the issue, as was addressed by the Committee Chair in Plenary on the 3 March 2019⁴.

⁴ [Senedd Plenary, 3 March 2019](#)

While the RSPCA appreciates that an LCM on such an issue does not warrant the same level of comprehension within a Committee report, we were disappointed by the level of detail and explanation the report produced - as well as the opportunity for input from external stakeholders.

The RSPCA wholeheartedly supported an LCM on the issue - and understood that Welsh Government constraints made an LCM to preferred means for bringing about such legislation. However, we would welcome any opportunities to feed into the Committee's scrutiny of Welsh Government legislative proposals and a greater depth of analysis of legislation, regardless of whether it is a LCM or the number of clauses found within the Bill.

Brexit & Agricultural Bill

The Future of Land Management in Wales - 24 March 2017

RSPCA Cymru also welcomed the report looking at the Future of Land Management in Wales in 2017 - setting out what a potential vision for the future of land management, including farm subsidies, may look like in Wales.

Although the RSPCA is perhaps widely known for its companion animal work, farm animal welfare is a hugely important part of what we do - and makes up a considerable element of many of our frontline activities and advocacy work - often in partnership with other agencies. In Wales, there are 9,500,000 sheep, over 160,000 beef breeding herds, more than 250,000 dairy breeding herds, approximately 24,000 and poultry stock in Wales also stands at over 7.7 million birds⁵ - highlighting the seismic number of animals that are bred, reared and used in food production; and the number of animals impacted by farm animal welfare policy, and good scrutiny of that policy.

Following the Brexit referendum in 2016, the RSPCA has been dedicated to ensuring risks are mitigated for animal welfare, and opportunities seized, from Wales' withdrawal from the European Union. One of these opportunities is potentially the biggest since the onset of devolution to enhance farm animal welfare - by developing a farm support scheme that incentivises farmers for providing the highest welfare standards on their farms; protecting animals, enhancing consumer choice and contributing to Wales acting as a world leader in sustainability and agriculture.

Accordingly, the RSPCA have consistently welcomed the Committee's reports into the future of agriculture in Wales, with animal welfare a consistent theme throughout, as seen in this report - where we were pleased to see the committee's views on any future proposals: *"Wales has a reputation for high animal welfare and environmental standards in our food production. The UK's exit from the EU could lead to changes in the regulatory frameworks around food production. We would welcome the removal of unnecessary bureaucracy. However, we believe that these high animal health and environmental standards are integral to the success of our food producers and must be maintained in future."*

As outlined in the above section of food, RSPCA remains committed that higher welfare food standards are an integral part of Wales' agricultural sector - and these need to be retained, if not improved, post-Brexit. The continued support of the Committee in highlighting the role of animal welfare in sustainable food production will be key in the years ahead - including in line with the Welsh Government's plans for the Agriculture (Wales) Act, and opportunities to ensure animal welfare is regarded as a 'public good' and intrinsically linked to farm payments under a new post-Brexit, made-in-Wales scheme.

Covid-19 inquiry

The ongoing inquiry into the impact Covid-19 has had on the Committee's remit of work - including animal welfare, is hugely welcome and RSPCA Cymru valued the opportunity to input amid the pandemic. The impact on the animal welfare sector is likely to be long-lasting, and sizable - and is something we would urge CCERA to keep firmly on their agenda, including the potential for a future inquiry in the post-Covid world on governmental support and ongoing challenges for a sector which is so

⁵ Welsh Government - '[Farming Facts and Figures, Wales 2020](#)'

heavily reliant on charities and the voluntary sector.

CCERA Committee: Senedd Bills

Wild Animals in Circuses (Wales) Bill

The Wild Animals in Circuses (Wales) Bill - given Royal Assent on 7 September 2020 - was a significant moment for animal welfare in Wales, ending the outdated and often cruel practice of circuses exhibiting wild animals for entertainment, as well as bringing parity in legislation between and other nations in Great Britain - preventing Wales becoming a sanctuary for this form of entertainment

The RSPCA welcomed the Bill and was pleased to be able to closely engage with both the Committee as a whole and its membership when scrutinising the Bill, and proposing amendments. The RSPCA's consultation response to the Committee can be found on our political animal website [here](#); along with our [Stage 2 briefing document](#) outlining our proposed amendments to the Bill.

We particularly welcomed the Committee's invitation to give oral evidence to the Committee, alongside a number of other organisations from within the Sector, and again thank the Committee for this opportunity.

The RSPCA was eager to have a number of amendments made to the Bill, to sure up its objectives and were pleased to see these also given considerable attention at Stage 2 of the Bill. While these amendments unfortunately fell, the opportunity to have many issues placed on the record during Stage 2 proceedings - and our work with individual Members of CCERA - was a very important process; and something which may aid post-legislative scrutiny long into the future, given some concerns about potential loopholes in the legislation.

The RSPCA is of course eager to engage with the Committee on any relevant future legislative scrutiny, and would assist with any evidence, both written and oral, from a welfare perspective.

Future Work of the Committee

As noted above, RSPCA Cymru hugely values the Committee's ongoing work throughout the course of the fifth Senedd - in holding the Welsh Government to account, considering the views of stakeholders, listening to the available evidence and, considering the animal welfare impact amidst a varying range of policy issues, The work of the Committee is vital in allowing the RSPCA to input into the legislative process, as well as building our relationship with both Members and Senedd officials. In considering future work streams of the Committee into the next Welsh Parliamentary term, the RSPCA wished to highlight possible future work streams which could prove beneficial in holding the Welsh Government to account:

1. A CCERA Committee Animal Welfare Roundtable Discussion

In November 2014, the Committee - then known as the Environment and Sustainability Committee - hosted an [Animal Welfare Roundtable Discussion](#), inviting stakeholders from within the sector to discuss a wide-range of policy issues, directly related to animal welfare. The roundtable brought together a range of local authority and third sector representatives to discuss a raft of issues and provide evidence and scrutiny of potential routes forward for the Welsh Government.

The RSPCA welcomed the opportunity to sit on the roundtable and give evidence on issues including:

- Dog Control;
- Non-Stun Slaughter
- Electric Shock Collars;
- Dog Breeding;
- Dog Microchipping & Registration;
- Wild Animals in Circuses; and
- Animal Sanctuaries (Animal Welfare Establishments)

The discussion is believed to be the first of its kind hosted by the Committee, and the last specific animal welfare roundtable of this nature. The RSPCA felt it was an extremely insightful and useful discussion, and one which to a certain extent went on to inform the legislative and policy of the Welsh Government to date, with a ban on wild animals in circuses now in place, a voluntary code of best practice for animal welfare establishments now published by Welsh Government, maintenance of the existing shock collars ban and a recent review of the existing dog breeding regulations in Wales all taking place within the fifth Senedd which followed.

In light of these developments, RSPCA would warmly welcome any further opportunities provided by the Committee for an animal welfare specific roundtable discussion, again made up of a range of stakeholders who can provide relevant evidence both in support and against potential routes to tackling the raft of welfare issues currently facing Wales. A host of animal welfare topics are currently at a crossroads - partly due to disruption to the Fifth Senedd's programme caused by the pandemic, and because of the post-Brexit landscape. As such, a repeat roundtable session in the years to come could come at a pertinent time for animal welfare, and offers the opportunity of covering and scrutinising a range of issues at once.

Such a discussion may focus on issues, including:

- Slaughterhouse welfare;
- Mobile Animal Exhibits;
- Regulation of Racing Greyhounds;
- Ending Pets as Prizes;
- Banning Primates as pets; and many more.

A full list of the RSPCA's key asks of the political parties for the Sixth Senedd can be found in our manifesto [here](#) - and may prove useful for the consideration of any future discussions.

2. An inquiry into the efficacy of Welsh Government Codes of Practice

As stated in the above section on snares, RSPCA Cymru has always been in support of the publication of Welsh Government Codes of Practice on animal welfare - and, via its role as a member of the Animal Welfare Network for Wales, has helped produce and update this key guidance. However, the RSPCA would support efforts to better promote the existence of these Codes of Practice from the Welsh Government, as part of a driver to boost responsible pet ownership and society's relationship with animals in Wales.

In some instances, unfortunately, a lack of compliance is commonplace, such is the case for the voluntary code of practice related to the use of snares for fox control.

The worry for the RSPCA is that once the codes are published and initially promoted via social media they sit on the Welsh Government website with little to no interaction from the animal-owning communities they are intended for. While RSPCA officers do raise awareness of these Codes as part of their frontline duties - this is once we have been alerted to a welfare problem occurring, or need to intervene.

The Welsh Government recently published a voluntary Code of Best Practice for Animal Welfare Establishments. While the Code clearly sets out how a sanctuary should be governed in line with the existing legislation, it is unclear how it is promoted to those individuals who are running such establishments. In an FOI submitted by the RSPCA to all twenty-two local authorities in Wales, asking for the number of welfare establishments - as defined by the Code of Best Practice - located in their local authority as of 13 November 2020, 194 were totalled across Wales, and numerous local authorities could not provide a figure as they are not obligated by law to record such establishments on their databases, so the true figure is likely much higher. Of these both identified and unidentified AWE's, it is unclear whether or not they have seen the Code nevermind actually read the recommendations as to how best operate their establishments and meet their legal obligations.

Going forward, the RSPCA would like to see greater consideration as to how to ensure the efficacy of both the existing and future Codes of practice, how their success is measured and how they are being

promoted by the Welsh Government. These codes are hugely important, valuable documents - but much of their success will lie in awareness. We note the Committee's calls for an annual review of the Code of Practice on Snares within their 2017 Report and we believe that such a recommendation - if adopted - would have allowed for the Welsh Government to consider its effectiveness or lack thereof. Such reviews need to be commonplace across all published Codes of Practice in Wales, to ensure that they are meeting their objectives - and how they can be promoted to pet and animal owners across Wales.

3. Increased Stakeholder Input into Committee Consideration of LCMs

Many legislative consent motions considered by the Committee have a sizable impact on animal welfare

- and the scrutiny of CCERA is often as vital as when scrutinising legislative proposals generated in Wales. Where consent memoranda scrutinised by the Committee will have far-reaching implications for the sector - for example the LCM on the UK Agriculture Bill 2019-2021, which put in place interim measures for farm subsidy payments within Wales - we would welcome opportunities to engage with Members and the Committee process, and, in such instances, urge the Committee to undertake as much sector-wide scrutiny as the often-tight timeframes allow.

4. Follow-up Reports on Key Issues and Legislative Frameworks

As noted throughout this response, RSPCA Cymru has welcomed many of the reports and inquiries of the Committee - which have acted as authoritative resources, new sources of data and allowed the RSPCA to further advocate many of our policy positions. While the reports - for a large extent - have been supportive of welfare issues, the RSPCA would like to see the Committee consider returning to issues previously reported on - updating any necessary information and recommendations and placing greater scrutiny on the Welsh Government.

Examples of such work streams in the next Senedd may include:

1. A full inquiry, further to the welcome call for evidence, into the impact Covid-19 has had on the animal welfare sector - particularly in light of the number of charities and voluntary groups in Wales supporting such work. This could include a strong emphasis on post-Covid recovery and governmental support.
2. A further inquiry into the use of snares in Wales, focusing on compliance with the existing Code - including how a regulatory framework established by the Agriculture (Wales) Bill should be utilised, and scrutiny of the wider trapping regime in Wales.
3. A new, third report, on rethinking food in Wales, in light of the forthcoming Food and Drink Strategy for Wales - building on the previous recommendations and calling on the Welsh Government to consider high animal welfare standards in all aspects of food and drink production in Wales, and in the context of a future Agriculture (Wales) Bill.
4. An inquiry into how the new licensing regime works for animal vending and dog breeding - this new regime will be implemented in September 2021 so an enquiry in 2023 would be welcome

Summary

RSPCA Cymru would like to thank the Committee for the opportunity to feed into its legacy report for the fifth Senedd - which, as we have outlined above - has seen a great deal of work and progress with regards to animal welfare both directly through it's work on Bovine TB, Snares, Service Animals and the Wild Animals in Circuses (Wales) and indirectly through its work on Rethinking Food and the Future of Land Management and Agriculture in Wales.

The RSPCA cannot overstate the value of the Committee to the sector, and we applaud the opportunities provided to give evidence on a wide range of policy issues. Our recommendations of future work programmes have considered the resources of the Committee, and we would welcome any further opportunities to assist the Committee with any such discussions and deliberations in the Sixth Senedd.