Distracted on welfare

IT IS unfortunate that most of the media coverage of a report on pet welfare from the House of Commons Environment, Food and Rural Affairs Committee (EFRACom) this week¹ should have focused so heavily on a recommendation from the committee that the RSPCA should ‘step back’ from bringing prosecutions under the Animal Welfare Act, as this has tended to detract from the many other more useful recommendations in the report. On the other hand, the focus of the media coverage isn’t altogether surprising because, for some reason, the EFRACom itself chose to highlight this controversial recommendation in a press release that accompanied the report’s publication.

The question of who, exactly, should be responsible for enforcing the Animal Welfare Act has been an issue ever since the legislation was enacted 10 years ago. The question arises that if, as the EFRACom suggests, the RSPCA stopped bringing prosecutions itself, who else would fill the gap? The committee’s suggestion that this should be a role for the Crown Prosecution Service (CPS) is unlikely to be practical, given all the other pressures on the CPS and its resources. As the BVA President, Gudrun Raveret, pointed out this week, ‘The RSPCA is currently responsible for over 90 per cent of prosecution activity on animal welfare issues and it is unclear who else would have the resources to take on this vital role.’

Animal welfare charities were also quick to respond to the committee’s suggestion. In a joint statement, Battersea Dogs & Cats Home, Blue Cross, Cats Protection, Dogs Trust and the PDSA said that removal of the RSPCA’s ability to prosecute animal cruelty cases would be ‘hugely detrimental to the welfare of the thousands of animals that are victims of animal cruelty in England and Wales every year’. They also expressed concern that, ‘without the RSPCA carrying out this vital work, many cases of unacceptable animal abuse would go unpunished.’

Unusually, on publication of the report, one of the committee’s members, Angela Smith MP, publicly distanced herself from this recommendation, describing it as an ‘unwarranted attack on the RSPCA’.

That aside, there is much to commend in the report, which, 10 years after the introduction of the Animal Welfare Act, discusses the results of a short inquiry initiated by the EFRACom in February this year to look into the welfare of domestic pets in England (VR, February 13, 2016, vol 178, pp 152, 161; April 30, 2016, vol 178, p 450). It rightly identifies some of the problems being encountered under the Act, regarding implementation, enforcement and public awareness of the Act’s requirements, as discussed in a recent Comment in this journal (VR, November 5, 2016, vol 179, p 446). It draws attention to the opportunities provided by a review being undertaken by Defra of the rules governing the licensing of dog breeding and other animal-related businesses in England (VR, October 1, 2016, vol 179, p 316) and makes a number of recommendations which, if implemented, could help to ensure that the welfare of pets improves under the Act, in the way originally intended.

On implementation, it notes that the Government has been slow to introduce secondary legislation under the Act, and recommends that it sets a timetable for doing this, as originally envisaged.

Regarding enforcement, apart from discussing the role of the RSPCA, it draws attention to the fact that no state organisation is legally responsible for animal welfare, and recommends that the Government places a statutory duty on local authorities to enforce the Act and makes sure that they have the resources they need to do this.

With regard to raising animal owners’ awareness of their responsibilities under the Act, it recommends that the Government develops an ongoing partnership with animal welfare charities to educate the public, and that it should examine how animal welfare can be incorporated into citizenship classes as part of the school curriculum. Regarding the first of these recommendations, the recent formation of a Veterinary Animal Welfare Coalition could help (VR, November 5, 2016, vol 179, p 448).

A number of recommendations in the report relate to dog breeding and Defra’s review of animal establishments licensing. Among them are that the Government should pass regulations to protect the genetic viability and welfare of offspring as well as adult dogs, and that anyone breeding two or more litters of puppies per year should be licensed as a breeder (rather than three or more litters as has been suggested by Defra). It recommends that legislation governing the breeding of dogs should be updated, with a licensing regime based on modern welfare standards, and that a national inspectorate should be established to support local authorities in enforcing this.

Regarding puppy sales, it recommends that third-party sales of dogs should be banned and discusses a number of measures aimed at regulating sales over the internet. Noting that the Pet Travel Scheme is providing a vehicle for the illegal importation of puppies for sale, it suggests that this needs to be taken into account during negotiations on Brexit and recommends that the age at which dogs are allowed to enter the UK should be raised to six months, to reduce their commercial value to smugglers.

Although largely concerned with dogs, the EFRACom’s report also considers cats and horses. Regarding cats, the committee argues that cats, like dogs, need to be protected and recommends that breeders of two litters of kittens or more should be licensed, with welfare conditions attached. With regard to horses, it recommends that the Government ‘systematically and significantly’ reduces the number of organisations issuing pet passports, examining the possibility of establishing just one. It also points out that the National Equine Database, which was closed in 2012 after Defra withdrew funding, needs to be re-established in the light of EU regulations introduced following the horsemeat scandal of 2013.

The EFRACom set itself a pretty tough task when it initiated a short inquiry into what many would see as a large and complex area, and the diverse range of recommendations made in its report reflects this complexity. Nevertheless, there is much that is useful in the report. It must be hoped that this doesn’t end up getting lost in a row about the role of the RSPCA in bringing prosecutions.


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