



RSPCA Cymru

Ballot for Member Bills

Pack the ballot with ‘Laws for Paws’

RSPCA Cymru believes the Welsh Parliament's upcoming Ballot for Member Bills is an ideal opportunity to further the animal welfare cause in Wales.

Wales has a proud animal welfare record - and policies in this area influence vast swathes of the population; with 47 percent of households owning at least one pet¹; while farm animal welfare is central to the nation's proud agricultural heritage. Wales is also home to a rich variety of wildlife.

Since the onset of devolution, Wales has made some notable legislative and policy advances in animal welfare. However, there are other areas where Wales lags behind neighbouring UK nations - and a Ballot for Member Bills offers a unique opportunity for non-governmental legislative solutions to help make Wales an even better place for pets, farm animals and wildlife to live.

RSPCA Cymru is delighted to present a series of ready-to-go legislative proposals for Senedd Members - covering a diverse range of topics all impacting upon animals in different ways. While some of the objectives below could also be achieved through other routes - such as subordinate legislation, statutory guidance or policy change - this Ballot offers a rare and important opportunity to propose these ideas to the Senedd.

The constituents of all 60 Members of the Senedd are passionate about animal welfare - with the issue regularly featuring prominently in politicians' mail bags. Ahead of the recent Welsh Parliamentary election in May, more than 2,500 letters were sent to

¹ National Survey for Wales 2014-15 Pet welfare, SB 1/2017

Wales' major political parties advocating the RSPCA Cymru manifesto - and it was heartening to see all parties adopt dedicated animal welfare chapters or sections in their offering to voters for the first time. Many of the legislative suggestions which follow are adapted from RSPCA manifesto proposals which proved so popular with the public in Wales in early 2021.

Legislative proposals from the backbenches have helped transform the animal welfare landscape elsewhere in the UK. At Westminster, the law surrounding equine welfare and fly-grazing in England were transformed via a PMB brought forward by Julian Sturdy MP; while the maximum sentences for the perpetrators of the worst animal welfare crimes has increased ten-fold thanks to a PMB from Chris Loder MP - a law which applies to both England and Wales. Animal-focussed Westminster PMBs which have not made it onto the statute book have also encouraged the UK Government to use other tools to act; for example through the provision in England of model tenancy agreements for landlords which encourage pet ownership in the private rented sector. The RSPCA hopes Wales will now seize the opportunity to improve animal welfare law, policies and protocols presented by this Ballot for Member Bills.

Animal Sentience (Wales) Bill



Like humans, animals must be recognised as sentient beings. They have the capacity to feel joy, pleasure, pain and to suffer – and it is vital this is reflected within Welsh law following withdrawal from the European Union.

The Welsh Government must pay legal regard to the needs of sentient animals and report on how sentience is considered across government departments, with the support of an independent advisory body. The acknowledgement of animal sentience in law sends the strongest possible message that the welfare and status of animals is respected.

At Westminster, the Animal Welfare (Sentience) Bill will establish an Animal Sentience Committee which will produce a report on any UK Government policy's impact on animal sentience and any adverse effect on welfare. This means any UK Government policy applying

	<p>to Wales will be scrutinised for its impact on sentience, but Welsh Government policy - including the devolved competency of animal welfare - will not; leading to a deficit of scrutiny for animal sentience in Wales.</p> <p>This Bill would propose the establishment of an Animal Sentience Committee for Wales, which would ensure all Welsh Government policy is impact tested for its impact on sentient beings and any adverse impacts on the welfare of animal welfare.</p>
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Animal Welfare Investigations (Wales) Bill

In September 2014, Stephen Wooler CB published an independent review of the prosecution activity of the RSPCA. This report recommended dialogue between the RSPCA and government 'seeking the development of a concordat placing the RSPCA's investigation and prosecutions activities on a formal basis'². He urged 'the appointment of suitably experienced RSPCA Inspectors as Inspectors for the purposes of the Animal Welfare Act 2006'³.

This is intended to ensure there is clarity of role for RSPCA officers, particularly when dealing with other enforcement partners in the police and local authorities, while reducing bureaucracy and burdens upon the resources of statutory bodies, and increasing the efficiency of RSPCA officers on the frontline.

At present, RSPCA officers have no more formal or legal powers than any member of the



² The independent review of the prosecution activity of the Royal Society for the Prevention of Cruelty to Animals, Stephen Wooler CB, 24 September 2014, p24.

³ Ibid

public. This Bill would propose to empower RSPCA frontline officers so they could help animals more quickly; and reduce the reliance on existing statutory bodies which risks pulling the Police and local authorities away from other frontline activities to carry out largely bureaucratic actions.

Regulation of Animal Sanctuaries (Wales) Bill



Riding schools, cat boarders and dog breeders - and even now all pet sellers - are all subject to regulation in Wales but animal welfare establishments, or 'sanctuaries' as they are more commonly known, are not.

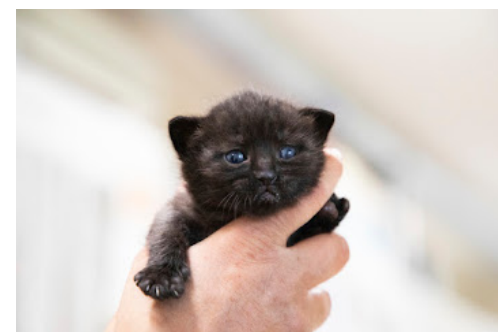
Sanctuaries often do invaluable work to rehabilitate and rehome animals, but a lack of safeguards exist to protect the welfare of animals based in such settings. As it stands, anybody can establish a sanctuary without being inspected or putting any welfare standards or contingency plans in place. The Welsh Government recently published a voluntary Code of Practice governing standards at sanctuaries – but more action is needed.

This Bill would offer specific legal protections to animals based inside Wales' estimated 90 sanctuaries, setting up a licensing system and legal benchmarks and conditions which sanctuary owners must meet.

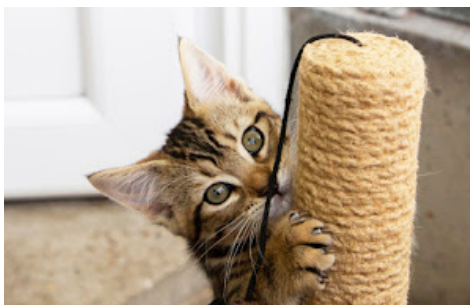
Cat Breeding (Wales) Bill

A decade ago, some 347 cat breeders were identified in Wales⁴, yet these breeders are not currently required to undergo licensing or oversight. While there has been much attention on welfare problems associated with puppy breeding in Wales, cats and kittens must not get left behind.

This Bill would supplement the ban on the third party sale of kittens under the new Licensing of Activities Involving Animals (Wales) Regulations 2021; by introducing specific legal standards concerning the breeding of cats, to ensure minimum and promote higher standards of welfare within the sector. No cat breeder delivering good or higher standards would have anything to fear from such regulation, but action would help deter those seeking to compromise cat welfare to achieve big profits from kitten sales.



Pets in Housing (Wales) Bill



Keeping pets in sheltered, social or private rented housing poses many challenges. The development of a well-enforced Pets Policy can ensure more tenants can keep pets, and do so responsibly. This can also help reduce anti-social behaviour associated with animals, and facilitate happier, healthier tenants, and more harmonious relationships between pet owners and non-pet owners.

This Bill would propose a series of measures which would ensure responsible pet owners are not punished as a consequence of the type of accommodation they live in. This would include making allowing a pet a legal default in the social housing and private rented sector - unless

⁴ Companion Animal Welfare Enhancement Scheme – Special Project: Cat Breeding

	there is a justifiable reason not to do so. It would also require all local authorities in Wales to ensure their statutory homelessness reviews and strategies must consider how to provide access for pets – particularly dogs – to homeless shelters, hostels and other accommodation.
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Glue Traps Offences (Wales) Bill

Glue traps - also known as glue boards or sticky boards - trap animals on a sheet of cardboard, plastic or wood coated with non-drying adhesive, or in a shallow tray of adhesive. Sadly, in attempting to pull themselves free, animals may rip out patches of fur, break bones or even gnaw through their own limbs to escape.

Animals caught by the devices can often be trapped for prolonged periods of time - and can experience pain, distress and severe suffering. Unattended animals can die slowly from dehydration, starvation or exhaustion. Glue traps are indiscriminate in what they catch; wild birds and even household pets often fall victim.

In England, a Private Members Bill, backed by the UK Government, has been brought forward by Jane Stevenson MP⁵, meaning Wales risks falling behind neighbouring nations on the use of these horrible traps.

This Bill would propose an outright ban on the use of glue traps in Wales - ending the trauma these traps can cause animals in Wales.



⁵ RSPCA Cymru News - Calls for Welsh Government action on glue traps as ban in England 'closer to reality', 18 June 2021

Pets as Prizes (Wales) Bill



Animal ownership is a big responsibility, and should be planned and well thought out. RSPCA Cymru is, therefore, hugely concerned that pets – primarily goldfish – continue to be issued as prizes in Wales.

Goldfish are easily stressed and very often fish that are won as prizes suffer miserably from shock, oxygen starvation or die from changes in water temperature, and many may die before their new owners can get them home.

The situation in Wales is contrary to that in Scotland, where it is an offence to give an animal as a prize regardless of the person's age (except within the family context)⁶.

In the absence of Wales-wide action, the RSPCA has been successful in urging a number of local authorities to implement bans on this practice on their land. However, the most effective way to ensure such a practice is ended is a Wales-wide ban enshrined in Welsh law. This Bill would propose an outright ban on the giving of pets as prizes in Wales.

⁶ Animal Health and Welfare (Scotland) Act 2006, Section 31 – Offering Animals as Prizes

Slaughterhouse and Abattoir Welfare (Wales) Bill

There is much to do in Wales to improve the welfare of animals in abattoirs - including improved monitoring via CCTV, and exemptions which allow some animals in Wales to be slaughtered without being rendered unconscious by prior stunning.

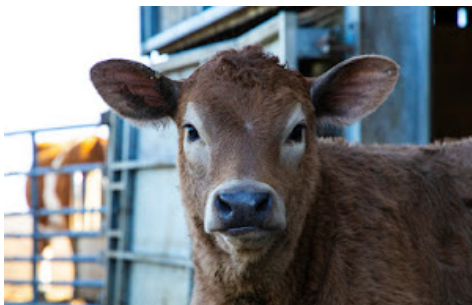
RSPCA Cymru wholeheartedly supports, and has long championed, the introduction of CCTV in all abattoirs in Wales. CCTV can not only help offer assurances that welfare standards are being met at all times, but can also help protect the business from unfounded allegations of animal abuse, and offer an important training tool. CCTV is now a requirement in all England-based slaughterhouses where live animals are present – it is crucial farm animals in Wales are not left behind. This Bill would propose making CCTV systems mandatory in all abattoirs; a low-cost measure that could fuel consumer confidence in Wales' produce and help better safeguard the welfare of animals at slaughterhouses.

Scientific evidence demonstrates that farm animals slaughtered without stunning can experience significant pain and distress, and the practice has been labelled 'unacceptable' by the Farm Animal Welfare Committee⁷. Despite this, exemptions from the requirement to stun prior to slaughter exists for Shechita and Halal slaughter in Wales. Religious beliefs and practices should, of course, be respected and religious freedom is vital, but RSPCA Cymru believes it is paramount that animals are treated humanely at the time of killing and are therefore stunned prior to being slaughtered. This Bill would therefore also end these exemptions to ensure the suffering of farm animals through not being stunned before slaughter is no longer legal.



⁷ RSPCA, Religious slaughter.

Animals in Planning (Wales) Bill



Animal welfare is not currently a legal consideration within the planning process. It should be designated as a 'material consideration' within the planning system, meaning negative impacts on animals should be a key consideration in relevant planning applications. When planning applications concern farm or companion animal housing, they are often met with widespread opposition, public process and prolonged planning debate. However, this debate is often heavily based on emotion, given the absence of scientifically proven, consistent animal welfare principles within the current planning process.

This Bill proposes to reform Wales' planning law to ensure a consistent approach, allowing a clear legal path to challenge developments that impact animal welfare most negatively. This would be achieved by making planning a material consideration in Wales' planning process.

Cage Farmed Systems (Wales) Bill

Many of Wales' millions of farm animals are reared in cage systems. Only 66% of farm animals that could be caged across the UK are reared in cage-free conditions⁸.

In Wales, farrowing crates are permitted - while many laying hens are confined to so-called enriched cages, which can still compromise welfare. Game birds and rabbits are among the other species still farmed in cages in Wales.

In June 2021, the European Commission pledged to phase out cage systems for a variety of farmed animals; following the European Citizens' Initiative (ECI) '*End the Cage Age*'



⁸ EndtheCageAge.eu - league table

which saw backing from more than 1.4million citizens, including over 54,000 from the UK⁹. Following Wales' withdrawal from the European Union, it is imperative Wales acts on this issue to ensure farm animal welfare doesn't fall behind.

This Bill would propose to phase out the use of cage systems for laying hens, sows, calves, rabbits, pullets, broiler breeders, layer breeders, quail, ducks and geese.

⁹ Ibid