



HL Bill 39 of 2023–24

## Animal Welfare (Livestock Exports) Bill

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The [Animal Welfare \(Livestock Exports\) Bill](#) would prohibit the export of certain live animals for slaughter and fattening from or through England, Wales and Scotland to outside the British Islands. The second reading of the bill in the House of Lords is scheduled to take place on 21 February 2024. The bill does not apply to Northern Ireland. The terms of the Windsor Framework/Northern Ireland Protocol mean that live animals move freely between Ireland and Northern Ireland.

The bill would apply to cattle, sheep, goats, pigs, wild boar, horses and certain other related animals. The bill would not prohibit animals travelling for other purposes, for example for breeding or competition.

Animal welfare organisations have welcomed the bill, stating that long export journeys can cause suffering, injury and distress to animals. Farming bodies support improvements to animal welfare, but have expressed some concerns about local abattoir availability and potential impacts on the UK market.

There have been no exports of live animals for fattening or slaughter since December 2020 because the border control facilities which would be necessary post-Brexit are not in place. The bill would mean exports could not recommence.





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Banning live export for fattening and slaughter has been a Conservative manifesto commitment since 2017. The bill reflects provisions on export in the [Animal Welfare \(Kept Animals\) Bill](#), which the government opted not to progress in the 2022–23 session.

The bill had cross-party support in the House of Commons, although concerns were raised about the bill not applying to Northern Ireland. MPs also queried the scope of the bill and whether it was open to challenge under World Trade Organisation (WTO) rules. Amendments debated at committee stage sought to expand the list of animals included, and to provide regulatory powers to add to the list in future. The bill completed its passage through the House of Commons unamended.

## I. Background

### I.1 Animal welfare concerns

Long-running campaigns from animal welfare organisations including the RSPCA<sup>1</sup> and Compassion in World Farming<sup>2</sup> have emphasised the welfare risks of long journeys. These include:

- overcrowding
- exhaustion, hunger and dehydration
- stress
- delayed journeys
- deaths from fire, drowning at sea, or as a consequence of the above poor conditions

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<sup>1</sup> RSPCA, '[Stop live exports](#)', accessed 9 January 2024.

<sup>2</sup> Compassion in World Farming, '[Our campaigns: Ban live exports](#)', accessed 9 January 2024.



There are also concerns that animals travelling to destinations with lower animal welfare standards would suffer more than they would in the UK in the process of fattening and slaughter.<sup>3</sup>

The government has stated that the number of livestock exports for fattening and slaughter has been falling in recent years due to public concern, campaigns and protest action.<sup>4</sup> There have been no pig or calf exports for several years. However, due to ongoing demand for sheep in the EU, the government has said it does not expect exports to stop permanently without there being a ban in place.<sup>5</sup>

The government's background briefing notes for the 2023 King's Speech stated that the shortest 'direct to slaughter' journey from Great Britain to the EU in 2018 took 18 hours, and that most domestic journeys to slaughter would be shorter.<sup>6</sup>

## 1.2 Manifesto commitments

The 2017 Conservative Party manifesto said "as we leave the European Union, we can take early steps to control the export of live farm animals for slaughter".<sup>7</sup> EU trade rules prevent member states from banning live exports to other EU countries. The ability to ban live exports was therefore cited as one of the benefits of Brexit.

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<sup>3</sup> Compassion in World Farming, '[Our campaigns: Ban live exports](#)', accessed 9 January 2024.

<sup>4</sup> Department for Environment, Food and Rural Affairs, '[Live animal exports: Impact assessment](#)', 6 July 2021, p 2.

<sup>5</sup> As above.

<sup>6</sup> Prime Minister's Office, '[King's Speech 2023: Background briefing notes](#)', 7 November 2023, p 58.

<sup>7</sup> Conservative Party, '[Conservative Party manifesto 2017](#)', May 2017, p 26.



The 2019 Conservative Party manifesto subsequently committed to ending “excessively long journeys for slaughter and fattening”.<sup>8</sup> This was described as a benefit of leaving the European Union. This commitment was restated in the government’s 2021 ‘Action plan for animal welfare’.<sup>9</sup>

### 1.3 Government consultation and call for evidence

In 2018, the Department for Environment, Food and Rural Affairs (Defra) held a call for evidence on controlling live exports for slaughter and improving animal welfare during transport post-Brexit.<sup>10</sup> It passed the evidence received to the independent Farm Animal Welfare Committee (FAWC), an advisory body to Defra and the devolved administrations in Scotland and Wales on the welfare of farmed animals.<sup>11</sup>

In 2020, the government held a consultation on live animal exports.<sup>12</sup> This drew on a report from the FAWC submitted in 2019 further to the earlier call for evidence, entitled ‘[Opinion on the welfare of animals during transport](#)’.<sup>13</sup> There were 11,395 responses to the government’s consultation, including coordinated campaign responses

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<sup>8</sup> Conservative Party, ‘[Conservative Party manifesto 2019](#)’, November 2019, p 54.

<sup>9</sup> Department for Environment, Food and Rural Affairs, ‘[Action plan for animal welfare](#)’, 12 May 2021, p 6.

<sup>10</sup> Department for Environment, Food and Rural Affairs, ‘[A call for evidence on controlling live exports for slaughter and to improve animal welfare during transport after the UK leaves the EU](#)’, updated 22 May 2018.

<sup>11</sup> House of Commons, ‘[Written question: Livestock: Exports \(259421\)](#)’, 11 June 2019; and HM Government, ‘[Farm Animal Welfare Committee \(FAWC\)](#)’, accessed 18 January 2024.

<sup>12</sup> Department for Environment, Food and Rural Affairs, ‘[Improvements to animal welfare in transport](#)’, updated 25 February 2021.

<sup>13</sup> Farm Animal Welfare Committee, ‘[Opinion on the welfare of animals during transport](#)’, April 2019.



from organisations including Animal Aid and the RSPCA, as well as individual responses from farmers, transporters and others.<sup>14</sup> 87% of respondents agreed that livestock and horse export journeys for slaughter and fattening were unnecessary.<sup>15</sup>

The government response to the consultation included a commitment to take forward a ban on export through legislation.<sup>16</sup>

#### **1.4 House of Commons committee report**

The House of Commons Environment, Food and Rural Affairs Committee published a report entitled '[Moving animals across borders](#)' in September 2021.<sup>17</sup> The report welcomed the proposed legislative ban on exporting live animals for fattening and slaughter. The committee urged Defra to take action to support and bolster UK abattoirs, and work with stakeholders to ensure pragmatic implementation for rural businesses.<sup>18</sup>

#### **1.5 Previous plans to legislate**

Measures to ban the export of live animals for fattening and slaughter were included in the [Animal Welfare \(Kept Animals\) Bill](#), generally known as the 'Kept Animals Bill'.<sup>19</sup> This government bill had been

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<sup>14</sup> Department for Environment, Food and Rural Affairs, '[Improvements to animal welfare in transport: Summary of responses and government response](#)', August 2021, p 5.

<sup>15</sup> As above.

<sup>16</sup> As above, p 24.

<sup>17</sup> House of Commons Environment, Food and Rural Affairs Committee, '[Moving animals across borders](#)', 30 September 2021, HC 79 of session 2021–22.

<sup>18</sup> As above, p 31.

<sup>19</sup> UK Parliament '[Animal Welfare \(Kept Animals\) Bill](#)', accessed 18 January 2024.



introduced in the 2021–22 session before being carried over to the 2022–23 session.

During proceedings on the bill in the Commons, there was cross-party support for the principle of ending live animal exports. Labour attempted to amend the Kept Animals Bill to include adult poultry.<sup>20</sup> The government said that there had been no poultry exports for several years so the inclusion of this category of animal was unnecessary.

On 25 May 2023, Mark Spencer, the minister for food, farming and fisheries at Defra, announced the government would not progress the Kept Animals Bill. He said “scope-creep” of the wide-ranging bill was behind the decision, with amendments proposed across multiple areas.<sup>21</sup> Mr Spencer said that in its current form the bill risked being “extended far beyond the original commitments in the manifesto and the [2021] action plan”.<sup>22</sup> He explained that the government would instead take forward some of the measures contained in the bill individually as single-issue bills during the remainder of the current parliament, including the ban on live exports.

## 1.6 Current situation

Practically, there have been no exports of live animals for fattening or slaughter since December 2020 because the relevant border control facilities which would be necessary post-Brexit are not in place.<sup>23</sup> The

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<sup>20</sup> [HC Hansard, 16 November 2021, col 135.](#)

<sup>21</sup> [HC Hansard, 25 May 2023, cols 494–6.](#)

<sup>22</sup> [HC Hansard, 25 May 2023, cols 494–6.](#)

<sup>23</sup> Compassion in World Farming, ‘[Our campaigns: Ban live exports](#)’, accessed 9 January 2024.



[Animal Welfare \(Livestock Exports\) Bill](#) was introduced in December 2023 to take forward the commitment to ban the export of certain livestock for fattening and slaughter so that this trade could not recommence.

The government has also introduced a fund to “boost the sustainability and efficiency of red meat and poultry smaller abattoirs across England”.<sup>24</sup> The £4mn fund will award grants from £2,000 to £60,000 to support smaller abattoirs to improve productivity and welfare standards and encourage the adoption of new technologies.

## 2. Views on the proposed end to live export for fattening and slaughter

The bill has been welcomed by organisations which have campaigned for the ban. The RSPCA is “thrilled” after campaigning for “half a century”.<sup>25</sup> Philip Lymbery, Compassion in World Farming’s global CEO, said:

This is an historic moment [...] We urge a speedy passage for this long-awaited measure, to ensure that the export of unweaned calves on journeys often lasting 60 hours or more will finally be banned. And that a line will be drawn under the practice of sending sheep on journeys that can last many days, simply to be slaughtered on arrival.<sup>26</sup>

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<sup>24</sup> Department for Environment, Food and Rural Affairs, ‘[Applications open for new £4mn fund to support smaller abattoirs](#)’, 13 December 2023.

<sup>25</sup> RSPCA, ‘[UK set to become the first European country to ban live animal exports](#)’, accessed 9 January 2024.

<sup>26</sup> Compassion in World Farming, ‘[Long-awaited bill to ban live exports introduced to Parliament](#)’, 4 December 2023.





Roly Owers, chief executive of World Horse Welfare, also welcomed the bill, saying it would see an end to horses being exported for slaughter. He said this was “something we have been campaigning for since our charity’s foundation almost 100 years ago”.<sup>27</sup>

The British Veterinary Association’s president, Anna Judson, also said the bill was “positive”, but added that the government should have announced more measures to tackle other pressing animal welfare issues, including strengthening animal importation rules.<sup>28</sup>

The National Farmers’ Union’s chief livestock adviser, John Royle, has said that his organisation supports the government’s objective to be a global leader in animal welfare, but urged the government to “ensure British livestock farmers are not undercut in trade deals by imports that do not meet the same high standards adhered to here”.<sup>29</sup>

The Farmers’ Union of Wales (FUW) has expressed concerns that the bill may cause oversupply in UK markets, resulting in lower demand and therefore lower prices for farmers.<sup>30</sup> It said that Defra’s estimates of the bill’s cost to the industry did not take into account loss of markets or the likelihood of costs disproportionately falling on small enterprises. The FUW also said that the government should ensure equivalent standards in trade deals so that UK farmers are protected from unfair competition.

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<sup>27</sup> Department for Environment, Food and Rural Affairs, [‘New legislation set to ban live animal exports’](#), 4 December 2023.

<sup>28</sup> Vet Times, [‘Export ban plan welcomed amid ‘disappointing’ King’s Speech’](#), 7 November 2023.

<sup>29</sup> Food Navigator Europe, [‘Exports of livestock for slaughter on the chopping block in the UK’](#), 10 November 2023.

<sup>30</sup> Farmers’ Union of Wales, [‘Ban on live exports is bad news for home market, FUW says’](#), 5 December 2023.



The National Sheep Association (NSA) has urged the government to not allow the bill to impede a return to the export of breeding livestock.<sup>31</sup> The NSA says that farmers have faced a “severe barrier” with the lack of a border control point for live animal export at Calais and Defra should “urgently explore ways to overcome the absence of any live animal facility”.

### 3. The bill in detail

The bill was announced in the King’s Speech on 7 November 2023. The accompanying government briefing notes described the bill as delivering on the government’s commitments to animal welfare by:<sup>32</sup>

- Fulfilling the government’s manifesto commitment to end excessively long journeys for slaughter and fattening by banning the live export of cattle, sheep, goats, pigs and horses. It would prevent unnecessary long export journeys, instead using shorter and less stressful domestic journeys.
- Ensuring animals are slaughtered domestically, in high welfare UK slaughterhouses and preventing the export to unknown and likely lower welfare slaughterhouse conditions.
- Taking advantage of Brexit freedoms which mean the UK can ban live animal exports, which was prevented under EU rules.
- New rules would still allow live animal exports in other circumstances, for example, for breeding and competitions,

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<sup>31</sup> Agriland, [‘NSA asks for live animal export ban to not affect breeding livestock exports’](#), 7 December 2023.

<sup>32</sup> Prime Minister’s Office, [‘King’s Speech 2023: Background briefing notes’](#), 7 November 2023, p 58.

provided they are transported in line with legal requirements aimed at protecting their welfare.

The Welsh government laid a legislative consent memorandum before the Senedd on 20 December 2023.<sup>33</sup> This noted that the Welsh, Scottish and UK governments have been working jointly to deliver a ban on live exports and recommended that the Senedd support the proposals. The Scottish government also detailed its support for the bill in its legislative consent memorandum laid before the Scottish Parliament on 19 December 2023.<sup>34</sup> This particularly highlighted responses to the Scottish government's consultation on the FAWC's opinion on the welfare of animals during transport.<sup>35</sup>

### 3.1 Provisions of the bill

The bill would make it an offence to either attempt to or succeed in sending, transporting or organising the transport of relevant animals to be slaughtered from or through Great Britain.

**Clause 1** provides for this prohibition and specifies that the relevant animals are:

- cattle and other bovine animals
- horses and other equine animals

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<sup>33</sup> Senedd, '[Legislative consent memorandum: Animal Welfare \(Livestock Exports\) Bill](#)', 20 December 2023.

<sup>34</sup> Scottish Parliament, '[Legislative consent memorandum: Animal Welfare \(Livestock Exports\) Bill](#)', 19 December 2023.

<sup>35</sup> Scottish Government, '[Welfare of animals during transport consultation: Summary report](#)', 7 October 2021



- sheep
- goats
- pigs or wild boar

On conviction in England and Wales, a person could be fined and/or imprisoned for up to the maximum term for summary offences, which is currently six months until section 281(5) of the Criminal Justice Act 2003 comes into force, from which point the maximum imprisonment term will be 51 weeks. In Scotland, the penalty would also be imprisonment for up to six months and/or a fine.<sup>36</sup>

**Clause 2** would enable appropriate national authorities to make enforcement regulations, and includes a non-exhaustive list of potential regulations:

- provisions about record keeping
- powers of entry, search, seizure or detention
- powers to revoke licences related to the transport of animals where section 1 or any regulations have been contravened
- powers to impose a civil sanction on a person who contravenes section 1, or obstructs or fails to assist in the exercise of a function conferred by the regulations
- the creation of a criminal offence in relation to contravening a regulation or obstructing or failing to assist in the exercise of a function conferred by a regulation

Clause 2 also sets some requirements for enforcement regulations.

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<sup>36</sup> [Explanatory notes](#), p 3.



For example, where enforcement regulations would allow entry to a private dwelling without the consent of the owner, a warrant must be in place. It also limits any criminal offences created by regulations to summary offences, punishable by a fine.<sup>37</sup>

**Clause 3** is supplementary to clause 2, defining that an appropriate national authority is the secretary of state, and Scottish and Welsh ministers so far as provisions would be within the legislative competence of their respective parliaments. It states that the secretary of state cannot make enforcement regulations that could be made by Scottish or Welsh ministers without their consent.<sup>38</sup>

Clause 3 also defines a civil sanction as “a kind for which provision may be made under part 3 of the Regulatory Enforcement and Sanctions Act 2008”. That includes stop notices, fixed fines and enforcement proceedings.

**Clause 4** states that enforcement regulations made under clause 2 may make different provisions for different purposes or areas, and they can be consequential, incidental, supplementary, transitional or saving provisions. Regulations must be made by statutory instrument. The secretary of state must have draft instruments approved by both Houses of Parliament, meaning they would be subject to the affirmative procedure. Welsh ministers must have statutory instruments approved by resolution of the Senedd. In Scotland, the affirmative procedure would also be employed.

**Clause 5** makes changes to the [Animal Health Act 1981](#), repealing sections relevant to the export of horses.

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<sup>37</sup> [Explanatory notes](#), p 4.

<sup>38</sup> As above.



**Clause 6** amends the [Government of Wales Act 2006](#) to allow the Senedd to alter the concurrent arrangements relating to devolved matters without needing the UK government's consent.

**Clause 7** sets out the bill's territorial extent and commencement details. Clauses 1 and 5 would come into force on a date set by regulations in each parliament. Ministers could also make transitional or saving provisions. All other clauses would come into force on the day that the act is passed.

### 3.2 Impact assessment

Defra has published an impact assessment alongside the bill.<sup>39</sup> Its publication date of 6 July 2021 reflects that it was originally used for the Kept Animals Bill. The assessment estimates that live animal exporters would lose around £5.2mn in profit over a 10-year period. There would also be additional administrative and operating costs. The impact was largely expected to be on sheep exporters.

The assessment details that in 2020, 45,000 sheep were exported for slaughter, which is less than 0.2% of all sheep outputs in the UK that year. The total number of livestock and horses exported was around 77,000. This represents 0.02% of all livestock outputs in 2020.

### 3.3 What about imports?

The bill does not ban the import of live animals for slaughter. In a [debate on live animal exports in July 2023](#), Lord Benyon, speaking on

<sup>39</sup> Department for Environment, Food and Rural Affairs, '[Live animal exports: Impact assessment](#)', 6 July 2021.



behalf of the government, stated that imports were low:

There has never been a significant import trade for slaughter or fattening. For example, from 2019 to 2021, only 91 cattle and 14 sheep were imported for slaughter from the mainland EU.<sup>40</sup>

### 3.4 What about Northern Ireland?

The provisions of the bill do not apply to Northern Ireland.

Under the Northern Ireland Protocol/Windsor Framework, live animals continue to freely move between Northern Ireland and Ireland. Northern Ireland and the Republic of Ireland's agricultural sectors are closely integrated.<sup>41</sup> Northern Ireland is treated as part of the same sanitary and phytosanitary zone as the EU. This means that there are import controls in place for livestock entering Northern Ireland from elsewhere in the UK so that animal diseases do not spread to Northern Ireland, and potentially other EU countries.<sup>42</sup> For example, to move cattle from Great Britain to Northern Ireland, an EU export health certificate is required.<sup>43</sup> However, currently the movement of all live ruminants from Great Britain to Northern Ireland is suspended following a confirmed case of bluetongue virus in Kent.

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<sup>40</sup> [HL Hansard, 10 July 2023, col 1512.](#)

<sup>41</sup> House of Commons Northern Ireland Affairs Committee, '[Brexit and agriculture in Northern Ireland](#)', 22 October 2018, HC 939 of session 2017–19, p 4.

<sup>42</sup> Northern Ireland Department of Agriculture, Environment and Rural Affairs, '[Introduction to importing animals and animal products](#)', accessed 9 January 2024.

<sup>43</sup> Northern Ireland Department of Agriculture, Environment and Rural Affairs, '[Cattle imports from GB](#)', accessed 9 January 2024.



Different rules apply to the movement of pets. Currently there are no routine physical or documentary checks on the non-commercial movement of pet dogs, cats and ferrets travelling from Great Britain to Northern Ireland, where Northern Ireland is the final destination.<sup>44</sup>

The bill would allow livestock to be moved anywhere within the British Islands, so animals could continue to travel between Northern Ireland and England, Wales and Scotland. However, the delegated powers memorandum explains that the bill applies to journeys transiting through Great Britain, so an export journey that began in Northern Ireland or the Republic of Ireland could not travel through Great Britain if its ultimate destination was outside the British Islands.<sup>45</sup>

In the second reading debate in the House of Commons, the minister for farming, Mark Spencer, clarified what would constitute an offence in relation to moving live animals to Northern Ireland:<sup>46</sup>

I should be clear that livestock transported for slaughter from Great Britain to Northern Ireland must go directly to a slaughterhouse. It would be an offence for them to move anywhere else. On arrival at the slaughterhouse, the animals and the accompanying health certificates must be presented to the Department of Agriculture, Environment and Rural Affairs officer at that point. Livestock exported for any other purpose—not for

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<sup>44</sup> Northern Ireland Department of Agriculture, Environment and Rural Affairs, '[Travelling with pets](#)', accessed 22 January 2024.

<sup>45</sup> Department for Environment, Food and Rural Affairs, '[Animal Welfare \(Livestock Exports\) Bill: Memorandum from the Department for Environment, Food and Rural Affairs to the Delegated Powers and Regulatory Reform Committee](#)', 4 December 2023.

<sup>46</sup> [HC Hansard, 18 December 2023, cols 1203–4.](#)





slaughter—would need to remain at the place of destination in Northern Ireland for a minimum of 30 days and be re-tagged. That is necessary to comply with the animal identification requirements after arriving in Northern Ireland.

The requirements would mean that livestock must remain in Northern Ireland for a minimum of 30 days, and would make the slaughter trade uneconomic in those circumstances.

### 3.5 What about World Trade Organisation rules?

Article XI of the General Agreement on Tariffs and Trade 1994 broadly prohibits export bans and restrictions.<sup>47</sup> However, the WTO explains that there are some general exceptions that could be used to justify restrictions, provided they “do not constitute a means of arbitrary or unjustifiable discrimination between countries or a disguised restriction on international trade”. One of the general exceptions, article XXb, enables states to take necessary measures “to protect human, animal or plant life or health”.<sup>48</sup> An opinion published by the RSPCA holds that article XXa, which enables states to act “to protect public morals” is an even “stronger basis for justifying trade restrictions based on animal welfare concerns”.<sup>49</sup>

For the UK to have a WTO issue in the context of introducing an export ban, another member state of the WTO would have to bring a challenge.

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<sup>47</sup> World Trade Organisation, [‘Export prohibitions and restrictions: Information note’](#), 23 April 2020.

<sup>48</sup> World Trade Organisation, [‘Article XX: General exceptions’](#), accessed 9 January 2024.

<sup>49</sup> RSPCA, [‘WTO rules and animal welfare: Information paper’](#), June 2014.



There have been previous challenges related to animal welfare measures. For example, after a challenge from Canada in 2013, the WTO dispute panel found that the EU's ban on the importation of seal products was necessary to uphold the public morals of its citizens.<sup>50</sup>

When the United States attempted to prohibit the importation of shrimp products sourced in a manner which endangered sea turtles, India, Malaysia, Pakistan and Thailand filed a complaint to the WTO.<sup>51</sup> This was upheld because the US policy had discriminated between WTO members, providing more assistance and transition periods to Caribbean nations. The ruling said that in principle, measures to protect sea turtles would have been legitimate under article XX.

## 4. House of Commons proceedings

The bill had cross-party support and passed through the House of Commons unamended.

### 4.1 Second reading

Second reading in the House of Commons was held on 18 December 2023.<sup>52</sup> Secretary of State for Environment, Food and Rural Affairs Steve Barclay opened the debate. He said that the bill would “cement our position as a world leader on animal welfare”.<sup>53</sup> He pointed to other animal welfare legislation passed in the last five years, including

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<sup>50</sup> RSPCA, [‘WTO rules and animal welfare: Information paper’](#), June 2014.

<sup>51</sup> World Trade Organisation, [‘India etc versus US: ‘Shrimp-turtle’](#), accessed 9 January 2024.

<sup>52</sup> [HC Hansard, 18 December 2023, cols 1172–204.](#)

<sup>53</sup> [HC Hansard, 18 December 2023, col 1172.](#)



the Ivory Act 2018, the Animal Welfare (Sentencing) Act 2021, Animal Welfare (Sentencing) Act 2022 and Wild Animals in Circuses Act 2019. Mr Barclay said that the bill would end unnecessary journeys abroad for slaughter, “taking advantage of Brexit freedoms”.

Mr Barclay detailed the detrimental effects of long journeys on animal welfare. He then explained where the bill would not apply:

The bill still allows exports of livestock, including horses, for other purposes such as breeding, shows and competitions, provided the animals are transported in line with legal requirements aimed at protecting their welfare. Animals exported for breeding are transported in very good conditions so that they can live a full and healthy life once they arrive in their destination country. Moreover, the export of breeding livestock from the UK can assist in food resilience of local breeds in third countries. Indeed, British breeds can offer advantages, such as genetic disease resistance and high-quality animals.

The bill does not apply to journeys within the UK, the Channel Islands and the Isle of Man, nor does it apply to livestock and horse movements within the UK, such as those from Great Britain to Northern Ireland. That is to ensure that farmers in Northern Ireland have unfettered access to the UK and Republic of Ireland markets. This bill will not apply in Northern Ireland.<sup>54</sup>

Shadow Minister for the Environment, Food and Rural Affairs Ruth Jones said that Labour welcomed the bill, but described it as “long overdue”, and queried whether the government would fulfil wider animal welfare goals detailed in its 2021 action plan.<sup>55</sup> Ms Jones said

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<sup>54</sup> [HC Hansard, 18 December 2023, col 1176.](#)

<sup>55</sup> [HC Hansard, 18 December 2023, cols 1177–8.](#)



the bill was “narrow in scope and reach”, noting that poultry was not included. She also asked what discussions had taken place with the devolved administrations. She said “the opposition stand ready to facilitate a speedy journey through the House for the bill, but we will seek to make it as strong, effective and durable as we can”.<sup>56</sup>

Speaking for the SNP as environment, farming, agriculture and rural affairs spokesperson, Steven Bonnar said that the bill “embodies progress, evolution and the establishment of more ethical standards in our treatment of animals”.<sup>57</sup> Mr Bonnar highlighted the patterns of livestock movement in Scotland, between islands and the mainland, and the need to protect this. He stated that the Scottish government welcomed the legislation and was ready to work jointly with the UK government on its implementation.

Tim Farron also expressed his party’s support for the bill as Liberal Democrat environment, food and rural affairs spokesperson.<sup>58</sup> However, Mr Farron raised the potential impact on farmers of the recent UK trade deal with Australia, questioning the import of products with lower welfare standards. He also expressed disappointment that the bill did not reflect the full scope of the Kept Animals Bill.

Mr Farron, as well as Conservative and Liberal Democrat backbench members, raised concerns about abattoirs, including their capacity, location, and staffing with fewer EU workers post-Brexit. Mr Farron said that the government’s £4mn investment “wouldn’t touch the sides” of what abattoirs in Cumbria, where his constituency is located, need.<sup>59</sup>

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<sup>56</sup> [HC Hansard, 18 December 2023, cols 1179–80.](#)

<sup>57</sup> [HC Hansard, 18 December 2023, cols 1181–2.](#)

<sup>58</sup> [HC Hansard, 18 December 2023, cols 1186–8.](#)

<sup>59</sup> [HC Hansard, 18 December 2023, cols 1186–8.](#)



Sammy Wilson (DUP MP for East Antrim and his party's Brexit spokesperson)<sup>60</sup> and Jim Shannon (DUP MP for Strangford and the DUP's health and human rights spokesperson) said that the DUP would not oppose the bill but raised concerns about the position of Northern Ireland.<sup>61</sup> Mr Shannon said "Northern Ireland is being treated as a third nation with different rules" and essentially would remain under EU policy. Other speakers also asked for more clarity on the movement of animals between Great Britain and Northern Ireland.

Theresa Villiers (Conservative MP for Chipping Barnet and a former Defra secretary of state) asked whether World Trade Organisation rules would be an issue for the UK should the bill pass.<sup>62</sup>

## 4.2 Instruction motion for committee stage

Sir Jeffrey Donaldson, leader of the DUP, tabled an instruction motion, considered before the bill's committee stage in a committee of the whole House on 15 January 2024, that would have allowed the committee to make provision for the whole UK.<sup>63</sup> This motion would have needed to be accepted for amendments which related to Northern Ireland to be considered at committee stage.

Sammy Wilson moved the motion. He argued that the bill could be amended so that exports would be allowed between Northern Ireland and key destinations in the Republic of Ireland, while still

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<sup>60</sup> [HC Hansard, 18 December 2023, col 1176.](#)

<sup>61</sup> [HC Hansard, 18 December 2023, cols 1189–91.](#)

<sup>62</sup> [HC Hansard, 18 December 2023, cols 1191–2.](#)

<sup>63</sup> [HC Hansard, 15 January 2024, cols 614–21.](#)



banning journeys to other destinations. Both the minister, Mark Spencer, and Labour spokesperson Ruth Jones contended that this would risk breaching WTO most favoured nation rules. Mr Wilson later withdrew the motion.

### 4.3 Committee stage and third reading

Several amendments were debated during committee of the whole House on 15 January 2024, the majority of which aimed to add specific additional animals to the definition of ‘relevant livestock’.<sup>64</sup> Ms Jones and Labour colleagues proposed to add llamas, alpacas and deer. Liberal Democrat Tim Farron proposed the addition of reindeer, which Labour supported. Mr Farron was quoted in the Independent, explaining his amendment:<sup>65</sup>

People will be appalled to learn that this legislation only covers a fraction of the animals that are in desperate need of this robust protection.

Labour’s Ms Jones and colleagues also proposed an amendment which would allow a national authority to add to the list of animals provided for in the bill by statutory instrument.<sup>66</sup> Ms Jones described the intention of this amendment as to “future-proof the bill” as UK livestock farming evolved.<sup>67</sup>

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<sup>64</sup> [HC Hansard, 15 January 2024, col 622.](#)

<sup>65</sup> Ben Hatton, ‘[Calls for alpacas and llamas to be included in export-for-slaughter ban](#)’, Independent, 15 January 2024.

<sup>66</sup> House of Commons, ‘[Animal Welfare \(Livestock Exports\) Bill: Amendment paper](#)’, 15 January 2024.

<sup>67</sup> [HC Hansard, 15 January 2024, col 624.](#)



Mike Penning (Conservative MP for Hemel Hempstead) questioned the necessity of the potential additions as the bill is targeted at a specific industry. Mr Penning deemed the animals listed unlikely to be subject to export for fattening and slaughter.<sup>68</sup> He went on to say that poultry should be included in the bill due to the foie gras industry, and that members of the House of Lords may propose a relevant amendment.

Speaking for the SNP, Steven Bonnar said that his party was supportive of the amendment to enable further animals to be added by regulations.<sup>69</sup>

Minister for Food, Farming and Fisheries Mark Spencer said the government had received no evidence that indicated the species in the amendments should be subject to a ban.<sup>70</sup> He said:

The numbers of deer, llamas and alpacas kept in the UK are extremely low compared with the species for which a significant slaughter export trade had existed in the past.

Mr Spencer said that reindeer are kept in small numbers in the UK, and largely used for Christmas attractions. He reasserted that the government felt the bill was comprehensive based on past export patterns and asked for the amendments to be withdrawn.<sup>71</sup>

Ms Jones withdrew her amendments relating to the addition of particular animals but pushed an amendment to give ministers powers

<sup>68</sup> [HC Hansard, 15 January 2024, col 632.](#)

<sup>69</sup> [HC Hansard, 15 January 2024, col 635.](#)

<sup>70</sup> [HC Hansard, 15 January 2024, cols 635–6.](#)

<sup>71</sup> [HC Hansard, 15 January 2024, col 637.](#)



to add animals in future through regulations. The amendment was defeated by 293 votes to 217.<sup>72</sup>

Mr Farron did not speak in the debate and his amendment was not voted on.

The bill was reported without amendment and third reading occurred directly following committee.

Mr Spencer expressed his gratitude to members on both sides of the House for working to “ensure that this trade is consigned to history”.<sup>73</sup>

Thérèse Coffey, a former Defra secretary of state, directly addressed the House of Lords in her third reading comments. She urged peers not to amend the bill:<sup>74</sup>

I say to the House, and to the other House, that it is a simple, straightforward bill and it could get through by the end of March [2024] and be done by Easter, without question. This is not the moment to add other elements left, right and centre. Let us keep it simple and keep our manifesto commitments. I hope the House of Lords respects the will of this House, and I look forward to the bill not coming back but becoming an act before the end of the spring.

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<sup>72</sup> [HC Hansard, 15 January 2024, cols 639–42.](#)

<sup>73</sup> [HC Hansard, 15 January 2024, col 644.](#)

<sup>74</sup> [HC Hansard, 15 January 2024, col 647.](#)





The final contribution came from Sammy Wilson, who restated concerns about the exclusion of Northern Ireland.<sup>75</sup>

The bill was agreed to without division.<sup>76</sup>

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<sup>75</sup> [HC Hansard, 15 January 2024, cols 648–9.](#)

<sup>76</sup> [HC Hansard, 15 January 2024, col 649.](#)

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