

## **Animal Welfare Act 2006**

The RSPCA warmly welcomed the Animal Welfare Act receiving Royal Assent on 8<sup>th</sup> November 2006. It is due to come into force in Wales on 28<sup>th</sup> March 2007 and in England on 6<sup>th</sup> April 2007.

The Act updates the current offences for cruelty<sup>1</sup> to and fighting<sup>2</sup> of animals but crucially introduces for the first time for domestic animal legislation a new concept – the welfare offence<sup>3</sup>. This requires owners of and people responsible for animals to take reasonable steps to ensure their animals' welfare needs are met. The welfare needs are based on the Five Freedoms widely used and recognised in farm animal legislation. Animals' needs include:

- A need for a suitable environment,
- A need for a suitable diet,
- A need to be able to exhibit normal behaviour patterns,
- Any need to be housed with, or apart from, other animals, and
- A need to be protected from pain, suffering, injury and disease.

This will see a major step forward in animal welfare protection. At present action can only be taken once an animal has suffered unnecessarily. However this new offence will mean that action can be taken at an earlier stage before the animal has suffered and thus potentially prevent the suffering from occurring in the first place. It will also act as an important educational tool and encourage prospective owners/carers of animals to think seriously about whether they can adequately care for an animal before they take that animal on.

The Government intends to consult on and introduce a series of Codes of Practice (CoPs) to assist the public with understanding what commonly kept animals basic needs are. The RSPCA believes these could assist the public but acknowledges that the CoPs must be concise and easy to understand otherwise they will not be used.

The new law has made it an offence to dock a dog's tail for cosmetic purposes. This will see the majority of tail docking of dogs prohibited, although there is a limited exemption for some docking for dogs that are classed as 'working dogs' as long as it is carried out before the dog is five days old.

The Government also intends to introduce regulations to govern different activities and practices involving animals. For example the Government has already committed to prohibit the use of certain wild animals in travelling circuses<sup>4</sup>, prohibit commercial pet fairs<sup>5</sup>. Following the expose in the summer of the destruction of ex-racing greyhounds the Associate Parliamentary Group for Animal Welfare (APGAW), a group of MPs and Lords who meet to discuss animal welfare matters, has launched an inquiry<sup>6</sup> into this matter and plans to produce a report with recommendations by spring this year. In the next few years regulations will be consulted upon and issued governing these practices which will prescribe suitable standards of care and how such activities can be conducted legally.

For further information on this issue please contact [politicalaffairs@rspca.org.uk](mailto:politicalaffairs@rspca.org.uk)

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<sup>1</sup> S4 of the Animal Welfare Act 2006

<sup>2</sup> S8 of the Animal Welfare Act 2006

<sup>3</sup> S9 of the Animal Welfare Act 2006

<sup>4</sup> Defra press release 8<sup>th</sup> March 2006

<sup>5</sup> Defra press release 10<sup>th</sup> October 2006

<sup>6</sup> APGAW press release 19<sup>th</sup> September 2006