

Annex C

Responses to the Consultation on the proposed reform to statutory farm animal welfare codes:

https://consult.defra.gov.uk/farming/farm_animal_welfare_codes

	Organisation / individual responder	Q1. Are there alternative ways of ensuring that animal keepers understand what is required of them other than moving to industry-led drafted non-statutory guidance?	Q2. Is it appropriate for industry to lead the drafting, consultation and subsequent amendments or is a stronger role for Government needed?	Q3. Is asking FAWC to review the content of industry-led drafted guidance documents sufficient to quality assure guidance in the short, medium and long term? If not, how can this be better achieved?	Q4. Do you agree that the proposed reform of the codes will be neutral in cost and monetary benefits to the livestock industry? If not, what is your estimate of the expected costs and/or benefits?	Q5. Do you agree that reform of the farm animal welfare codes is likely to improve compliance with existing legislation because it will be easier to understand and have increased industry buy-in? If not, provide details of your reasoning.	Q6. Is there any evidence for other impacts of the proposed change not considered in this consultation, including the potential differences in policy within the UK?	Q7. How best could a post implementation review of the reform of farm animal welfare codes be carried out?	Additional comments submitted in the response
1	Essex Trading Standards	Advice via the telephone, online and in writing.	Yes, it is appropriate for industry to lead on this.	Yes	There will be costs however the codes have not been updated for many years so it is important to do so.	Yes - the advice will be more current and in-line with existing requirements. This will be more of an incentive for farmers to comply as they know the rules are actually in place.	(No response)	Meeting's to discuss any feedback received following publication (from all parties)	
2	University of Bristol (Animal Welfare and Behaviour Group)	Existing farm assurance scheme are another mechanism for ensuring animal keepers fulfil their legal obligations, however, since voluntary scheme will never apply to all animal keepers some other mechanism for defining detailed welfare obligations on all farms is necessary. Hence it is important to retain either a statutory or	Yes, a major role for the industry is likely to lead to better buy-in, compliance and integration with farm assurance schemes. However, Government does need to ensure that there is a sufficiently robust approach, including scientific integrity and credible attempts to deal with recognised welfare challenges in each livestock sector	FAWC should be involved in scrutinising industry-led guidance. However, reliance on FAWC completely for this function is potential challenging. A robust review of the guidance requires detailed scientific and technical knowledge and time commitments. This task may exceed the capacity of FAWC as it is currently constituted. There may be other organisations that may	A shift of responsibility towards the industry will incur costs to the industry; however, this may have limited impact if it is integrated into the farm assurance standard process. Retaining some Government costs related to the technical review are inevitable. If an academic institution was tasked with reviewing a guidance document this is likely to require between a two and	The industry-led guidance could have limited effect on compliance if it is not used pro-actively by the industry. However, it could improve compliance on the vast majority of units if fully integrated with farm assurance requirements. For non-assured units the risk-based AHVLA visits should help with compliance as with the existing statutory codes.	Since the industry are used to working with different devolved administrations, these risks could be managed appropriately.	There has never been a systematic attempt to define the on-farm welfare impact of statutory codes. Any post-implementation review, therefore, also ought to involve a pre-implementation review. However, the secondary benefits of influencing farm assurance standards etc are likely to be very significant but harder to define. A post-implementation review should therefore also	

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		<p>industry-led guidance and not rely upon voluntary standards.</p> <p>The consultation document does not, however, clearly explain the legal status of the industry-led guidance. It is important that the legal requirements related to awareness (WFAR 2007) and prosecution (AWA 2006) should also apply to the industry-led guidance. The consultation document states that it is “anticipated” that AHVLA will assess compliance against the guidance instead of a code. An “anticipation” seems a weak aspiration. There should be no removal of a statutory code</p>		<p>be able to help with this task. For example the European Commission has published proposals for animal welfare reference centres. With Defra support, the University of Bristol is already involved in the pilot testing of this concept (EU WelNet). In the future in collaboration with other welfare centres of excellence, such as SRUC, the Bristol Animal Welfare and Behaviour group may be able to help with this review task. Even with input from FAWC and academic institutions, it is still important, as the consultation implies, that Government makes a judgement on guidance’s “fitness for purpose”.</p>	<p>four week time of a post doctoral researcher (per code document).</p>			<p>consider the integration of technical guidance procedures in an industry with wider industry strategy. In other words, are the industry using the guidance as a genuine policy tool to promote welfare improvement ? There are genuine indicators that the livestock industries are embracing their welfare responsibilities with active strategies being developed and implemented. This industry-led guidance could, therefore be another mechanism to deliver on these stated commitments.</p>	

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		unless the legal status of the industry-led guidance is explicit to all parties and has similar consequences as the statutory code.							
3	University of Bristol	Yes - greater industry-involvement but still led by government	<p>No - it is not appropriate for industry to lead the process, though they should be more involved than they have been previously.</p> <p>Industry is just one of many stakeholders with an interest in farm animal welfare.</p> <p>In addition, the aim of industry (whether private farmers of companies with shareholders) is to make a profit from livestock farming. Industry will not necessarily be familiar with the processes required to lead, consult, draft and involve all stakeholders. Despite</p>	I would suggest increasing the role of the FAWC (which includes industry representation) to lead on the guidance documents, not simply to review.	Not qualified to say	I believe reform and regular updating of the codes is necessary and should make them easier to understand. There is a potential conflict however, in the industry-led approach. There will be increased industry buy-in for codes that reflect a current (easily-achievable) status quo. This may set the farm animal welfare bar too low. Again, I suggest that it is not appropriate for industry to lead on reform of codes, but only for industry to be more involved in drafting and regular updating.	(No response)	Depends what you want to review..... (cost, efficiency, buy-in, savings to tax payer, or impact on farm animal welfare standards). If you want to assess impact on farm animal welfare then you should ideally not change two things at once - e.g. both the content of the codes and the method by which the codes are drawn up. You need to set certain key outcome measures for each industry e.g. mortality rates, lameness rates (or whatever is most relevant for that sector) and ensure these are measured accurately. These	

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			government cut-backs there remains an important role for highly-skilled civil servants to undertake these tasks					need to be measured now, ahead of any changes, and then at regular intervals thereafter to draw any conclusions at all. It would be essential for objective evidence of changing levels of farm animal welfare to be included as one aspect of a post implementation review.	
4	Local Government Animal Health & Welfare officer	No. I believe that is a step back for the welfare of the animals in this country. Most livestock keepers understand and want to keep up with the best and most efficient way of ensuring welfare, thus maximising production. The codes must remain statutory to allow for enforcement.	A stronger role from Government is needed, alongside input from industry. This way, welfare comes before production, and not the other way round.	I do not think that asking just 1 committee is sufficient. NGO's and welfare charities must be consulted, along with the relevant enforcement agencies. There is no LA / local government rep on the Farm Animal Welfare Committee, yet LA's are tasked with enforcing farm animal welfare.	Industry will benefit as they will be leading in drafting the new recommendations. They will also benefit from the fact that they will be non-statutory, and therefore fewer prosecutions.	No. As stated, the codes as they stand are common sense. Most livestock keepers understand and wish to / actually do comply with the codes. Unless the new codes are statutory, it will lead to less compliance as the ones that currently don't meet them, won't have to in future.	A drop in animal welfare standards.	Survey of enforcement agencies / NGO's	
5	Young Farmers/Live stock	A level of basic training certification	Leave it to the industry as they are working in the real world	Yes	The current codes are very effective and any change should be neutral in cost and	Not until all livestock species is managed in the same way. ie movements, recording	(No response)	(No response)	

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					monetary benefits to the industry	and welfare currently cattle have one system, sheep (those crazy electronic eartags which don't work or rip out) have another way of management, pigs have a third method...			
6	T G Broumpton and Son (pig farm)	Only animal keepers know what is best for their animals and no one else should be allowed to interfere	It should come from practical muddy boots farmers entirely	It depends who is on the farm animal welfare committee	All legislation ends up by being paid for by the livestock producer and none of these costs are ever paid back to the producer. There will definitely be not be any monetary benefits to the farmer from this only further added costs which are already very significant both in terms of money and time. I see no benefit from the proposed reform .in terms of added cost, it's difficult to put a figure on it because how much is my own expert time worth .Is it worth minimum wage or am I worth £100/ hour!! plus of course the actual extra costs	More legislation is never easier to understand. we should just be allowed to get on with looking after our pigs and not be overrun with details of how we should run our business ,and people who are not producers should definitely not even be allowed to comment as they know absolutely nothing	(No response)	It's no good looking at anything after its implemented ,it should never be happening in the first place	

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7	Primrose Herd (pig farm)	No	Yes it is vital that the pig industry in particular leads the drafting, consultation and subsequent amendments.	Yes	From a Government perspective I guess it wants to save money by transferring control to the industry. Tb eradication document dated Jul 11 certainly indicates that it is working towards the aim of the industry picking up cost like pig farmers have to do.	With regard to TB policy in non-bovines the existing legislation is nonsense. Alpacas are free to move without any licensing yet as a pig keeper I am under restriction and have been for 3 1/2 years. The pig industry has met with TB policy unit in London on many occasions and if the TB eradication document is to believed everything would be sorted by Dec 2011. Still not happened so unless action is taken I and many others will not want to buy in to any false promises made by Government.	AHVLA vets on the ground must also buy in to any new welfare changes. Here in Cornwall our Vet has taken a different approach to that taken in other counties. Despite high level approaches no one is able to overrule her and this must be addressed if farmers are to buy in to any changes.	By asking farmers directly.	
8	Individual, veterinary surgeon	Yes. Maintain statutory powers. Industry-led schemes, such as sheep scab eradication, have comprehensively failed.	Inappropriate for industry to lead on this issue as standards will not match citizens' expectations.	No. Industry-led drafted guidance is totally inadequate. Effective enforcement of current legislation is long overdue.	Cost neutral.	No. Current legislation is simple and straight forward. Greater industry involvement will likely further reduce welfare standards.	(No response)	The welfare of most livestock farms is unknown therefore any future assessment would have no basic data for comparison.	
9	WAVMA:	The important part is	As previous there	On the whole the	Both questions	Possibly yes -	No	Industry survey	

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	World Aquatic Veterinary Medical Association	how the information is disseminated and how accessible it is rather than necessarily who drafted it. Industry led is a good way of keeping guidance up to date but there is still a need for government oversight.	needs to be some element of government oversight otherwise it will do little to negate negative opinion.	answer would be yes.	depend what is in the guides. Presumably if it is led by industry the aim should be to end up with a cost neutral code. It should be remembered that welfare can improve profits and that good welfare can only occur if the industry has good profits	depends on how the codes are formatted etc.			
10	Member of the public	Yes. An independent body could be responsible for drafting guidance. In doing so, it would consult with all stakeholders including the industry, veterinary experts, and animal welfare organisations. By moving to an industry-led model, there is a risk that guidance will be slanted in favour of the industry and against animal welfare.	The independent body could assess whether non-statutory guidance is sufficient, or whether Government should introduce statutory legislation to enforce compliance.	I don't have any views about FAWC, but any assurance body should have animal welfare as its prime consideration.	No. The reform of codes should not always be restricted to those which are neutral in costs and benefits to the industry. The industry should pay if higher welfare standards are demanded.	More relevant codes should lead to better compliance. Industry buy-in is desirable, but industry does not always have an interest in animal welfare standards, and compliance may need to be driven by statutory regulation and enforcement.	Any guidance should be universal, considering that it is derived from Council of Europe recommendations. Any industry that drafts guidance which results in a higher welfare standard in England to in Wales, say, should commit to abide by that standard wherever they operate.	This is certainly the job of Government to collect the relevant information to make an assessment of the reform. The Government should publish criteria for success before the reform takes place.	
11	Independent veterinary surgeon	There must be some form of non-statutory guidance, and it	Yes it is correct for industry to be heavily involved, criticism in	It depends on whether the FAWC feel that they have the	I agree that the aim should be to make the reform cost neutral,	Yes - if written correctly it should do.	My one concern with goats is the disparate population we have.	By consulting those using them via:	

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		<p>makes great sense to move towards an industry lead approach. I would see this however as a foundation on which to build other means of disseminating best practice depending on differing individuals' requirements. As an example, increasingly now, social media sites offer immediate routes of information exchange - the Ramsgate sheep loading tweets have clearly shown this. Facebook and Twitter pages could be developed for e.g. goat health and welfare information, these would need to be populated accurately and in a timely manner, but encouraging "followers" will quickly gain an audience. I facilitate</p>	<p>the past has often been down to lack of clarity of best practice on farm, by policy makers who may have never visited a goat farm. There are established foundation blocks with the Welfare Act "Needs" - and relevant legislation in place to clarify specific issues (I personally found this worked well in the more recent welfare codes in which practical interpretation was reproduced alongside legislation wording. It is a partnership approach.</p>	<p>knowledge at farm level to appreciate whether or not what is laid down is practical, achievable and accurate. With all due respect to FAWC members, not all are practical livestock keepers. In my view there is still a need to "test drive" a document with "end users" prior to release - any error, inaccuracy or impracticality in such a document could quickly lead to that document being "ridiculed and ignored." As an example, I was privileged to read the update goat codes a few years ago when working for AHVLA, they had been written by a respected author, but with experience essentially in the dairy cow sector. There were a number of instances where cow had been changed to goat - and the</p>	<p>but in reality (and depending on the complexity of the requirements) it may not be. This is where the need to "test drive" the document in the later stages of its development becomes ever more important. Perhaps consideration should be given to a "traffic light system" for recommendations - red for "essential" - failure to carry out this recommendation could lead to prosecution. Amber - desirable, what every competent stock-keeper should aspire to. Green - "going the extra mile."</p>	<p>I spoke at a series of Defra funded welfare meetings for goat owners last year - and used as my framework, the Welfare needs of goats. It seemed to work well, and allowed me to explain exactly how the written technical (and often confusing) word can be interpreted at animal level.</p>	<p>Only small (around 98,000) - but kept as pets and in zoos, pet corners etc, kept for hobby milk production and showing, pedigree breeders, semi-feral goat keeping and large commercial dairy goat herds of up to 5000 on one site housed all year round. There is a need to recognise the inevitable differences in management of these different scenarios.</p>	<p>Survey monkey Facebook T witter. By dedicated targeted / random visits by OVs or local AHVLA. Also by keeping documents as on-line, they can be quickly updated and amended, and never "go out of date and become obsolete.</p>	

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		the British Goat Society's "chat room" and it is clear that many goat owners now resort to the internet for their information. Leaflet mail shots are becoming less effective (and more costly to produce and distribute). Webinars offer other cheap "mass audience" alternatives, (see the webinar vet website).		resulting text became nonsensical due to the inherent differences in management and health issues of these two species.					
12	Federation of City Farms and Community Gardens	I am wary of the term 'industry' and what that encompasses. If it includes a strong voice for the small-scale producer as well as the major companies, that would be a more balanced view.	It might be appropriate if 'industry' is more clearly defined to include stakeholders and representatives from other organisations. The stronger role that Government might take could be to consult with these other stakeholders.	Complete transparency during this process, with an ongoing consultancy programme to ensure that changes can be implemented in the working model.	No. There will inevitably be costs attached to reviewing and republishing documents.	It should result in a code that is easier to understand, as it is written by the sector for which it is intended. Increased industry buy-in is another matter: if there is a chance that these reforms will incur costs, it is unlikely to be taken up.	How transferable will documentation be throughout the UK?	It should be a comprehensive public consultation with all sectors, including small producers, abattoirs, consumers, etc.	
13	SRUC (Scotland's Rural College) Animal &	There are a number of other ways that could either replace or augment the proposed industry-	The lack of clarity over which part of the industry would be responsible for drafting the codes is	We agree that this is something that FAWC should be well-placed to achieve, but felt that this might be	The proposed reforms seem to be shifting costs out of Government but are likely to impose some	The benefits of increased compliance may only be a short term impact from the involvement of	Many animals move over the border from England to Scotland or elsewhere. If the newly revised codes	A UK wide consultation would be beneficial to assess how this has impacted across the UK,	

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	Veterinary Sciences Research Group	<p>led guidance. Existing Farm Assurance schemes could potentially fulfil this role but are likely to need greater powers of enforcement of standards, and some may require more welfare guidance to be included. For these systems to replace statutory guidance however, they would need to deal with the issue that not all farms are involved in assurance schemes and operating on a voluntary basis is not workable. Mandatory training for all animal keepers/handlers may also help to ensure that what is required is disseminated throughout the industries. On balance we prefer the alternative industry-led</p>	<p>an issue in considering the appropriateness of industry involvement. With some industries (e.g. intensive systems with large staff, abattoirs with full time welfare officers) this may work well, particularly if the involvement of practical stockpeople was included. However, there are some concerns that this may be moving towards a simple 'box-ticking' exercise that reinforces the status quo without seeking welfare improvements. There are potential conflicts between different parts of the industry that may want to see different levels of welfare included. There is the potential that friction within some parts of the industry may seek to eliminate opposition to some practices. We are uncertain whether</p>	<p>something that would be better done by the previous organisation of FAWC as a council where they were able to co-opt other parties and bring in the right balance of people and expertise. We were concerned that the newer, scaled-back, committee may not have the time and access to expertise to do this job. The EU is currently conducting a one year pilot scheme into setting up a network of reference centres for animal welfare. SRUC and University of Bristol are currently exploring the options for developing a UK Reference centre for Animal Welfare (with other institutions with animal welfare expertise) and such a body would also be very well placed to review guidance documents. We reiterate our views that</p>	<p>increased costs on the industry to invest time and effort in producing the reformed codes. This may make the costs greater, or leave involvement open to only some sectors of the industry with the funding or ability to be able to contribute – again this may depend on which species and sector of the industry is involved. The review process to ensure the revised codes are appropriate could be lengthy and needs to be properly funded. However, an industry-led reform could reduce areas of conflict or confusion, and increase cross compliance. This could bring monetary benefits to the industry from the development of a 'quality brand'.</p> <p>We do, however, still have concerns around the wider issue of costs and animal</p>	<p>industry. Most farmers will have no more involvement with the development of these codes than with those they replace, and may still feel remote from the industry bodies that produce them (although including practical stockpeople in the development of the codes could help). Increased buy-in from industry involvement may result in compliance with the lowest level of welfare, particularly if this favours current practice, rather than aspiring to improve welfare standards. Overall, it is likely that increased compliance can only be achieved with increased enforcement. However, providing more transparency on the purpose of codes could also help.</p>	<p>are very different in the devolved countries then there can be some confusion of which codes apply when or where. One of the most important impacts is whether this proposed change would lead to changed or improved animal welfare on farm – to assess this a study of current welfare state would be need first to provide a benchmark for the impact of the proposed changes. The proposed changes are partly to help maintain up-to-date codes, to achieve this there is likely to be a need for a regular review process to encourage the industry to keep the codes up to date and some mechanism to ensure that this does occur.</p>	<p>particularly where animals may regularly cross borders. To assess an impact on welfare there is a need for a pre-implementation assessment of the current status of animal welfare against which to assess the changed guidance. This could be reviewed by the FSA or AHVLA, or could also be a job for a UK wide Animal Welfare Reference Centre, if one existed. It would be important that those evaluating the effects of the reform are independent of those involved in setting up with revised codes. Both the reform of the codes, and the mechanisms for review may work better in some sectors of the industry than others, so it would be important that a representative view of livestock agriculture in</p>	

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		<p>approach outlined at point 17 – where industry propose initial draft guidance, which is then reviewed and commented on, and believe this would be an appropriate point for FAWC (or other competent unbiased group) to be involved. We were uncertain about which sector of the industry might have responsibility for drafting the codes (Levy Bodies, supermarkets, abattoirs etc.) and this might impact on the codes produced. We felt that the poultry draft was a good example of what could be done and a good template for other species, but wondered whether this was because of the highly organised poultry industry and the position of the</p>	<p>the industry would be sufficiently willing to both address and commit to making changes where there are considerable welfare costs in current practice. Overall this will need a very robust review process to ensure that an unbiased document is produced, and that this does address the real welfare issues in some systems. On the other hand we felt that an industry-led approach could open the scope for increased flexibility that might lead to improvements in animal welfare, although would need to have the right structure to ensure that things do not move backwards. For example, for some species commercial practice is already well ahead of welfare codes, and there are opportunities to have</p>	<p>involvement by an impartial expert body should take place at an earlier stage than review of a completed document to guide and assist the industry bodies are required.</p>	<p>welfare e.g. where the law is barely being met (e.g. in the provision of rooting material for pigs), presumably at least partly on a cost basis, that industry-led codes may be unwilling to include in the welfare codes issues that will engender additional costs to the industry. Whereas we feel that the welfare standards should be considered independent of cost issues: how these are paid for is a political issue but should not play a role in the formation of what are acceptable standards.</p>			<p>its entirety is carried out.</p> <p>A review of whether there is an increase or decrease in compliance, in the status of animal welfare, and in farmers views of welfare and the new codes relative to the previous guidance would all be important areas of assessment but all will need a pre-implementation review first. Ideally a review should get to the people who have the day-to-day contact with animals so requires some mechanism to ensure all animal keepers are aware of the revisions, and any future revisions if the codes are regularly reviewed and updated. This may be by training of vets to reach farmers, or linked to herd health planning. Ensuring that there is</p>	

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		BPC in producing this. We were uncertain whether other more disparate sectors (e.g. ruminants) would be able to achieve a similar document. In particular there is a need to emphasise what are legal requirements, and what it is then possible to change – we felt that the poultry draft was very clear in this regard.	further improvements. The approach may also engender ownership of welfare in the industry and lead to a more positive view of animal welfare if industry takes responsibility for welfare standards. This could encourage a professional pride in farming, and act as a check list for 'being a good farmer'. We were concerned that, although industry codes would be up-to-date initially, there were no guarantees that this would be maintained after the initial set up, without some process to ensure they were regularly reviewed and updated.					some opportunity for self-audits and self assessment may also increase buy in, and potentially engagement with all sectors of the industry in playing a role in developing, reviewing and revising the codes.	
14	NFUS: National Farmers Union for Scotland	Using industry led guidance may help produce guidance that is clearer and more 'producer friendly', helping animal keepers to understand what is	Appropriate industry bodies, given sufficient support, would be capable of producing the necessary drafting and consultation without necessarily needing a stronger	It is true that industry led guidance would need some level of independent review and FAWC would be well placed to carry out that review. Fawc reviewing the industry	I would consider that there will be a cost in terms of time and other resources for those involved in the drafting and reviewing of the guidance documents, much as	It is possible that guidance drafted by industry may be more 'producer friendly' and more easily understood by producers but this is not necessarily a	As the guidance is based on meeting statutory guidance there should not be too much in the way of significant differences, other than where interpretation of the	The obvious review would be to look at compliance levels before and after. There should also be further ongoing discussions with industry to understand	

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		<p>required of them.</p> <p>An alternative or additional help would be to return to a system where inspectors also play an advisory role, one where keepers could turn to the inspectors for advice and guidance without fear of prosecution.</p>	<p>role from Government. Cost and time however may be a very significant factor for the bodies concerned and this must be given consideration.</p>	<p>guidance must be under the remit that the guidance is there for reaching statutory requirements and not necessarily best practice that goes beyond statutory requirements.</p>	<p>there would be to Government in carrying out such an exercise.</p>	<p>given and will depend on those individuals that are involved in the drafting. It will remain paper guidance that will be more meaningful to some individuals than others.</p>	<p>standards exists anyway, for example aerial perches for caged hens.</p>	<p>how any new guidance has been received.</p>	
15	Member of the public	<p>Local authorities and their compliance officers together with other animal welfare stakeholders and organisations such as the RSPCA or Humane Slaughter Association (etc) must have an input. Guidance should be made available online and anyone who keeps animals should register with the website and indicate they have read and understood the guidance.</p>	<p>Not without the input of other stakeholders. e.g. RSPCA, Association of Lawyers for Animal Welfare, etc. Industry-only input could potentially lead to a "profit-based" agenda to the detriment of the animals.</p>	<p>No - they must involve other NGOs who have expertise in the area of animal welfare to obtain a full set of facts and perspectives in this important area.</p>	<p>No. I think this is a cost saving exercise both for government and the industry. Potentially - this will be to the detriment of animal welfare.</p>	<p>No. Unless the "guidance" is more onerous than a voluntary code of conduct - it will lead to money-saving and corner-cutting changes of behaviour.</p> <p>The changes must be new "standards" not mere guidance which can be enforced by the local authority officers, RSPCA inspectors, the police etc via the courts or other powers.</p> <p>Perhaps a better vehicle would be to</p>	<p>The EU recognises mammals as being "sentient" and their needs/treatment must be "fully considered". How will this be taken into account and respected if the industry alone creates the new guidelines - given (in fairness) their primary consideration is to turn a profit as a business sector?</p>	<p>Ask an independent organisation/experts to conduct a well-funded review which considers evidence not only from the farmers/industry but from those concerned with animal welfare standards.</p>	

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						empower a minister and his/her department to create secondary legislation. This is easily changed and updated without the need for extensive parliamentary time.			
16	Federation of City Farms and Community Gardens	<p>We support this move having been involved in the industry-led writing of the Code 'Preventing or controlling ill health from animal contact at visitor attractions' and seeing how the varied interested parties are able to work through concerns which each specialist organisation brought to the table.</p> <p>Advantages include better engagement of keepers through their representative bodies who have a closer relationship with these organisations than through direct</p>	We support this approach to ensuring replacement of the current statutory codes are of at least the same standards.	We approve this approach; FAWC is a respected and highly knowledgeable body which should be mandated to question the breadth of stakeholder consultations undertaken by the lead industry body, and to challenge where this is found inadequate.	The costs of ensuring effective stakeholder consultation and ensuring that a sufficient range of expertise meet on a number of occasions to draft the guidance, is not inconsiderable. Most organisations may be willing to cover these costs for the benefit of their members/beneficiaries, but we recommend that a grant to cover secretariat and some travel costs for stakeholders be provided as a minimum.	We do expect improvements, so long as the stakeholder consultation is undertaken effectively and over a reasonable period of time, allowing stakeholders to review and comment on drafts. There will be extra 'buy-in' and good will to both promote, and train, keepers once the guidance has been accepted by government.		The review should be conducted by an independent organisation with access to the full range of stakeholders affected by each Code, but could involve an advisory group comprising representatives from the lead industry bodies and FAWC.	

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		<p>government consultation.</p> <p>Our only concern is that the drafting group must include representatives from a wide range of organisations, including the small or 'hobby' keepers to ensure that all issues relating to the rearing of each animal type in a range of circumstances are fully addressed.</p>							
17	Norfolk Cornerstones Group - Reference group drawn from the farming industry	The group feels the format, layout and content of the guidance are all crucial to ensuring that it is read and understood by animal keepers. The current codes rely solely on words. The group applauds the more recent practice of DEFRA including pictures and diagrams in guidance material as a more effective way	The group believes an industry led guide is appropriate. 80% of meat consumed in the UK is sourced from approved assured producers. These bodies understand what consumers want and their own schemes ensure that this is addressed in the assurance scheme. The group feels that such awareness would be reflected in industry	The group is satisfied that the FAWC is an appropriate body to quality assure guidance for animal keepers.	The group believes there will be a cost to industry in leading the production of guidance. However, it is believed that the benefits of good compliance will normally outweigh these costs by increased productivity and increased resistance to disease.	The group feels that the articulation of the codes by simple and clear well formatted guidance which is readily available is the key to achieving good understanding and compliance. The group agrees that industry led guidance is more likely to receive good buy-in by animal keepers. The group suggests that the means of measurement of this	The group was unable to identify potential differences in policy within the UK but was concerned that such guidance should not put UK farmed animal keepers at a disadvantage to their EU counterparts. Any guidance should be equitable with European accepted norms in what is expected of animal keepers and the level of enforcement	See our response to Question 5. The group feels that agreement needs to be made of the measures which will show the success or effectiveness of this proposed regime of guidance production. The number of Welfare Improvement Notices issued under the Animal Welfare Act 2006 is a starting point for such measures. The group would add here that	

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		<p>of ensuring the guidance is readily understood.</p> <p>The manner of dissemination of this information is also critical to getting it to the right audience. Any guidance should be readily available through the internet. The group would also recommend that it is delivered through a single site/portal where all related animal keeping advice and guidance is also available.</p> <p>The group believes that training should also be considered as a way to ensure animal keepers understand what is required of them. Such training should be offered to all new keepers or persons taking on the management of farm animals. Ideally</p>	led guidance.			success need to be ascertained and agreed before any such measurement is made.	applied by regulatory bodies	spending cuts by central and local government could impact on the level of assessment by AHVLA and local authority appointed regulators.	

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		<p>such training would be free but in reality the group would expect a charge to be made. The successful completion of the training should be acknowledged with a certificated award. Such training could help to contribute towards 'earned recognition' by enforcement agencies.</p> <p>The group feels that consideration should be given to a non-species specific base guide related to the keeping of all farmed animals. The group feels there are sufficient areas common to all species which could be consolidated into the base guide. This base guide would then be supplemented with species specific and intensity specific</p>							

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		<p>guidance. E.g. the base guide would be supplemented by specific additional guidance for pig keepers which is supplemented by additional guidance relevant to small/medium sized keepers and large herd keepers.</p> <p>The group is concerned the current species specific codes do not address the issues of emerging species or diseases. Examples include camelids for species and schmallenberg virus for diseases. The guidance needs to be timely in respect of these issues and the group feels this is an opportunity to address this.</p> <p>The group feels that the guides need to be particularly</p>							

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		targeted at the small and medium sized farmed animal keeper who is not a member of an approved assurance scheme. Approved assured scheme members receive extensive guidance by their assuring body which does not need to be replicated in this guidance.							
18	Queen Mary, University of London	Yes. Strict laws and stringent enforcement	It is definitely not appropriate for industry to lead the drafting, consultation and subsequent amendments	Let industry write all the guidance they please, but they should be bound by adequate laws. Self-written guidance is only a wish-list	It will be all benefit to the industry, who will cut costs without obligation	No	(no response)	Those who break the law should go to prison for a long time	
19	Member of the public	Yes, by updating statutory legislation.	Animal welfare organisations and veterinary professionals should be as much involved as industry in updating legislation. Government should keep statutory legislation if they are serious about animal welfare.	Any policy should be reviewed after a period of time (say 5-10 years) to take into account any research developments, FAWC is the right body to do so as long as all stakeholders are represented.	Not qualified to comment.	Not qualified to comment.	Not qualified to comment.	By making sure relevant data are collected at all stages of the process, e.g. by having online surveys.	
20	AHDB:	A viable alternative	We note that 'industry'	If industry plays a	We agree that the cost	More clearly written,	Differences in policies	As the policy objective	

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	<p>Agriculture and Horticulture Development Board (including BPEX, EBLEX and DairyCo divisions)</p>	<p>would be Defra-led guidance, formulated in partnership with industry. The practical advantages cited for industry leading on the drafting of guidance - namely accessibility to farmers, meeting farmers needs and disseminating knowledge in the most appropriate format, could still be achieved through collaborative working on a Defra led document. In principle, industry welcomes the opportunity to become integrally involved in the shaping of better, unequivocal welfare guidance.</p>	<p>is not defined in the consultation document. Drafting: industry (as yet undefined) should have a strong supporting role to play in the development of clear practical guidance, but primary ownership should remain with Defra if the main aim is to increase compliance with legislation. Defra is likely to be perceived by third parties as being more independent than an industry representative body. This is not inconsistent with industry taking its responsibilities in relation to welfare seriously. Consulting: we feel government is best placed lead and carry out the consultation as it is perceived to be the most impartial party. Subsequent amendments: to be carried out by the</p>	<p>significant (but not leading – as proposed) role in drafting the guidance, then the proposed approach is sufficient in the short, medium and long term.</p>	<p>to industry is likely to be cost neutral if 'the cost to individual businesses to ensure compliance' is the 'cost' referred to. If however an industry-funded industry body were to play a large role in drafting the guidance, then there would be an associated cost. Should the guidance indicate that wider changes to animal husbandry or animal facilities were desirable, this may result in increased costs. Without the detail contained in a draft revised code, it is not possible to be confident of economic costs and benefits.</p>	<p>explicit and farmer-orientated guidance may improve understanding of regulatory requirements but may not, on its own, result in improved compliance. Improved compliance maybe achieved if ownership of the codes is taken and effectively communicated to farmers by both Defra and the industry stakeholders involved. However, there may not be increased buy-in by grass roots farmers even if industry organisations write the guidance.</p>	<p>within the devolved nations of the UK have great potential to increase confusion and ideally, guidance should be applicable UK-wide, highlighting where any differences exist. Depending on the definition of 'industry' a diversity of stakeholders could be involved, leading to considerable potential for divergence in expectations as to the scope and reach of the revisions. For example, the ability to express natural behaviour could have broader or narrower definition. Without clearer definition of a revised code, it is not possible to identify all the potential issues or likely impacts.</p>	<p>is to ensure that guidance is i) up-to-date and ii) presented in most relevant way to animal keepers, and iii) more effective in achieving compliance, the most appropriate review would consist of 1. Reviews of technical content by FAWC as referred to in Q3 and 2. A direct survey of keepers as to the knowledge and use of the guidance 3. Feedback from enforcement agencies, including outcome based measures, such as instances of non-compliance with legislation. The above would need to be in addition to the analysis already proposed in the consultation document (analysis of the weight of evidence in court). The review could be complemented by outcome based</p>	

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			same parties that drafted the document. Parameters around the legal status and likely use of existing statutory codes compared with proposed non-statutory guidance need to be better elucidated before embarking on the non-statutory route.					measures, such as instances of non-compliance with legislation.	
21	CIWF: Compassion in World Farming	Education, training, inspections and statutory licensing of animal keepers are all useful ways to achieve this. Licences should only be issued to practitioners who show competence in understanding what is required of them. Veterinary health plans could be used to assist this too. It is of concern and anachronistic that no formal qualifications on animal handling and welfare are required for farm workers while those	We consider it is highly inappropriate for industry to be given this role. The industry may well take a less demanding view of its animal welfare obligations than Government would take. The proposed policy is akin to allowing banks and the media to regulate themselves and we have seen the detrimental outcomes of that policy over recent years. Government has responsibility to lead on promoting farm animal welfare	As a panel of experts FAWC is well equipped to review the content of the guidance documents. That said, there have been a number of occasions in recent years when Compassion in World Farming has taken a different view from FAWC on certain issues and so we do not believe that a FAWC review would be sufficient to ensure the quality of industry-led guidance.		We are encouraged to read in paragraph 32 that 'The Government is committed to improved standards of animal welfare' and in para 33 that 'There will be no weakening of the standards of farm animal welfare set out in current codes.' However we are concerned by the following: • paragraph 32 which also states: 'it is anticipated that provision of guidance via industry themselves will cultivate a climate of responsibility to	We believe that a court is likely to place more weight on a statutory, government-drafted code than a non-statutory, industry-led one.	We feel the tone of the proposed post implementation review is rather casual. While it should indeed 'include an analysis of the extent to which the move from a statutory underpinning has had any impact on the weight courts accord the welfare codes when prosecutions are being sought', it is rather risky for farm animal welfare to leave consideration of this until 2017.	

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		<p>who handle farm animals during transport and slaughter must hold a certificate of competence.</p>	<p>including the drafting of codes. It is not appropriate for government to try and shed that responsibility. The proposed policy is a highly retrograde step. Industry-dominated guidance may not be credible with the public. An independent approach is needed, which government can provide through consultation with industry and civil society, to achieve credibility with the public. There is the risk that the industry will not provide the broad consultation of a range of stakeholders, including Compassion in World Farming, that government has previously provided. This leads to an increased risk that industry-led standards will simply rubber-stamp current industry practice, much of</p>			<p>increase compliance resulting in improvements in animal welfare.'</p> <p>•paragraph 30 which states: 'it is anticipated that it will lead to improved compliance with the law and partnership working between industry, animal welfare groups and Government.'</p> <p>It is possible there may be increased industry buy-in because there may be an increased feeling of 'ownership'. However, we are alarmed by the underlying implication that industry is not complying with the law now.</p> <p>Using the BPC consultation as the only measure we have of the proposed new regime, it seems to have had little publicity. Defra has generally been inclusive in its consultations and</p>			

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			which continues to cause poor animal welfare and animal suffering.			sends direct notification to Compassion in World Farming and invites submissions. When consulting, Defra publishes a list of organisations who have been invited to respond to consultations. It seems that BPC have not provided a similar document and so it is not known if they have sent invitations for submissions to animal welfare scientists and animal welfare organisations. Paragraph 29 includes: 'The decision by livestock sectors to draft their own guidance will be voluntary.' The risk here is that industry may decide not to draft any guidance. Paragraph 30 also states that the Macdonald report says: 'Government must trust industry, must involve it in the			

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						<p>development of non-regulatory and regulatory solutions, and must set the framework for industry to take responsibility.' Animal agriculture industry bodies have a history of very close working with and successful lobbying of government. Historically this has too often been to the detriment of animal welfare. We are concerned that entrusting the drafting of guidance to industry could lead to a decline in farm animal welfare standards. There is a risk that measures which better protect animal welfare and are better practice, but are inconvenient for the practitioner, may be removed. Examples include:</p> <ul style="list-style-type: none"> • the recommendation to pick up broiler chickens by two legs during catching. 			

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						<p>Common industry practice is to hold the birds by just one leg.</p> <ul style="list-style-type: none"> the recommendation that the tail docking of pigs is a last resort; common industry practice is to carry docking out on a routine basis <p>It seems rather a leap to assume that because guidance is written by industry, animal keepers will be able to understand it more easily. It depends on the content and writing style of those who compile it.</p>			
22	Yorkshire Dairy Goats and St Helen's Farm Milk Supplier Group	<p>Try to present the requirements in such a way that is thought and action provoking rather than just one more set of requirements. Realise that not all farmers are computer literate. Provide guidance in a more interactive format. (Look at</p>	<p>For major species it may be. For Minor species such as our (goats) a joint approach would be good and industry should be included. St Helen's Farm Milk Supply Group represents approximately 16% of the English national goat herd (based on</p>	<p>Yes, provided that they are sufficiently aware of the issues.</p>	<p>We have no information to base any comments on in order to answer this question intelligently.</p>	<p>A lot will depend on the format of the guidance and the process of publicising it. People only tend to buy in to things that will benefit them.</p>	<p>We need to avoid the many sets of guidance and regulations becoming contradictory e.g. Farm Assurance standards, industry guidance or codes and FSA milk hygiene guidance etc.</p>	<p>It will cost money to do so we expect it will be delegated to a body that is successful in receiving funding. Is that best or should it not be the best qualified to do the job?</p>	

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		Food Standards Agency folder for Caterers for example)	DERFA 2011 Zoonoses report statistics) and has pioneered commercial goat farming in teh uk. As such we would wish to take part in the process.						
23	East of England Trading Standards Association Animal Health group	A separate code is required for smaller keepers especially on the poultry side of things. Someone with 50 chickens cannot make sense of the commercial guidance. In addition they need to be targeted at farmed animal keepers who are not a member of an approved assurance scheme. Anyone who belongs to an assured scheme will have all the contents of the code replicated in their guidance and checked on audits. The format is quite often legislation based and wordy. Pictures	Yes this would be appropriate but as mentioned in the above question there needs to be a version of the guides available for smaller keepers.	Yes it is sufficient.	Any costs would be of benefit to the industry.	It would hopefully have industry buy in but there needs to be a well-managed way of ensuring all livestock keepers receive the information and clearly understand it. Currently the codes of practice tends to sit on a dusty shelf and is not read. Using training sessions would encourage people to understand them better. Also there needs to be a code for emerging livestock trends such as llamas & alpacas.	There should be a level playing field across the UK and EC.	Looking at levels of non-compliance (such as AWA improvement notices served) via local authorities and AHVLA. There would need to be an awareness of a possible lower inspection rate due to budget being cut that may affect the figures.	

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		<p>and diagrams are useful for smaller keepers. Low cost training could also be considered as a way to ensure animal keepers understand what is required of them. Such training should be offered via local vets to all new keepers or persons taking on the management of farm animals. The successful completion of the training should be acknowledged with a certificated award. Such training could help to contribute towards 'earned recognition' by enforcement agencies. Training courses could also be considered in the same way as driving courses are in place of penalty points for speeding.</p>							
24	CLA: Country,	The CLA would agree that there	The CLA believes that it is entirely	The CLA believes that asking FAWC to	The CLA is not in a position to provide the	As long as the codes are compliant with	The CLA welcomes the reference made to	The CLA agrees that a post implementation	

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	Land, Business Association	could always be methods of providing guidance to livestock owners beyond industry-led drafted non-statutory guidance. However, the CLA would strongly favour industry-led guidance as the principal means to do this. We believe that by doing this, livestock owners are much more likely to engage with the guidance. This is for two reasons: <ul style="list-style-type: none"> • Livestock owners are far more likely to have faith that the guidance will have been drafted by individuals who have an intimate and practical working knowledge of the livestock sector in question, and will therefore understand the realities of keeping those animals in practise. • 	appropriate for the industry to lead the drafting, consultation and amendments for animal welfare codes. We entirely understand that there must be a role for technical oversight from Government; however we believe that the core of this role would be to ensure that any code drafted by industry is consistent with European and domestic legislation.	review the codes would be sufficient in ensuring the quality of guidance in the short and medium term. However, the CLA would express caution in expecting FAWC, or even the industry, to be able to provide a long term assurance of draft documents. This is because the legislative environment can change quickly in response to outbreaks of disease or changes in the scientific understanding of animal welfare within particular livestock sectors. The CLA believes that the responsibility for assessing long term challenges related to animal welfare should be shared between industry and government, and must reflect a wider dialogue between both parties.	potential costs or monetary benefits to the industry by reforming the codes. However, it is quite conceivable that drafting and communicating the codes for each sector will add constraints to the time and resources of those sectors responsible for them. It should be stated that various agricultural sectors have already been responsible for generating industry specific codes. The CLA believes that if Government does not apply an over-prescriptive approach, the overall cost to industry should be mitigated.	domestic and European legislation, the CLA would strongly agree with this statement, and reflects our views in Question 1. The CLA believes that is it crucial that simplified guidance for each sector is made available not only to assist those existing commercial livestock owners, but also to assist smallholders or new livestock owners. Where experienced livestock owners have built up knowledge of continued changes to animal welfare requirements, those keepers who are entirely new to rearing animals often find the available guidance unclear or outdated. By ensuring that all the relevant information can be found in one easily identifiable code, new keepers will be more confident that they are	Earned Recognition in the consultation document, and believes there must be scope to pursue this within the drafting of codes. The CLA strongly believe that this should be seen as an opportunity to simplify guidance to livestock owners, which for too long has either been outdated or no longer relevant. As part of this simplification, the CLA would urge Defra to ensure that the codes outline the relevant legislation that livestock owners within a particular sector are expected to meet. Unless the relevant sector feels it is necessary to do so, the codes should not prescribe measures that go over and beyond legal requirements. Many livestock owners are unsure whether or not existing codes of	review would be necessary to ensure that the codes are meeting their objectives of improving overall compliance with legislation relating to animal welfare. One of the simplest ways to monitor the efficacy of the codes would be to assess overall rates of non-compliance or breaches of animal welfare. Penalties applied under cross compliance (through both the Single Payment Scheme and the Basic Payment Scheme) are could also provide a useful way of assessing this. The extent to which relevant authorities refer to each code in making prosecutions or investigations will also have to be considered. The review should also closely scrutinise what efforts have been made by Defra or the	

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		<p>Livestock owners are far more likely to engage with the guidance if it is drafted by their relevant industry bodies. The CLA believes it is not unrealistic to state that codes originating from centralised, Governmental or departmental sources are less likely to be read. Most livestock owners already have good lines of communication in place with their industry bodies, reflected through communications, committee structures or regional offices. Despite this, there can always be scope to identify secondary sources to provide supplementary information to livestock owners, or information that</p>				<p>meeting necessary underpinning legislation, and are better able to understand what is expected of them.</p>	<p>practice are simply reflecting desirable welfare considerations for each sector, or if they are in fact describing the minimum legal requirements. An example of this is in the rearing of ducks, where many owners feel they receive conflicting advice on housing requirements. The CLA is not stating that this exercise should encourage livestock owners to only meet the minimum legal requirements; instead it should help provide clarity between mandatory legislation and industry initiatives, such as assurance schemes, that go beyond it.</p>	<p>Government to ensure that those competent authorities are referring to the codes in their daily activity. It would be very disappointing and unhelpful if the industry were to commit a significant amount of time and resources into drafting codes that were not subsequently referred to extensively. As a result, the CLA believes it is crucial that both Defra and FAWC work closely with industry to ensure that the codes are not only supported by each party, but also actively promoted.</p>	

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		relates to very specific aspects of animal welfare. An example could be livestock welfare under cross compliance, which could be delivered by the Farming Advice Service or the relevant levy boards that fall under the Agriculture and Horticulture Development Board (AHDB).							
25	WSPA: World Society for the Protection of Animals	WSPA UK has complete sympathy for the consultation looking into reform of farm animal welfare codes considering the difficulty that has been demonstrated in keeping them updated in recent years. However, we have yet to be convinced that moving from a statutory system of animal welfare guidance to one that	WSPA UK does not believe that it is appropriate for industry to lead all three sections of drafting, consulting and producing amendments and that it is crucial that Government and the FAWC have key roles. We are concerned that this could lead to potential emphasis on animal welfare which reflects profits and intensive style farming systems at the	WSPA UK believes that if the FAWC had the power of veto of any recommendations from an industry-led body before moving through to consultation that the quality of guidance can be ensured in the short, medium and long-term. We believe that Government should not be divorced entirely from this process and leading the consultation period would ensure overall	WSPA UK is not currently convinced that moving to industry-led guidance will be neutral in cost and monetary benefits to the livestock industry. We would be interested in seeing a thorough impact assessment produced in order to full ascertain the impact on resources for all relevant stakeholders involved in any reforms.	WSPA UK does not believe that moving to industry-led guidance will necessarily improve compliance with existing legislation. If understanding current legislation is indeed a concern then this should be looked at directly for ways in which industry and all related stakeholders can work together to improve this. WSPA UK does not believe that a lack of 'buy-in'	WSPA UK believes that the positive steps forward in farm animal welfare across the UK are in part due to the significant role that the Government has taken in promoting such standards over a number of years. WSPA UK believes there is the potential for industry led guidelines to lead towards a tendency for less aspirational best practice and it is for this reason that we	WSPA UK believes that any proposed changes should be carefully monitored to ensure a detrimental impact on animal welfare is not created. Such a review should include feedback from all stakeholders, including industry, animal welfare experts, scientific community and the public.	

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		<p>is industry-led and non-statutory would provide a strong enough commitment to ensuring high standards of animal welfare. Information from the recently published 'Farm Business Survey on animal health and welfare practices adopted by farmers in England 2011-2012' highlights that 86 percent farm businesses carry out animal health practices for animal welfare reasons. This is a significant number that we should be proud of in England and across the UK, and WSPA UK is therefore yet to be convinced that a move to an industry-led system will improve these results. WSPA UK would seek clarity regarding the definition of</p>	<p>expense of existing animal welfare standards. Animal welfare standards must not become a secondary or lower consideration to profit-making at any costs and therefore Government is the most appropriate body to ensure this does not occur. Whilst WSPA UK believes that the current system could be improved to ensure any issues can be resolved, we may accept a compromise between the current proposals and a strengthening of the Government and animal welfare experts' relationship. WSPA UK would be more at ease with a system where the Government was to maintain its overall control, but to delegate the drafting of the codes, in a similar style to that of Defra commissioning</p>	<p>control of the process whilst reducing the burden through delegating the drafting process to industry and the FAWC. For the reasons outline above, WSPA UK believes that a system more in style with that carried out in Australia would be the most appropriate and effective.</p>		<p>from industry is an adequate reason for a lack of compliance with current legislation. Further work to gauge compliance and for all stakeholders to work together within current frameworks would appear to be a more effective solution. WSPA UK is concerned by the proposal to reduce further inspections once a positive inspection is achieved as this leaves the system wide open to potential abuse.</p>	<p>believe Government should not be removed from the process in the way proposed and without the additions we have suggested within this consultation. We also have reservations regarding the potential impact of industry leading farm animal welfare guidance on other legislation such as environmental regulations and sustainability which are intrinsically linked to farming. WSPA UK would be keen to see this considered in a thorough impact assessment as it could be argued that in order for Government to oversee this process to ensure that other legislation is not negatively impacted or conflicted, there could be an inadvertent increase in the financial cost and resources attached to this proposal, thereby</p>		

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		<p>'industry-led' for the purposes of this question as we believe it is essential that in order to continue and improve high standards of farm animal welfare in the UK that this should be done through concrete links and relationships between industry, the scientific community, and crucially, animal welfare experts. WSPA UK is concerned that this is not currently spelt out clearly enough.</p>	<p>the Law Commission to produce a report to update wildlife legislation. In that sense, the Government would still have the overall control, but the drafting could be led by industry. WSPA UK would also want to ensure that any new proposals would have to be cleared by the FAWC, with the right to veto if unhappy, before the proposals would go back to Government for the next process. WSPA UK would further request that the Government manages the consultation process considering the significant expertise held in doing so. There are already similar processes in place, for instance in Australia where the Government still has a great deal of responsibility in leading the process.</p>				affecting its viability.		

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			<p>The codes in the Australian system are governed by a trans-national body called the Primary Industries Ministerial Council, whose membership consists of Australian Federal and New Zealand Ministers responsible for primary industry matters. The council is supported by a committee (Primary Industries Standing Committee) integrated by heads and CEOs of different agencies in both New Zealand and Australia. The objective of this council is "To develop and promote sustainable, innovative and profitable agriculture, fisheries/aquaculture, food and forestry industries." WSPA UK believes that the benefit of this approach is the Government's role of mediating between</p>						

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			<p>different factions. Of course there are areas of common ground and positive working relationships, but there are also times when mediating is necessary and Government is often the most appropriate body to achieve this within a policy environment. The relationship in the Australian system can be seen clearly with current open consultations at: http://www.daff.gov.au/animal-plant-health/welfare/model_code_of_practice_for_the_welfare_of_animals. WSPA UK therefore believes that a model similar to the one outlined above would ensure that industry has a prominent role in updating farm animal welfare codes whilst also ensuring that relevant stakeholders are heavily involved to</p>						

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			ensure that welfare standards are as high as possible.						
26	OneKind	It will always be necessary for government to take a lead in improving life for farmed animals – for example, by providing animal health inspections. The provision by government of statutory codes of recommendations for welfare has long been recognised as an essential adjunct to the basic laws on welfare, and we believe government should retain this role. In addition, however, OneKind believes that government should introduce a licensing scheme for livestock farming, to underpin the monitoring and control of welfare standards on farms. While almost every commercial activity	We do not support the migration of responsibility for producing livestock welfare codes from government to industry. While producers are arguably well placed to explain the meaning of regulations and advise colleagues according to their own experience, other interests - such as economic interests - are bound to conflict with the drive for better animal welfare. We see it as government's responsibility to promote animal welfare and we do not believe that doing so makes the regulatory burden any heavier. Industry is inevitably subject to economic interests and pressures, without the wider concerns of	Paragraph 19 refers to updates being subject to a review by FAWC. It is not entirely clear to us whether any special role is foreseen for FAWC in drawing up the original draft guidance or whether it would be only one of the bodies from whom representations would be expected. If the latter, we do not think this gives sufficient weight to the wide range of expertise and experience of FAWC members. In addition, these guidance documents are substantial and represent considerable work from the industry body charged with compiling them, as the current BPC guidance for meat chickens demonstrates. Once these documents are	We do not have a view on this.	We are not convinced of this by the first guidance we have seen, in the PBC consultation on its draft Guidance on the regulatory requirements for the Welfare of Meat Chickens and Breeding Chickens. This Guidance naturally reflects industry priorities and encourages compliance as a means of avoiding prosecution, rather than promoting best practice. We note that the Government intends to build in safeguards and will not repeal any existing code until it is content that any new guidance will be fully effective. We are encouraged that “the Government is committed to improved standards of animal welfare” and	We do not know the view of the devolved administrations and whether they would be likely to adopt the same approach. In general we see value in having substantially similar provisions in all parts of the United Kingdom but as will be clear by now we would not encourage adoption of this policy. Regulation 6 of the Welfare of Farmed Animals (England) Regulations 2007 refers to codes issued under the Animal Welfare Act, which requires to be issued by an appropriate national authority, and statutory codes under the Agriculture (Miscellaneous Provisions) Act 1968. We wonder whether Guidance would have the same legal status	We feel the FAWC would be well placed to carry out such a review and assess the effectiveness of this change.	

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		<p>involving animals is subject to a licensing scheme, livestock farming is not – even though it involves more animals than any other commercial sector. One condition of the licence should be that on each farm there should be a nominated individual with ultimate responsibility for welfare on that farm. Currently the law requires a verifiable standard of competence for slaughtermen and drivers of livestock vehicles, and it is anomalous that the people who have care of the animals for the greatest part of their lives should not be required to fulfil a similar requirement. Stock-keepers should undertake formal training with</p>	<p>government. For example government, rather than industry, has the primary role in reducing the current over-consumption of cheap animal products which are so frequently poor in animal welfare terms as well as in eating quality and environmental impact. Government can and should promote comprehensive food labelling which is a consumer benefit but again unlikely to be a priority for industry. Government is in a much better position than producers to resist continued intensification, which is of concern to so many members of the public and leads to animal welfare problems (such as the prevalence of mutilations, for example) and</p> <p>We are also</p>	<p>drafted their nature, tone and approach will be difficult to change.</p> <p>We believe that it would be better to retain Codes of recommendations for welfare, and under government control. If necessary, responsibility could be devolved onto a government-sponsored committee. A model for this might be the National Animal Welfare Advisory Committee (NAWAC) established in New Zealand under its Animal Welfare Act, which plays a leading role in the development and establishment of codes of welfare under the Act.</p>		<p>that “there will be no weakening of the standards of farm animal welfare set out in current codes.” However, as stated above we believe it will be very difficult to undo work already done and to change the tone and approach of guidance. Our main concern is that Guidance to regulations is not the same as a Code of Recommendations for welfare, and simply does not have the same emphasis on recommending best practice.</p>	<p>as a welfare code in terms of this Regulation.</p>		

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		independent monitoring of competence at appropriate intervals. Farm assurance schemes could have an important role here too but many do not require standards any higher than the legal minimum (although their labels may suggest that enhanced standards apply).	concerned that industry might not consistently consult the wide spectrum of stakeholders who wish to comment on government proposals. We should say that we are not always opposed to industry taking a leading role in certain technical areas. For example, in Scotland we have supported the possibility of industry producing a technical code for the use of CCTV in slaughterhouses if the Scottish Government is not prepared to make this mandatory by legislation. However, providing animal welfare recommendations is a different matter.						
27	RSPCA: The Royal Society for the Prevention of Cruelty to Animals	Improved dissemination of information about the Codes and better education about their importance and	We do not believe that handing over responsibility to industry to develop Codes will facilitate an increase in application, unless	The FAWC membership consists of a good range of 'experts' in various aspects of farm animal welfare and production, and	It is difficult to provide an evidence-based response to this question until more is known about the exact process that will be followed in the event	Updating of current Codes is certainly much needed, particularly for some which have not been revised for some years. However, as	We are not aware that the Welsh Assembly Government is currently considering handing over responsibility for development of Codes	We believe this should be via compliance with the Codes as measured by non compliances that emerge from Defra farm visits on issues	

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		<p>statutory aspects, would help to increase their uptake and implementation. At present, there appears to be little emphasis on raising the profile of Codes in the various livestock sectors, either by government or (in most cases) industry 'knowledge transfer' initiatives, so the apparent lack of knowledge about their importance in practice and under law, and the lack of 'buy in' and implementation by industry are perhaps not surprising. Much more could be done to raise their profile and outline the benefits of their implementation under the current system before moving to the radical step of removing them from</p>	<p>perhaps the quality of the codes is reduced - which would then serve to undermine their purpose and usefulness. Without independent oversight and control from government, we believe there would be a risk of the Codes being developed to reflect current mainstream industry practice in the respective livestock sectors. It is difficult to envisage what incentive there would be for industry to do otherwise. Such a situation would render the Codes ineffective in their long-term, universally accepted role of aiming to encourage progression and improvement above standard practice and/or basic legislative requirements. We believe that if this aim is to be achieved, it is absolutely essential</p>	<p>associated areas. As such, their opinion of the quality and content of documents such as the Codes of Recommendation is important and valuable and should be part of any development process. However, we do not believe that FAWC alone should be the 'quality checker' for codes if drawn up by industry. FAWC membership is, by necessity, limited to a finite number of individuals and does not include all relevant, necessary expertise on the detailed species-specific provisions included in Codes. A wider consultation with other relevant experts with knowledge and experience of the scientific, technical and practical aspects of farm animal welfare and production, as well as of development and</p>	<p>of respective livestock sectors taking on the responsibility of revising the Codes. However, as any such move will inevitably require some organisational and administrative work from industry bodies, it seems likely that it would increase costs for industry compared with the current arrangement.</p>	<p>outlined in the responses to Questions 1 and 2 above, the proposed new approach raises a number of concerns that lead us to conclude that overall, there would not be an improvement in animal welfare as a result. We welcome the commitment made in Paragraph 33 of the Defra consultation document that there will be no weakening of standards of farm animal welfare set out in the codes, but if Government no-longer has overall responsibility for developing those Codes, it is not clear how achievement of this commitment can be guaranteed. In addition, if, as suggested (in paragraph 29 of the consultation document), the decision by livestock sectors to draft their</p>	<p>to industry. If the WAG retains responsibility for this, but in England, industry have control over Codes development, this will raise logistic and legal complexities for those trying to audit and enforce law and Codes on both sides of the border. Such a situation would increase confusion rather than improve understanding and compliance, especially for farmers with property straddling the border.</p>	<p>where the Code has been changed, difficulties with prosecutions and enforcement work. Our major concern is that magistrates will not treat non- statutory codes, developed by industry, in the same way as statutory Codes developed under the auspices of Government, leading to prosecutions failing. As the RSPCA now uses Codes much more than in the past during prosecutions, this could be a very serious problem. The rise in successful prosecutions from 2010-2012 especially on horses is very largely due to RSPCA not relying on veterinary evidence but on the statutory codes to take prosecutions. Although the situation for horses and other companion animals is very different from</p>	

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		<p>governmental control. In addition, greater training and competency testing/certification within livestock farming for those with the hugely important responsibility of caring for sometimes thousands of live animals would not only facilitate increased awareness of those responsibilities (which include understanding and applying relevant Codes) but would also bring requirements for competency for those undertaking on-farm care of animals in line with those now rightly placed on those who care for animals during transport and at slaughter/killing.</p>	<p>that Government continues to have proper overall responsibility and 'governance' of the Codes. Credibility with the public and others is also likely to be an issue if industry have control of the Codes' development, as can often be the case with 'self-regulation' initiatives. In addition, it is far from clear as to the nature, scope and transparency of any consultation process should industry be given control of developing the Codes. The pilot initiative, in which the British Poultry Council has been given the task of developing a new version of the Codes for meat chickens, has raised some questions in this regard. Whilst the RSPCA was given a welcome opportunity to provide initial comments on the</p>	<p>setting of auditable standards, will still be essential to ensure the Codes are of high quality in all aspects.</p>		<p>own guidance 'will be voluntary' and may therefore vary between sectors, this could give rise to a confused and inconsistent approach that is very unlikely to increase understanding, compliance and buy in both within and outside industry. As set out in the response to Question 1, we believe that a more vigorous and concerted effort needs to be made to raise awareness and understanding of the Codes across all livestock sectors, and that this will be more likely to improve compliance with both law and Codes.</p>		<p>farm animal codes, where the latter may or may not have been updated recently (companion animal codes are only three years old), the principal is the same from a magistrate's point of view. A change in 'status' of the codes under the law along the lines proposed by Defra is likely to result in it being deemed less important if there is a failure to apply them properly. This will, in turn, also be likely to reduce the level of compliance rather than increase it.</p>	

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			draft, we were not included in the recent formal consultation process which we heard about through a third party. Whilst this may have been an oversight, it would seem to contrast with the wide, broad and very open consultation approach followed by Government, and contributes to concerns that an industry-led development process might not take account of wider views from stakeholders who might hold a different position (albeit an evidence based one) on certain aspects of the Codes.						
28	BPA: British Pig Association	Assurance Schemes offer the best way to keep producers informed of legislative requirements. The Assurance net needs to be cast wider to pick up more of the smaller	Partnership working between industry and government is the best way to address this and the Pig Health and Welfare Council is the ideal body to undertake the drafting.	Yes FAWC should review the content.	Yes – if it forms part of a wider Assurance network	Yes – a revised code can be made easier for small scale pig keepers to understand and address their specific issues.	Devolution presents a significant challenge for organisations which continue to represent members throughout the UK.	Data from Assurance schemes will provide much of the information required. Bringing more producers into the Assurance network provides the opportunity to focus spot checks and	The British Pig Association represents some 1500 small scale and pedigree pig breeders. The BPA supports the submission of the National Pig Association but we also have

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		producers who represent a large proportion of the total number of holdings. Industry has been helping inform this sector and can continue to do so.						enforcement on the non-assured sector.	additional concerns regarding the sector that we represent. Over the last 10 years we have printed and sent out by post almost 7000 copies of the Pig Welfare Code to new pig keepers to help them comply with existing legislation but we are acutely aware that the current version, whilst addressing the legislation, does little to address the needs and questions of the smallholder sector.
29	SRUC: Scotland's Agricultural College (Assistant Principle)	Currently the Codes are failing in their objective of providing up-to-date guidance to farmers on welfare compliance, and a different strategy is required. Non-statutory guidance, drafted by industry but followed up by Government input, appears to be a	In our opinion it would be better for the initial draft guidance to come from industry, but for Government to then review, consult and where appropriate amend the guidance. This would help counter possible claims that industry had undue influence. For example, the draft guidance produced by	Involvement of FAWC would be crucial, but sufficient resources would have to be made available to FAWC to permit adequate consultation with stakeholders etc.	We would expect there to be some cost to the livestock industry, especially if asked to amend proposed guidance following review by Government or FAWC, but cannot give an estimate. However we would also anticipate benefits to the industry if guidance on best	The current welfare codes do not provide up-to-date advice on legislation. If reformed as proposed and written in an easy to understand fashion, compliance with current legislation is likely to increase. Industry buy-in will be essential, even if their initial guidance has to be amended in light of	The proposal suggests that failure to meet the requirements of the non-statutory guidance would help establish liability in a court if unnecessary suffering resulted. If that were not to be the case there could be a negative impact on ability to take prosecutions in cases of possible welfare	On-farm assessments by AHVLA to assess whether legislation and non-statutory guidance is being complied with to a greater extent than before reform of the codes. Review comments from the Crown Prosecution Service about likelihood of prosecutions being	

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		useful option.	the British Poultry Council on the welfare of meat chickens and breeding chickens is comprehensive and well presented, but might be better accepted by stakeholders if FAWC and Government also had a role in approving the final guidance.		practice was followed.	comments from FAWC or Government.	infringements. The guidance notes would also need to be uniformly applicable across all the devolved administrations otherwise difficulties in enforcement could be encountered.	achieved using non-compliance with non-statutory guidance rather than welfare codes.	
30	FAWC: Farm Animal Welfare Committee	Yes, there are alternative ways. These include: • Maintaining the status quo. There is no evidence to suggest that the existing statutory codes are not understood by industry. Whatever the provenance of future codes or guidance, it should be readily possible to ensure that they can be understood. However, FAWC appreciates the difficulties which arise in keeping the statutory codes up-	A question arises firstly about what is meant by "industry". There is great variation between and within the livestock sectors. Which industry bodies would produce the guidance and how would they fund this activity? FAWC has some concerns that industry-drafted codes might come to resemble private (farm assurance scheme) standards, as industry standards set out industry accepted practices, and move toward 'good practice'	The answer to this question can be yes, but this will depend very much on the precise role of FAWC in acting as a quality control body and on the amount of influence/power it would have in modifying and approving codes. These would need to be clearly defined. It would also depend upon FAWC being sufficiently resourced both in terms of time and expertise to perform this role well. FAWC would need to perform a "gap	No. There will be increased costs to industry (and others, if involved) in that they will be drafting the codes, and the codes will potentially be updated more frequently. The quality control role of FAWC will also incur additional costs, whilst Defra staff might be more involved in scrutinizing new or revised codes if they are produced/updated more frequently than is currently the case. However, Defra will no longer need to prepare and marshal codes for	Not necessarily. The issue of understanding should be irrelevant; as already stated, there is no evidence to suggest the existing statutory codes are not understood by industry. There might be increased compliance due to increased industry buy-in. Compliance is a separate issue to that of enforcement. If there is less enforcement action in the courts because the codes are perceived as having less weight because they are no	Different approaches between England, Wales and Scotland would be a problem, especially if they led to increasing divergence between codes. FAWC is concerned that any new codes should be carefully considered in relation to codes in other countries. The issue of equivalence transparency is vital both for international trade and for informing the consumer of differences in practice.	This would be almost impossible to achieve in animal welfare terms because the welfare standards on most livestock farms are presently not assessed. A much greater number of random checks on livestock farms by suitably qualified persons would be needed. Full transparency of inspection results from random and selected visits would be essential. AHVLA enforcement visits would continue to check compliance as	FAWC welcomes the opportunity to participate in this consultation and the value placed within it on our advice. FAWC recognises the pressure for the main proposal, of a move away from statutory codes to non-statutory guidance with an increased role for industry in its production, arising from the requirement for Parliamentary time causing difficulty in updating statutory codes. We neither strongly support nor strongly oppose this

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		<p>to-date due to the need for Parliamentary approval.</p> <ul style="list-style-type: none"> • Moving to guidance drafted by a group of two or more stakeholders. Such groups might include, for example, industry, academics and NGOs. There is a precedent here in the Red Meat Slaughter Group, which was a multi-stakeholder group which produced guidelines based on the welfare at killing regulations. • Moving to guidance drafted by FAWC. There is a precedent for this in New Zealand, where the National Animal Welfare Advisory Committee (their equivalent of FAWC) has the lead responsibility for the development of welfare codes. This approach would, of 	<p>or 'best practice'. FAWC believes there are advantages in policy aims as articulated through the codes being kept distinct from (private) commercial / industry aims, as they have different functions. Government codes indicate a formal description of what society (through Government and legislation) wishes to be done, and can also indicate a future direction of travel (through use of recommendations). FAWC believes that the welfare codes are very valuable in stating the requirements of the law in a way that is easily understood by producers. It is essential that any codes should be flexible, easily understood by producers, have credibility and buy-in</p>	<p>analysis" to ensure that the draft guidance document sufficiently covered all the requirements of the legislation. The proposal in paragraph 19 that FAWC "will advise Defra and the livestock industries of any relevant developments in scientific and veterinary knowledge which should be reflected in updated guidance to farmers" would present a major task for FAWC.</p> <p>If FAWC were to take on a quality control role, it would be important to put in place measures to ensure that the draft guidance document produced by industry (and others, if involved) was of a satisfactory quality. Poor quality documents would lead to FAWC being involved in a large</p>	<p>Parliamentary approval.</p>	<p>longer statutory, it can be argued that this will lead to producers taking the codes less seriously and therefore complying with them less often. An ancillary point is that large numbers of workers on farms do not have English as their first language and access to and understanding of guidance may be improved by the provision of translations.</p>		<p>could farm assurance schemes but there is currently very little feedback in terms of assessing animals' welfare. In the absence of a satisfactory number of random welfare assessments on a reasonable sample of livestock farms, a post implementation review might have to rely on a stakeholder survey or similar instrument.</p>	<p>proposal, but we emphasise in our submission that it requires increased clarity and transparency in how drafting will be carried out, and how the final text will be decided, including what exactly FAWC's role might be in 'quality assurance.' These requirements are essential for credibility and acceptance among all stakeholders of the guidance produced.</p>

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		course, have large resource implications for FAWC.	amongst the industry, and can be easily updated. FAWC considers that the current statutory codes are fit for purpose apart from the requirement for Parliamentary time causing difficulty in updating them. FAWC has some general concerns about the replacement of statutory codes with industry codes. This could be seen as a potentially significant (first) step in the deregulation of GB animal welfare protection. However, FAWC can see the benefits of enabling the codes to be regularly updated in this way, provided there are sufficient safeguards in place to ensure the quality of any industry-drafted codes. FAWC would suggest, however, that the drafting was carried out by an	<p>amount of editorial work and would cause delays in implementing the guidance. A template should be produced by Government setting out what is required from drafters in terms of the nature, format and quality of the guidance.</p> <p>There should be a formal process for submitting such documents to FAWC for approval and, in addition, a formal process by which FAWC would report back to Government in its quality control role.</p> <p>There would be a need for transparency in the whole process, so that it was clear which organisations were involved in producing and approving the guidance at each stage of the process, in order to ensure</p>					

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			<p>industry-led group (possibly including academics, Defra, NGOs and/or FAWC) rather than industry acting alone, since it is useful to have input from those with a variety of viewpoints. FAWC would welcome the flexibility of non-statutory codes having the potential to lead to improvements in animal welfare standards. FAWC would be keen to include guidance on aspirational elements in the codes; these would be clearly flagged up as being above the minimum standards required by legislation and therefore optional. Aspirational elements have been included in this way in the New Zealand welfare codes.</p>	<p>public confidence in the final product. There might be an issue of conflicts of interest arising if individuals are trying to perform a number of different roles. The timescales for this consultation, and that from the British Poultry Council on guidance on the welfare of meat chickens and breeding chickens, have been rather short. Even if six weeks is normal for Defra consultations, if FAWC is required to carry out a thorough 'quality assurance' as proposed we may require more time, or at least advance notice of the consultation dates. In fact we have been able to give these consultations serious consideration in the time available, but that might not always be true.</p>					
31	GFA: Game Farmers	The Defra code of practice for gamebirds took a long time to negotiate and had a tortuous passage through Parliament, bridging a General Election and a change of Government but eventually it was approved in 2010. Its existence has hugely improved welfare within game rearing. Game rearers now know that if they fail to follow the code, they are highly likely to lose a prosecution for neglect or							

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	Association	<p>welfare offences, so invariably they follow it correctly. The GFA meanwhile has been able to toughen its own rules so that anyone not following the Defra code is ineligible to join or, if they infringe it whilst a member, can be chucked out. The code is respected because it was put together by experts, including the industry, FAWC and specialist vets, was chewed over by lawyers and, above all, approved by Parliament with statutory underpinning.</p> <p>In PR terms it is invaluable that our industry can now hold up its head and say it operates to a code agreed by democratically elected Parliamentarians. (There are of course near-identical codes similarly approved by the devolved administrations). We know there is no immediate proposal in the current consultation to change the status of the 2010 gamebird code but we would not like to see a precedent created that might lead to a weakening of the regulation of game rearing in the future.</p> <p>We also feel, from the benefit of our experience making the journey in the opposite direction, as it were, that the Government would be making a bad mistake to weaken the regulation of the other livestock sectors. It is human nature not to follow unofficial guidance which has the implication of increased cost, whilst the sectors themselves will find it far harder to defend their activities without the statutory underpinning that their current Parliament-approved codes provides. A bit of Government bureaucracy every few years to keep these codes up to date is a price well worth paying to retain them and help our rural industries thrive.</p> <p>I have copied this to ██████, who was in charge at the time the Defra gamebird code was negotiated but I would be grateful if you would also copy it to others in Defra as necessary. I did discuss it briefly with the Secretary of State when he was on the Game Farmers' Association stand at the recent CLA Game Fair, so I have sent a copy also to ██████, his special adviser. I am also sending a copy to Andrew Large at the British Poultry Council, ██████ (Chief Poultry Adviser at the NFU) and to Stewart Houston, our sector representative on the Animal Health and Welfare Board for England. The GFA Chairman and Chair of our health and Welfare Committee are copied in too</p>							
32	BEIC: British egg Industry Council	<p>I write on behalf of the British Egg Industry Council (BEIC) in response to the Consultation on the reform of Farm Animal Welfare Codes.</p> <p>BEIC is fully supportive of the policy objective proposed in this review to ensure that guidance to farm animal keepers on how to comply with farm animal welfare legislation reflects both the latest scientific and veterinary knowledge and is presented in the most relevant way for animal keepers.</p> <p>We look forward to working with Defra in the roll out of the new Farm Welfare Codes.</p>							
33	BPA: British Poultry Council	<p>Introduction</p> <p>The British Poultry Council (BPC) is the UK trade association for the poultry meat sector, including breeding, farming and food processing aspects. Some 90% of the poultry meat eaten in the UK is produced by BPC members.</p> <p>Background</p> <p>The BPC agreed to a request from Defra to be the lead on drafting and issuing the new Guidance on the Regulatory Requirements for the Welfare of Meat Chickens and Breeding Chickens, in the context of a wider consultation by DEFRA on the principle of moving from Defra statutory codes to joint-industry/Defra non-statutory guidance. Our response to this consultation is therefore based solely on the desire for clarification of a number of the transitional issues that arise as a result of the change from a statutory code to a non-statutory jointly DEFRA and industry owned guidance.</p>							

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		<p>Issues Guidance is necessary The BPC is clear that authoritative and up to date welfare guidance is required, in order to both help those responsible for animal welfare meet their obligations, but also to provide confidence in the wider community that animal welfare issues are being properly managed within the requirements of the law.</p> <p>Industry can lead The BPC can be the lead on updating existing poultry statutory codes to provide clear practical guidance on the legal requirements for farmers and that doing so will make the guidance more responsive to changes in both legislation and farm practice and also enable more rapid updating of the guidance than is currently possible under the statutory regime.</p> <p>What does joint ownership mean? The BPC seeks clarification from the Government as to the real meaning of “joint ownership”. We are concerned that unless “joint ownership” is properly defined, and that the consequences of “joint ownership” are fully understood before any new guidance enters into force, then any new guidance may not meet the needs of industry, welfare groups or Government. 1. We seek clarity as to any legal liability to the BPC that might emerge from its role in the drafting of guidance. Under the “joint ownership” concept, who will be legally liable if at some future point the Courts decide that the guidance is not fully implementing the legal welfare position? 2. Will the non-statutory guidance be subject to judicial review?</p> <p>Drafting process for new guidance The BPC is concerned that the requirement for industry guidance drafters to “adequately reflect” the views of wider stakeholders will create unreasonable pressure for the guidance to go beyond the law and instead become an aspirational document that subsequently will be used to criticise those who farm animals. The process as described in the consultation document could create an incentive for welfare pressure groups to adopt an over prescriptive position in consultation, in the knowledge that the duty on the industry body to “adequately reflect” their views is likely to drive the guidance beyond the law. Related to this is the duty on the Government to review any proposed new guidance and also the Government’s power to ask guidance drafters to “reconsider their position”. The BPC seeks clarification from the Government on what this will mean in practice and how it will be administered. In particular, industry groups need more guidance on what constitutes “fully effective” guidance, especially the criteria on which the Government will decide if guidance is “fully effective” or not. As the proposed guidance will be jointly owned, the BPC considers that the criteria for it being “fully effective” should also be jointly owned and developed with industry.</p> <p>The BPC and industry would welcome the opportunity to work with FAWC on the review of the statutory codes as long as their recommendations are science based and of sound veterinary advise that do not go beyond the statutory requirements of the guidance.</p> <p>Legal Force The BPC is also concerned about the position of the non-statutory guidance in relation to Section 14 of the Animal Welfare Act 2006. In particular, Section 14 of the Act refers to “a code of practice under this section”. Will the new guidance that is jointly owned by industry and DEFRA be considered as a code of practice issued under Section 14 of the Animal Welfare Act 2006, in particular in terms of the advice to users of the guidance on the likely judicial and liability consequences of both compliance and non-compliance with the non-statutory guidance? If this is not the case, how will industry and other stakeholders be given certainty that compliance with the guidance will be sufficient to evidence compliance with the law.</p>							

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		<p>Next Steps The BPC looks forward to working with both DEFRA and other stakeholders to resolve these issues and ensure that effective guidance can be issued on a joint industry and Government basis.</p>							
34	<p>NPA: National Pig Association</p>	<p>In the pig industry, 92% of the pigs are produced to comprehensive Red Tractor assurance standards which are designed to monitor both statutory and non-statutory requirements, so we believe that members of this scheme are already adequately informed. Those that fall outside any assurance scheme however still need to be made aware of the legal requirements, and the responsibility for this should remain with Defra as the Competent Authority.</p>	<p>We believe that this should take the form of a partnership role between Defra and the industry in developing future guidance and interpretation of new legislation. Defra should still be responsible to ensure that relevant legislation is included in the codes and industry will want to ensure that the codes state what is required whilst restricting any opportunity for unnecessary gold plating. Any new guidance therefore would need to be agreed between Defra and industry before being incorporated into the existing standards document. We must also ensure that any new guidance continues to reflect that produced for government officials</p>	<p>Yes. FAWC are highly respected and sufficiently independent to ensure that any guidance developed is of high quality and relevant.</p>	<p>Yes. As the pig industry is already actively engaged in maintaining and updating the Red Tractor Assurance pig standards, we do not believe that the proposed reform would lead to any significant increase in costs since any new guidance would build on existing information already in place. This is of course subject to the fact that Defra would maintain overall responsibility for the codes.</p>	<p>We believe that compliance with legislation is already high for commercial pig producers in the UK as the majority are farm assured. Access to and knowledge of the codes is a current requirement. Specifically within the pig sector, an annual audit by an independent assessor and quarterly vet visits as a minimum to check compliance with the scheme standards ensures that welfare legislation is being strictly adhered to. There are also spot checks in place and several retailers will complete their own additional farm audits throughout the year. In addition to this there are also currently ad hoc RPA cross compliance, Trading Standards and AHVLA</p>	<p>If the codes are in place to reflect current welfare legislation and provide guidance on their interpretation there should be no issue. We will need to ensure that the interpretation of any new legislation is coherent between devolved bodies to ensure that there is no conflicting advice or information being distributed.</p>	<p>Non-conformance data from assurance schemes and inspection reports from regulatory bodies could be used to determine whether the new joint Defra and industry welfare codes were delivering an increase in compliance with legislation.</p>	<p>The National Pig Association (NPA) is the representative trade association for British commercial pig producers, is affiliated to the National Farmers Union (NFU) and represents the interests of NFU members that produce pigs. We welcome the opportunity to comment on the reform of Defra's farm animal welfare codes.</p>

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			(AHVLA, TS, RPA etc.) who will continue to visit and audit farms. The drafting role could be undertaken by the sector groups such as the Pig Health and Welfare Council which is already in existence and has a broad cross section of interests represented upon it.			welfare inspections. Defra funded research by the University of Warwick has shown that compliance with legislation is higher in farms that are assured ¹ . Defra and industry will need to ensure that producers who are not assured are aware and have access to the updated codes. As Assured Food Standards is currently in the process of updating and re-structuring their own standards into a more user friendly and logical format, we would encourage that revision of the Defra/Industry welfare codes is carried out in a similar format. This will ensure that farmers are clearer on what is required from them and therefore improve compliance.			
35	NFU: National Farmers Union	There are many different ways that animal keepers understand their	It is not appropriate for industry to lead the drafting, consultation and subsequent	The NFU has already stated that it does not support the evolution of the statutory codes	The NFU does not agree that the proposed reform of the codes will be neutral in	This is a very weak argument to try and justify Defra's preferred outcome.	The NFU does not support this proposal. The welfare codes	This question assumes that the reform proposal will be accepted – the NFU is	The NFU rejects this proposal in its entirety. The NFU has provided

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		<p>obligations, some such examples would be the Cross Compliance Statutory Management Requirements or the Red Tractor Farm Assurance Standards (or any other similar UK whole farm assurance standard). It is disingenuous to assume that animal keepers in England are reliant on the welfare codes as their sole source of information. It is commonly recognised that they are out of date so many farmers and their advisers, inspectors or assessors will go directly to the specific and appropriate piece of legislation for information rather than risk using a code that is</p>	<p>amendments for the animal welfare codes. These codes carry a regulatory element and therefore their updating and maintenance should remain a key function of Government.</p>	<p>to industry-led drafted guidance documents so providing an answer to this question becomes inappropriate, however, the NFU is minded to recollect FAWC's Terms of Reference (provided below) which would suggest a legitimate role for FAWC in providing advice to Defra on legislation relating to farm animal welfare.</p> <p>FAWC's terms of reference are: i) To provide independent, authoritative, impartial and timely advice, to Defra and the Devolved Administrations in Scotland and Wales on the welfare of farmed animals, including farmed animals on agricultural land, at market, in transit and at the place of killing; and on any</p>	<p>cost and monetary benefit to the livestock industry.</p> <p>It is impossible to estimate the cost burden of the proposals as Defra as failed to provide any explanation or comment through an impact assessment or cost benefit analysis.</p>	<p>There is no evidence or justification in making this assumption.</p>	<p>should remain the responsibility of Government and should be limited to reflecting the regulatory commitments facing animal keepers. Reforming the codes as proposed will present English farmers with real risks of inconsistency of approach, gold plating and market disadvantage, both within UK and the rest of Europe.</p> <p>There is no easy mechanism for Industry to take on this responsibility in a way that would fulfil the statutory requirements.</p>	<p>opposed to this proposal.</p> <p>Setting up post implementation reviews is a function that Government is best placed to comment on.</p>	<p>specific answers to the consultation questions later in this response but feels compelled to make some general points first:</p> <ul style="list-style-type: none"> • The codes do carry a legal weight and purpose, and therefore Defra, as the competent authority, is best placed to maintain the updating and upkeep of the codes. • The NFU disagrees that this would be an insignificant issue and undertaking for the industry. The NFU believes that Defra's comment that the monetary impact on the livestock industry of taking on this responsibility would be neutral, is unfounded, and we are disappointed therefore that no attempt at providing an impact assessment has been made. Any activity which takes a

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		potentially wrong.		<p>legislative or other changes that might be considered necessary to improve standards of animal welfare; and</p> <p>ii) To provide independent scientific support and advice as required by Article 20 of Council Regulation (EC) No.1099/2009 on the protection of animals at the time of killing.”</p>					<p>‘significant amount of time’ as admitted in the consultation text, will carry a cost, as will the reviewing and audit process suggested in the consultation. For this to be seen as anything other than a cynical transfer of cost, a full and proper dialogue is needed with Industry to work out how to proceed.</p> <p>• ‘Industry’ is not one amorphous Body, it is a collective. Whilst it is gratifying that Defra acknowledge that some sectors (poultry, pig, cattle and sheep) may be able to coordinate the drafting of guidance documents, it cannot be seen as working within the spirit of the Macdonald Review for Defra to effectively imply that it would be too much of an undertaking for them to update documents</p>

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									<p>that are in some cases 20 years out of date, so Industry can do it. This is not a genuine effort to share responsibility.</p> <ul style="list-style-type: none"> • The NFU is willing to work with Defra in a genuine partnership approach where a particular problem has been identified and a cost effective solution must be found. The NFU believes this to be such an example, and therefore offers to work with Defra to explore ways in which the codes can be brought up to date, and then maintained as documents that are fit for purpose, but which remain the responsibility of Government as appropriate to their legal status and use. • Defra's arguments and comments around the legal use and recognition of industry

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									<p>led guidance are contradictory, confused and apparently based on assumption. This needs further exploration and clarity before such fundamental changes to structure and status are implemented.</p> <ul style="list-style-type: none"> The welfare codes should not evolve into a gold-plating mechanism that 'voluntarily' imposes additional welfare demands on the industry, with little recognition of when the guidance steps beyond the legal requirements. Their core function of laying out a clear explanation of regulation is needed, and should remain the function and focus of the codes. Introducing welfare aspirations within this format will result in confusion and market disadvantage

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									for the English farming sector.
36	Sheep Veterinary Association	We believe that industry-led drafted non-statutory guidance may be the most appropriate way that animal keepers understand what is required. The codes should include an evidence base where possible and use qualitative as well as quantitative assessments to support their recommendations. They will only work if there is clear guidance on the acceptable levels of welfare and the deviations from this are clearly defined. This must be supported by an evidence base which is not currently available indicating that further research on endemic disease is necessary and	We are concerned with what is meant by 'industry'. We have assumed that 'industry' refers to all 'bodies' or 'stakeholders' outside Government who have an interest in this. Of course, 'industry' actually encompasses a huge range of interests from farmers through processor and retailers (whom may see commercial opportunity in this but are unlikely to work together or altruistically). We consider that the sector councils would be appropriate organisations to take the lead in drafting non-statutory guidance as they already have good representation across industry. For sheep, it would be appropriate to use SHAWG involvement with its	FAWC should be involved in reviewing the content but not be the sole quality controllers. Ideally, alongside the drafting group, there should be a 'road test' panel set up at the outset to measure applicability, usability and eventual uptake (see Q7). This would include all parts of the supply chain & welfare expertise and detail would depend on the species. For sheep, it would be appropriate to again use SHAWG involvement.	Costs - It would be naive to assume that there is not a cost involved in the proposed reform of the codes. Currently the levy board funds SHAWG and it may be appropriate for further funding from EBLEX specifically for this purpose. (Estimated cost for 3 experts each working 30 days = £36000) Benefit - this could work in favour of meat eating if done well and encourages consumers to think of British meat production as synonymous with good animal welfare – this also supports the proposal that funding should come from levy boards.	We do agree that this reform, if done well, provides a real opportunity to improve their compliance and their impact as a positive force for animal welfare. With appropriate industry involvement, welfare can quite correctly be aligned with economics (profit) which means that the animals and the whole supply chain benefits.	The code must be UK wide in its remit and if it is not then we should refrain from further involvement on the grounds that it will make a laughing stock of the industry and the law and be ethically unacceptable to our producers and to our consumers.	The ability to measure the outcomes & impact must be considered at the drafting stage and ideally involve 'customer' panels (ie. all levels of supply chain). (See Q3) above.	

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		<p>should be commissioned.</p> <p>To be effective, there must be a proper use of enforcement and suitable guidance for the use of the various penalties available for non-compliance including an appraisal of cross compliance and support funding.</p>	<p>representation from SVS, NSA, FAWC, RSPCA, NFU, NOAH, AHDA, Red Tractor, Farm Assurance & EBLEX.</p> <p>SVS would like to propose that a small subgroup of SHAWG (lead jointly by SVS & NSA) develops this concept and then puts it out to consultation for a limited period to all members of SHAWG before submitting it to FAWC.</p>						
37	TSI: Trading Standards Institute (Essex)	<p>The welfare codes of practice are used by enforcement bodies, particularly local authorities throughout England, to determine levels of 'good practice' as required under Section 9 of the Animal Welfare Act 2006.</p> <p>It is recognised that there are significant advantages in the industry taking the lead in drafting</p>	<p>TSI considers that it is appropriate for industry to draft the guidance and make any relevant amendments. TSI is of the opinion, however, that there is a need for Government to ensure that (a) the guidance is fit for purpose, (b) consultation reaches all interested parties, including regulators, and (c) it endorses any guidance produced. A failure to</p>	<p>TSI considers that review of industry led guidance should be made by FAWC and a national body with enforcement experience to ensure that the codes reflect both industry and regulator needs and are accurate in their content.</p> <p>TSI considers that such validation procedures by two independent bodies will support</p>	<p>TSI has no comment.</p>	<p>TSI considers that any reform of the existing farm animal welfare codes will likely improve compliance due to the present codes of practice being out-dated. We suggest that consideration is given to producing the guidance in different languages to ensure that minority groups involved in the keeping of livestock are fully aware of their</p>	<p>Relevant consideration needs to be given to ensuring enforcement measures and tools are not compromised with the shift to industry led guidance.</p>	<p>TSI has no comment.</p>	

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		<p>guidance. However, it is felt that, for enforcement purposes, particularly to support in a court of law any allegations of offences (i.e. that there has been a failure to follow 'good practice'), the guidance must be endorsed by the Government as being fit for purpose, detailing the standards required for 'good practice', and official recognition given that the guidance meets the approval of Government / the regulator. TSI is concerned that, without controls on approval / endorsement by Government, multiple publications may be placed in circulation from various industry leaders which may lead to inaccurate or</p>	<p>endorse / approve any guidance produced may lead to multiple publications from various industry sectors with potentially biased opinions and conflicting advice given to animal keepers. Comprehensive quality standards checks on the appropriateness of the codes should be made by FAWC and a national body with enforcement experience to ensure that the codes reflect both industry and regulator needs and are accurate in their content. Such validation procedures by two independent bodies will support endorsement by Government to any industry led guidance, thus ensuring that the guidance produced is jointly owned by all interested parties.</p>	<p>endorsement by Government to any industry led guidance. Such measures should be considered to ensure quality in the short, medium and long term to ensure that relevant guidance is future –proofed as fit for purpose.</p>		<p>legal responsibilities.</p> <p>With a partnership between industry and Government there may be an increased buy in from certain animal keepers to engage and comply with the codes; however, it is considered that this may be offset by other animal keepers not following the guidance due to it no longer being statutory.</p>			

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		conflicting advice being given and a lack of clarity on what the expected standards are. This, in turn, is likely to confuse animal keepers and compromise enforcement. TSI considers that, as per the current statutory codes of practice, there should be one set of Government endorsed guidance per species which is the definitive standard for 'good practice'.							
38	BVA: British Veterinary Association	1. While we agree that industry involvement in drafting guidance on welfare codes could be beneficial, we are concerned that there is a risk they may not be closely followed or are regarded as irrelevant by both farmers and those enforcing the law.	1. In our view, whether this industry led approach is appropriate or not, depends on what is meant by 'the industry'. Further clarification and information as to exactly what this term relates to would be welcomed before any decisions are made about the new system.	1. We are pleased to note that it is stated at Para 33 of the consultation document that: 'Quality assurance processes will be put in place (see paragraph 19) to ensure that guidance remains fit for purpose and standards of welfare are upheld with an emphasis on increasing compliance	No answer	1. We would tend to agree that it seems logical if the codes are written and presented in a way their audience will understand and appreciate, then the farming industry is more likely to adopt the codes and comply with the legislation. At the same time, this must be balanced by	1. As acknowledged in the consultation document, vet officers – and we would suggest all veterinary surgeons working on farms - will need to take the time to make sure they are aware of and understand the new welfare codes. A publicity scheme will also be required to ensure all the relevant	1. We support the notion of a post implementation review to assess the impact of the changes. It is assumed that the relevant stakeholders, including the BVA will be consulted. 2. We also note that the consultation document states the review 'will include an	<ul style="list-style-type: none"> • The British Veterinary Association (BVA) welcomes the opportunity to provide comments on the Defra consultation on the reform of farm animal welfare codes. • The British Veterinary Association (BVA) is the national representative body for the veterinary

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		<p>As stated above in paragraph three, we have concerns about moving to non-statutory guidance and how it will be perceived, adhered to and used.</p> <p>2. Could you clarify whether the Welfare of Farmed Animals (England) Regulations 2007 would be amended and there would no longer be a legal liability for not meeting the requirements set out in the new non-statutory codes?</p> <p>3. If this is the case, then at the very least, the guidance could be highlighted when someone initially registers as a keeper or it could be incorporated as a condition of an existing farm licensing or</p>	<p>2. Ideally, an industry group should include experienced veterinarians, farmers, animal welfare scientists (with knowledge of the relevant species), industry bodies and perhaps representatives of other groups such as consumers. An appropriate balanced and proportionate welfare perspective would need to be maintained and steps should be taken to ensure that the group is not dominated by any individuals or organisations, for example, who are primarily concerned with market forces or financial returns and who may consequently be tempted to lower welfare standards in order to reduce costs. Conversely, it would not be beneficial to</p>	<p>by making it clear to farmers what is required of them. There will be no weakening of the standards of farm animal welfare set out in current codes'. In addition, at Para 20, it is stated that: 'The Government will not repeal an existing code until it is content that any new guidance will be fully effective.' And at Para 18: 'Any guidance drafted by an industry body in order to replace a statutory code would need public consultation and full consideration in the light of representations received – including from the independent farm animal welfare advisory body, the Farm Animal Welfare Committee (FAWC). Only then would Defra consider replacing an existing statutory code with new non-statutory guidance. Government</p>		<p>having a robust system is in place to ensure the intention and content of the codes are even handed and objective, as well as accurately reflecting the legislation.</p> <p>2. While the input of industry should help to ensure the guidance is realistic, appropriate controls will certainly be needed, as those subject to the guidance will be directly engaged in writing it.</p> <p>3. It should be noted that switching to a guidance and industry-led approach can result in reduced compliance levels and confusion around responsibilities and roles. This transpired when the bio-security requirements in the Animal Gatherings Order (previously enforced by local</p>	<p>stakeholders know about the new guidance.</p> <p>2. In terms of potential differences in policy within the UK, if England has substantially different welfare codes to rest of UK there could be a danger of being perceived as contradictory or uncoordinated. It could also create significant difficulties for enforcement or providing veterinary advice in border areas, when trying to justify different policies – particularly if one set of guidance has been generated through industry and another has not.</p>	<p>analysis of the extent to which the move from a statutory underpinning has had any impact on the weight courts accord the welfare codes when prosecutions are being sought'. This seems a reasonable proposal, however, the success of regulation does not just relate to prosecutions. Other factors could be considered, such as the number of verbal and written warnings provided by local authorities and AHVLA, as well as direct feedback from vets, enforcement authorities and farmers and those on the ground.</p>	<p>profession in the United Kingdom and has over 13,000 members. Its primary aim is to protect and promote the interests of the veterinary profession in this country, and it therefore takes a keen interest in all issues affecting the veterinary profession, be they animal health, animal welfare, public health, regulatory issues or employment concerns. This response has prepared with particular involvement from the BVA's Ethics and Welfare Group.</p> <p>• We broadly agree with the proposed industry led approach, providing appropriate controls and arrangements are in place to ensure quality control and an emphasis on animal welfare. However, we believe there will be implications as a result</p>

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		inspection scheme.	<p>include those who are dedicated to single issues.</p> <p>3. We would suggest that at some point in the future when the relevant sector councils are better established, they could undertake the responsibility for maintaining the welfare codes, since these groups comprise much of the applicable representation.</p> <p>4. Providing the composition of the group is as fair and impartial as possible (as described above) and there are appropriate measures agreed for checking and adjusting the codes, then the proposed approach would be acceptable. We recognise that this would reflect the government's current policy of responsibility sharing and the</p>	<p>would need to be convinced that the proposals fully met statutory requirements before any such change was made.'</p> <p>2. Providing these checks are in place, we consider it would be acceptable for industry led groups – supported and facilitated by government - to generate initial new drafts of welfare codes, followed by a full public consultation. We would also support the concept of FAWC being responsible for reviewing subsequent updates of the guidance.</p>		<p>authority officers) were removed from the new version of the Order and placed in separate guidance agreed by the industry and government. As part of their licence conditions, the market, show and sale operators were made ultimately responsible for ensuring the general bio-security standards set out in the guidance were met, along with the people attending the gathering.</p> <p>4. This placed the operators in a difficult position, since they wished to make a profit and retain customers, making it problematic for them to turn people away for breaching the bio-security requirements. Therefore they preferred to continue to rely on the local authority officers to enforce the guidance,</p>			<p>of moving to non-statutory guidance, particularly in relation to the message conveyed to stakeholders by this change and the value attached to the welfare codes by government. With the absence of a legal liability, the guidance is likely to be difficult to enforce or refer to in court.</p> <ul style="list-style-type: none"> • We also consider that from the outset, the meaning of the term 'industry' must be clearly defined. • The BVA believes that in many cases the burden of statutory regulation is outweighed by its benefits, particularly in the cases of animal welfare and disease control. So we recommend that Defra takes a cautious approach towards deregulation.

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			<p>recommendations set out by the MacDonald Taskforce.</p> <p>5. We note that the consultation document puts forward an option for the industry led group to 'propose initial draft guidance that was then reviewed, consulted on and amended by Government (in consultation with the industry and other stakeholders), in order to ensure that all interests were fully reflected and to avoid any concerns that the industry has too much control over the process.' That seems a reasonable approach, assuming that the BVA would be one of the bodies involved in scrutinising drafts.</p> <p>6. Therefore the BVA supports a development process which would allow for</p>			<p>though officially it was no longer directly part of the legislation which they were responsible for. Therefore this move to industry-led guidance proved fairly ineffective and offered no real improvement.</p> <p>5. Defra should work towards guidance that is practical for both farming and enforcement communities and which accurately reflects the current legislation. This will be important in ensuring that the vast majority of farmers are able to comply with the legislation and enforcement can be focused on deliberate and persistent non-compliance.</p>			<p>BVA response to consultation questions;</p> <ul style="list-style-type: none"> • BVA believes the veterinary profession has a responsibility to take active steps to safeguard animal welfare, so supports initiatives which improve and protect animal welfare. Therefore, we welcome the proposal to update the farm animal welfare codes so their intended audience finds them reasonable, practical and easy to understand; as in turn this may well promote high welfare standards on farm and increasing compliance. • From a veterinary perspective, we consider that the key questions relate to the roles of government, industry and FAWC.

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			<p>the task to be undertaken or completed by another body, such as the government, should it be judged that the industry group had proven unable to undertake the task satisfactorily. We also propose that the government should take on the role of reviewing, approving and supporting the composition and chair of each working group. There is a clear role for government in developing this proposed guidance and they must take on some of the responsibility.</p> <p>7. We recognise that a similar approach has recently been taken as part of Defra's review of minor procedures project carried out by non-veterinarians. This has looked to involve industry taking a lead as part of</p>						<p>Conclusions:</p> <p>1. It is recognised that in the current economic and political climate, the farming industry's role in developing animal welfare policy is likely to grow in the future, therefore it is hoped that this can be achieved impartially and successfully. While lessons should be learned from previous experiences of introducing non-statutory guidance led by industry and government should keep a watchful eye over proceedings to ensure the system is fair and effective. They should be ready to step in if the guidance drafting process is not working or if the non-statutory approach has a negative impact on compliance.</p> <p>2. Once the definition of 'industry' has been clearly defined, there</p>

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			various working groups which is to be generally welcomed, yet the relatively high level of commitment required from the participating groups could prohibit participation. This experience should be borne in mind.						appears to be a good chance that welfare compliance levels could benefit from the involvement of industry and the ability to keep the guidance up to date. 3. Today it is increasingly understood that good welfare leads to better productivity and monetary returns, and so welfare should be at the heart of everything those involved in farming do as it is in everyone's interest.
39	BCVA: British Cattle Veterinary Association	The most important factor is communication with and knowledge transfer to the keepers so they a) know what is required and b) understand the reasons.	Yes, as long as all parties are involved and the (EU) legislation is followed (government to have final decision)	Yes, providing the BVA and specialist sub divisions are also involved.	Probably	Yes (see Q1). Keepers are probably more likely to accept changes etc if it is endorsed by their contemporaries.	Not yet. Depending on the policy differences between the different devolved agencies. Potential for confusion around the borders with regards to minor issues (assuming the majority of the code will be very similar)	Headed by government and involving the stakeholders. Initially by observing (government or AHVLA) that the working group is able to represent all the stakeholders and can produce a good document. Followed by evaluation of the compliance before and	

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40	NAHWP: National Animal Health and Welfare Panel	<p>The welfare codes of practice are used by enforcement bodies, particularly local authorities throughout England to determine levels of 'Good Practice' as required under Section 9 of the Animal Welfare Act 2006.</p> <p>It is recognised that there are significant advantages in the industry taking the lead in drafting guidance however it is felt that for enforcement purposes, particularly to support any offences that may be alleged in a court of law that there has been a failure to follow 'good practice', the guidance must be endorsed by government as being fit for purpose,</p>	<p>It is considered that it is appropriate for industry to draft the guidance and make any relevant amendments; however it is felt that there is a need for Government to ensure that the guidance is fit for purpose and that consultation reaches all interested parties, including regulators and to endorse any guidance produced. A failure to endorse / approve guidance produce may lead to multiple publications from various industry sectors with potentially biased opinions and conflicting advice given to animal keepers.</p> <p>It is considered that comprehensive quality standards checks on the appropriateness of the codes should be made by FAWC and a national body with</p>	<p>It is considered that review of industry led guidance should be made by FAWC and a national body with enforcement experience to ensure that the codes reflect both industry and regulators needs and are accurate in their content.</p> <p>It is considered that such validation procedures by two independent bodies will support endorsement by Government to any industry led guidance. It is considered that such measures should be considered to ensure quality in the short, medium and long term to ensure that relevant guidance is future –proofed as fit for purpose.</p>	No comments	<p>It is considered that any reform of the existing farm animal welfare codes will likely improve compliance due to the present codes of practice being out-dated. It is suggested that consideration is given to producing the guidance in different languages to ensure that minority groups involved in the keeping of livestock are fully aware of their legal responsibilities.</p> <p>With a partnership between industry and Government there may be an increased buy in from certain animal keepers to engage and comply with the codes; however it is considered that this may be offset by other animal keepers not following the guidance due to it no longer being statutory.</p>	It is suggested that relevant consideration needs to be given to ensuring enforcement measures and tools are not compromised with the shift to industry led guidance.	after implementation. No Comments	The well established National Animal Health & Welfare Panel has representatives from each English region, who are experts in animal health and welfare enforcement. The National Panel advises central and local government on national animal health and welfare policies, legislation and guidance.

	Organisation / individual responder	Q1. Are there alternative ways of ensuring that animal keepers understand what is required of them other than moving to industry-led drafted non-statutory guidance?	Q2. Is it appropriate for industry to lead the drafting, consultation and subsequent amendments or is a stronger role for Government needed?	Q3. Is asking FAWC to review the content of industry-led drafted guidance documents sufficient to quality assure guidance in the short, medium and long term? If not, how can this be better achieved?	Q4. Do you agree that the proposed reform of the codes will be neutral in cost and monetary benefits to the livestock industry? If not, what is your estimate of the expected costs and/or benefits?	Q5. Do you agree that reform of the farm animal welfare codes is likely to improve compliance with existing legislation because it will be easier to understand and have increased industry buy-in? If not, provide details of your reasoning.	Q6. Is there any evidence for other impacts of the proposed change not considered in this consultation, including the potential differences in policy within the UK?	Q7. How best could a post implementation review of the reform of farm animal welfare codes be carried out?	Additional comments submitted in the response
		<p>detailing the standards required for 'good practice' and official recognition given that the guidance meets the approval of Government / the regulator.</p> <p>Concern is raised that without controls on approval / endorsement by Government, multiple publications may be placed in circulation from various industry leaders which may lead to inaccurate or conflicting advice being given and a lack of clarity on what the expected standards are, which, in turn is likely to confuse animal keepers and compromise enforcement. As per the current statutory codes of practice, it is considered that</p>	<p>enforcement experience to ensure that the codes reflect both industry and regulators needs and are accurate in their content. It is considered that such validation procedures by two independent bodies will support endorsement by Government to any industry led guidance, thus ensuring that guidance produced is jointly owned by all interested parties.</p> <p>It is appropriate or industry to lead the drafting, consultation and any subsequent amendments. This initiative should ensure a high percentage of industry "buy in" and prevent a pletherer of different small groups publishing their own Codes.</p> <p>To avoid such duplication</p>						

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		there should be one set of Government endorsed guidance per species which is the definitive standard for 'good practice'.	Government must take ownership of how the Codes are to be compiled by industry so that the codes are fit for purpose upon completion and not undermined by "other" codes published by independent groups.						

Endorsements to responses submitted

41	Sustain	I have read Compassion In World Farming's response and would like to add the Campaign's endorsement for it. (see response number 21)
42	Soil Association	Rather than submitting our own response we would like to lend our support to the response submitted by the University of Bristol. (see response number 2: Animal Welfare and Behaviour Group)