

Natural Environment and Animal Welfare Debate on 7 December 2017

Summary

On 7 December 2017, the House of Lords is due to debate a motion, moved by the Earl of Caithness (Conservative), that: “this House takes note of Her Majesty’s Government’s plans to improve the natural environment and animal welfare”.

This short briefing presents an overview of some of the Government’s plans on the natural environment and animal welfare. A selection of key documents is identified at the end of the briefing to provide further detail.

Natural Environment

The Government has committed to publishing a 25 Year Environment Plan with the objective of ensuring the current generation “would be first to leave the environment in a better state than [they] inherited it”.¹ In September 2016, the Department for Environment, Food and Rural Affairs had stated that it would establish a series of indicators as part of the plan to record progress on improving the environment, and that the aim of the plan would be to involve business and environmental non-governmental organisations in the delivery of its objectives.² The Government has since stated that the plan would now be published during the 2017–22 parliament.³ The Labour Party has criticised the Government for the delay in the publication of the plan, describing it as “unacceptable”.⁴

Environmental Standards

The Government has announced its intention to create a new, independent, statutory body responsible for environmental standards in England.⁵ The Government has said that this new body would have oversight of environmental policy decisions, which are currently overseen by the European Commission.⁶ A consultation on the specific powers and scope of this body is scheduled to be launched in early 2018.

Support for Agriculture

The Government has argued that leaving the EU presented the UK with an opportunity to change the way in which farmers are supported.⁷ It has also announced it would match the support currently received by farmers, as part the Common Agricultural Policy, until 2022.⁸ In this context, the Minister of State at the Department for Environment, Food and Rural Affairs, George Eustice, has stated that the Government would seek to establish:

[...] a more coherent domestic policy to support farmers to become more profitable, to support environmental outcomes and to promote things such as animal welfare.⁹

The Government has said that it would seek to achieve this through provisions in its new Agriculture Bill, announced in the 2017 Queen's Speech.¹⁰ This Bill would also include measures intended to provide stability for farmers as the UK left the EU, the Government has stated.¹¹ The chair of the House of Lords European Union Energy and Environment Sub-Committee, Lord Teverson, questioned how the Agriculture Bill could be finalised while there was still a lack of clarity on what the UK's future relationship with the EU would eventually be.¹²

Animal Welfare Standards

The House of Lords European Union Committee has argued that, once the UK has left the EU, there would be a risk of increased pressure on the Government to relax farm animal welfare standards.¹³ It has warned:

[...] while high farm animal welfare standards can be a selling point for UK producers, they also increase the cost of production. In the event that post-Brexit trading relations with the wider world, and if standards diverge over time with the EU, lead to increased imports from countries operating lower farm animal welfare standards, UK producers could become uncompetitive. This could undermine the sustainability of the industry or incentivise a race to the bottom for welfare standards—contrary to the wishes of the UK industry.¹⁴

The Government has said it would seek to avoid UK animal welfare standards being undermined by cheaper imports from countries with lower standards, and would consider what measures might be taken as part of its future trade policy, within the requirements of existing World Trade Organization rules.¹⁵

The Prime Minister, Theresa May, has stated the Government would not only seek to maintain existing animal welfare standards after the UK had left the EU, but also enhance these standards.¹⁶ In addition to those announcements relating to the UK's departure from the EU, the Government has also announced a number of other policies relating to animal welfare. These include the following measures:

- The Government has proposed increasing the maximum sentence for animal cruelty offences to five years imprisonment.¹⁷ This followed a recommendation by the House of Commons Environment, Food and Rural Affairs Committee that the existing penalty—six months in prison and an unlimited fine—was too low.¹⁸ The Government has said draft legislation to implement this change would be published between late 2017 or early 2018.¹⁹ The proposal has received the support of animal protection organisations, including the Royal Society for the Prevention of Cruelty to Animals.²⁰
- In August 2017, the Government published a consultation on proposals to make closed-circuit television mandatory in slaughterhouses.²¹ This consultation ended in September 2017 and the Government stated it would publish its response in late autumn 2017, in advance of laying secondary legislation before Parliament in early 2018.²²

Members of the House of Commons and the House of Lords have also called for further Government action regarding other animal welfare issues. For example, during a debate on 1 November 2017, backbench MPs from a number of different parties called on the Government to do more to combat the smuggling of pedigree dogs into the UK.²³ In October 2017, Baroness Jones of Moulsecoomb (Green Party) urged the Government to state when it intended to publish legislation to prevent wild animals being used in circuses. The Parliamentary Under Secretary at the Department for Environment, Food and Rural Affairs, Lord Gardiner of Kimble, answered that it was the Government's intention such legislation should be introduced, but he was not in a position to state when parliamentary time would be allocated for this.²⁴

Animal Sentience

The issue of animal welfare has recently been raised in the context of animal sentience. Article 13 of the Treaty on European Union states the sentience of animals should be recognised.²⁵ The Government has said all existing animal welfare measures in EU law will be carried over into UK law under provisions in the European Union (Withdrawal) Bill, currently being considered by the House of Commons.²⁶ On 15 November 2017, the House of Commons voted on an amendment to the Bill, tabled by Caroline Lucas (Green MP for Brighton, Pavilion), which was intended to ensure the sentience of animals be recognised in UK law once the UK had left the EU.²⁷ Dr Lucas argued this was necessary as the text of the Treaty on European Union would not be carried over into UK law by the Bill. The amendment was defeated by 313 votes to 297.²⁸ In a subsequent written statement, the Secretary of State for the Environment, Food and Rural Affairs, Michael Gove, explained that while the Government supported the principle that animals were sentient, the amendment was “faulty”. He said it “would not have achieved its stated aims of providing appropriate protection for animals”. Mr Gove argued that the effect of Article 13 was “very unclear and [that] it has failed to prevent practices across the EU which are cruel and painful to animals”.²⁹

Key Documents

- House of Commons Library, [Brexit and the Environment](#), 13 November 2017, pp 4–5
- Natural Capital Committee, [Advice to Government on the 25 Year Environment Plan](#), September 2017
- Department for Environment, Food and Rural Affairs et al, [Agriculture in the United Kingdom 2016](#), 2017, pp 78–87
- House of Lords European Union Committee, [Brexit: Farm Animal Welfare](#), 25 July 2017, HL Paper 15 of session 2017–19, pp 3 and 30–2
- Department for Environment, Food and Rural Affairs, [Response to the House of Lords European Union Committee Report on Brexit: Farm Animal Welfare](#), 29 September 2017
- [Debate on ‘Brexit: Agriculture and Farm Animal Welfare \(European Union Committee Report\)’](#), HL *Hansard*, 17 October 2017, cols 537–85

Further Information

- House of Lords European Union Committee, [Brexit: Agriculture](#), 3 May 2017, HL Paper 169 of session 2016–17
- Department for Environment, Food and Rural Affairs, [Government Response to the House of Lords EU Energy and Environment Sub-Committee Report into Brexit: Agriculture](#), 29 June 2017; and [Letter from the Minister of State for Environment, Food and Rural Affairs, George Eustice, to the Chair of the European Union Energy and Environment Sub-Committee, Lord Teverson](#), 11 September 2017
- House of Commons Environment, Food and Rural Affairs Committee, [Oral Evidence: The Work of Defra, HC 321](#), 13 September 2017
- [Debate on ‘Leaving the EU: Animal Welfare Standards in Farming’](#), HC *Hansard*, 24 January 2017, cols 80–96WH
- [Debate on ‘Animal Welfare’](#), HC *Hansard*, 30 March 2017, col 447–84
- [Debate on ‘Puppy Smuggling’](#), HC *Hansard*, 1 November 2017, cols 418–34WH

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- ¹ Conservative Party, [The Conservative Party Manifesto 2017](#), 18 May 2017, p 26.
- ² Department of Environment, Food and Rural Affairs, [Single Departmental Plan: 2015 to 2020](#), 15 September 2016. The 25 Year Environment Plan has been developed by the Department of Environment, Food and Rural Affairs since 2016, advised by the independent body, the Natural Capital Committee.
- ³ House of Lords, [Written Question: Agriculture and Environment Protection](#), 12 April 2017, HL6618.
- ⁴ Ian Johnston, [Michael Gove Could Use Brexit to Shelve Key Plan to Protect the Environment, Critics Fear](#), *Independent*, 25 June 2017.
- ⁵ Department for Environment, Food and Rural Affairs, [New Environmental Protections to Deliver a Green Brexit](#), 12 November 2017.
- ⁶ *ibid.*
- ⁷ Department for Environment, Food and Rural Affairs, [Government Response to the House of Lords EU Energy and Environment Sub-Committee report into Brexit: Agriculture](#), 29 June 2017, p 9.
- ⁸ Department for Environment, Food and Rural Affairs, [The Unfrozen Moment—Delivering A Green Brexit](#), 21 July 2017.
- ⁹ House of Lords European Union Committee, [Oral Evidence: Brexit: Agriculture](#), 8 March 2017, Q84.
- ¹⁰ House of Commons, [Written Question: Exports: North West Durham](#), 22 November 2017, 113004; and [HL Hansard, 21 June 2017, cols 5–7](#).
- ¹¹ HM Government, [The Queen’s Speech and Associated Background Briefing](#), 21 June 2017, p 23.
- ¹² [HL Hansard, 17 October 2017, col 540](#).
- ¹³ House of Lords European Union Committee, [Brexit: Animal Welfare](#), 25 July 2017, HL Paper 15 of session 2017–19, p 3.
- ¹⁴ *ibid.*
- ¹⁵ Department for Environment, Food and Rural Affairs, [Response to the House of Lords European Union Committee Report on Brexit: Farm Animal Welfare](#), 29 September 2017, pp 4–5.
- ¹⁶ [HC Hansard, 22 November 2017, cols 1038–9](#).
- ¹⁷ Department for Environment, Food and Rural Affairs and Animal and Plant Health Agency, [Sentences for Animal Cruelty to Increase Tenfold to Five Years](#), 30 September 2017.
- ¹⁸ House of Commons Environment, Food and Rural Affairs Committee, [Animal Welfare in England: Domestic Pets](#), 16 November 2016, HC 117 of session 2016–17, p 32.
- ¹⁹ Department for Environment, Food and Rural Affairs and Animal and Plant Health Agency, [Sentences for Animal Cruelty to Increase Tenfold to Five Years](#), 30 September 2017.
- ²⁰ Royal Society for the Prevention of Cruelty to Animals, [Animal Cruelty Offenders](#), accessed 28 November 2017.
- ²¹ Department for Environment, Food and Rural Affairs, [Mandatory Closed Circuit Television \(CCTV\) Recording in Slaughterhouses—A Consultation](#), August 2017.
- ²² House of Commons, [Written Question: Slaughterhouses: Animal Welfare](#), 26 October 2017, 901416.
- ²³ [HC Hansard, 1 November 2017, cols 418–34WH](#).
- ²⁴ [HL Hansard, 24 October 2017, col 837](#).
- ²⁵ European Commission, [Animal Welfare](#), accessed 27 November 2017.
- ²⁶ Department for Environment, Food and Rural Affairs, [Response to the House of Lords European Union Committee Report on Brexit: Farm Animal Welfare](#), 29 September 2017, p 2.
- ²⁷ [HC Hansard, 15 November 2017, cols 475–536](#). Further information on the debate around animal sentience is provided in: House of Commons Library, [Animal Sentience and Brexit](#), 23 November 2017.
- ²⁸ [HC Hansard, 15 November 2017, cols 531–4](#).
- ²⁹ House of Commons, [Written Statement: Animal Welfare](#), 23 November 2017, HCWS267.

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