

**RESPONSE TO DEFRA CALL FOR EVIDENCE RE:
CCTV IN SLAUGHTERHOUSES POST-IMPLEMENTATION REVIEW**

Submitted by
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1. Introduction

Animal Equality welcomes the opportunity to provide evidence regarding the review of The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018.¹ We extend our thanks to the Department of Environment, Food and Rural Affairs (Defra) for involving Animal Equality in this important process.

As you will be aware from our involvement in other consultations, Animal Equality is a leading international animal protection organisation working with society, corporations and governments to enact meaningful changes for farmed animals. Widely recognised for our investigations into intensive animal farms and slaughterhouses, our exposés receive high-profile media attention, with exclusive coverage in The Times, The Independent, Sky News, BBC News, Talk TV and more, reaching millions of people each year.

We welcome the implementation of The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 and recognise this as a critical step to improve the protection of those animals currently used within the animal agriculture industries. Animals are the most vulnerable to experiencing extreme and prolonged suffering during the time of killing, therefore, it is our duty to do all we can to minimise their inevitable suffering during this time.

Every year in the UK approximately 2.6 million cattle, 10 million pigs, 14.5 million sheep and lambs, 80 million farmed fish and 950 million birds are slaughtered for human consumption.² There are strict legal requirements governing how to conduct the killing under The Welfare at Time of Killing (England) Regulations 2015,³ The Welfare at Time of Killing (Scotland) Regulations 2012,⁴ The Welfare at Time of Killing (Wales) Regulations 2014⁵ and The Welfare at Time of Killing (Northern Ireland) Regulations 2012.⁶

Despite legal requirements in place to offer animals some protection during this time, investigations from Animal Equality and others have shown illegal, extreme, avoidable and prolonged suffering taking place at the time of killing. Evidence of animal suffering and non-compliance with animal laws has also been obtained both before and after CCTV was made mandatory in slaughterhouses across England in May 2018.

With this in mind, there are critical components of The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 that are not meeting the original

¹ <https://www.legislation.gov.uk/ukxi/2018/556/regulation/15/made>

² <https://www.hsa.org.uk/faqs/general>

³ <https://www.legislation.gov.uk/ukxi/2015/1782/contents/made>

⁴ <https://www.legislation.gov.uk/ssi/2012/321/contents/made>

⁵ <https://www.legislation.gov.uk/wsi/2014/951/contents/made>

⁶ <https://www.legislation.gov.uk/nisr/2014/107/contents/made>

objective of improving overall animal welfare. More must be done to ensure that this legislation is meeting its original intention.

Further, we cannot ignore the need for this legislation to be extended to include other facilities where extreme animal cruelty is currently taking place, such as in fish slaughterhouses.

Incorporating advice from leading experts in the fields of animal protection and law, our response lays out the next steps that must be taken to ensure that The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 meets its intended purpose and reaches its potential in eliminating some of the worst abuses for animals in the UK. With the UK often considered a leader in animal welfare, taking on board this evidence is essential to maximising the extent to which animals are protected by this legislation in practice.

2. The extent to which the regulations have achieved their objectives, as set out in the Original Impact Assessment

In the section titled, 'What are the policy objectives and intended effects?' of the Original Impact Assessment, it states, '*The policy objective and intended effects are to improve animal welfare in slaughterhouses and provide assurance that all slaughterhouses are operating to high welfare standards.*'

According to our understanding, improved welfare and high standards would encompass the below, non-exhaustive criteria:

- Compliance with laws, whereby animals are adequately stunned;
- Workers who do not abuse or neglect the animals;
- Minimised animal suffering, agitation and stress through handling and husbandry;
- Providing adequate space and ventilation for the animals;
- High-functioning equipment;
- Highly trained workers who know when to pause activities if and when issues arise.

Since The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 was implemented into law in May 2018, there have been investigations in slaughterhouses that show a multitude of issues, including violent handling, malfunctioning equipment, poorly-trained workers and clear agitation among animals. The poor animal welfare standards evidenced across a range of animal species suggests that the legal requirement for CCTV to be installed in slaughterhouses, and the way in which this legislation is overseen and enforced, is not going far enough. Below, we provide evidence to this by looking at some of the findings from undercover investigations.

The below also provides answers to the following suggested questions:

1. *Has requiring CCTV in all slaughterhouses led to benefits in animal welfare?*

2. *Has requiring CCTV in all slaughterhouses helped provide assurance that all slaughterhouses are operating to high welfare standards?*
3. *Has there been a reduction in animal welfare issues since introducing mandatory CCTV in all slaughterhouses?*

a) Failures with the current CCTV system

In a recent report⁷ published by Animal Equality and The Animal Law Foundation, and presented in Parliament in late 2022, it was revealed that non-compliance with animal protection laws is widespread in animal agriculture facilities across the UK.

During all of the 65 undercover investigations contained within the report, some form of illegal activity, prolonged suffering and/or substandard practices were found on every occasion. Despite this, nearly three-quarters of crimes identified during the investigations were reported and saw no formal enforcement action taken. The collection of exposés include 12 investigations into slaughterhouses showing animals being live-plucked, routine equipment failures, left to suffocate, piglets being thrown into boiling water without checks for vital signs and other violations. Despite this, one-third of cases resulted in no formal action being taken.

In September 2020, after The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 had been implemented into law, Animal Justice Project filmed inside a duck slaughterhouse,⁸ where CCTV was operating. The footage gathered shows ducks being shackled in a rough manner causing distress and panic to the ducks. Birds were left hanging for over 10 minutes. Ducks were also filmed being grabbed and dragged by their necks. In addition, the shackle line had two sharp bends and a drop, which can cause irregular movements that can increase the force the shackles exert on the legs of the animals, almost definitely causing avoidable pain and distress.

Further, in 2019, Animal Equality carried out an investigation into a Farmers Fresh Wales slaughterhouse in North Wales. Extreme animal suffering was documented, including small and emaciated sheep falling through a gap in a conveyor system, which was used to move sheep to different parts of the slaughter operation, while others were filmed becoming painfully jammed in the machinery and were left to hang in mid-air, before being killed. Not only does this demonstrate extremely poor animal welfare, this slaughter was, in our view, outside of the standard legal requirements.

Most of the suffering documented in this investigation took place in the presence of an official Food Standards Agency (FSA) inspector. This is especially concerning as the FSA representative was present since the organisation had already been notified of cruelty taking

⁷ https://animalequality.org.uk/app/uploads/2022/10/Report_The-Enforcement-Problem-in-the-UK.pdf

⁸

<https://sentientmedia.org/what-a-secret-investigation-into-uks-largest-duck-slaughterhouse-reveals-about-the-industry/>

place on the site - cruelty that had been discovered through another investigation at this same slaughterhouse.

The previous claims of animal abuse were submitted by another animal protection charity, Animal Aid, which exposed images of gross staff incompetence and significant animal abuse.⁹ Animal Aid's undercover exposé, filmed earlier in 2019, also after CCTV in slaughterhouses was a legal requirement, prompted the launch of a criminal investigation by the FSA, which was still ongoing at the time Animal Equality conducted its undercover investigation. Despite this ongoing criminal probe – and with an FSA inspector present to witness many issues first-hand – Animal Equality found further evidence of welfare breaches just weeks and months later.

As a result of these findings, Animal Equality urged the FSA to correct worker misconduct, mandate changes to the non-compliant equipment, and take disciplinary action against the FSA inspector and Official Veterinarian who were present during some of the violations. A criminal investigation is underway, but at the time of writing - three years on - no prosecution has been brought.

Data from the FSA shows that Farmers Fresh has also been listed twice in 2022 in the FSA's welfare at slaughter reports under 'Improvement necessary', showing that this is an ongoing issue¹⁰.

The extreme cruelty found in these investigations are evidence to show that, in its current form, The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 is not meeting its intended objective of *'improv(ing) animal welfare in slaughterhouses and provid(ing) assurance that all slaughterhouses are operating to high welfare standards.'*

Further to poor animal welfare, we would argue that instances such as those documented have also led to non-compliance with other existing animal protection laws including the Animal Welfare Act 2006 and The Welfare at Time of Killing Regulations. These observed illegalities occurred, despite CCTV being in place.

b) The need to extend mandatory CCTV to fish slaughterhouses

When considering whether there has been a meaningful improvement in animal welfare since introducing mandatory CCTV in all slaughterhouses, it is also important to consider farmed fish, given that up to 25 million trout and 52 million salmon are raised and slaughtered in the UK each year, making them the second most farmed vertebrate in the UK after chickens.¹¹ Farmed

⁹ <https://www.animalaid.org.uk/malik-slaughterhouse-investigation/>

¹⁰

<https://www.data.gov.uk/dataset/92ee0c84-d680-400c-a560-94a3a1a100a6/animal-welfare-enforcement-non-compliance>

¹¹ <https://thehumaneleague.org.uk/article/how-long-do-fish-live>

fish are not currently included in The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018; we encourage Defra to seriously reconsider this.

In February 2021, Animal Equality released an undercover investigation into a slaughterhouse run by The Scottish Salmon Company.¹² This investigation evidenced failure to stun, or adequately stun, fish before slaughter. Failure to stun is a primary cause of prolonged suffering for fish at the time of killing - leaving them in pain for many minutes before they eventually lose consciousness. [REDACTED] explains the consequences a lack of sufficient oversight can have for aquatic animals below.

“Had Animal Equality not carried out an investigation into the industry, I very much doubt the suffering of these particular aquatic animals would have ever come to light.”

Specific, meaningful legislation is a critical part of the puzzle and equally so is heightened enforcement and oversight.”

- [REDACTED]

The following are critical laws that must be implemented for farmed fish:

- Species-specific Welfare At Time Of Killing (WATOK) regulations;
- Ensuring successful stunning prior to slaughter;
- Regular welfare inspections (both announced and unannounced), paired with mandatory CCTV in fish slaughterhouses.

These are essential components to ensure that fish are, in practice, receiving at the very least the basic level of welfare they are owed in legislation. This must be a priority in order to eliminate some of the most extreme suffering of fish that is no doubt currently taking place.

With this lack of legal oversight, farmed fish are currently being left to experience extreme suffering, for prolonged periods of time. There is no reason as to why farmed fish should not be included in The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018, given the overwhelming scientific consensus that they feel pain and can suffer. This has been confirmed by the implementation of the Animal Welfare (Sentience) Act 2022¹³ which gained Royal Assent in May 2022 and, alongside vertebrates, includes decapod crustaceans (such as crabs, lobsters and prawns) and cephalopod molluscs (such as octopus and squid).

c) Conclusion

¹² <https://animalequality.org.uk/act/scottish-salmon>

¹³ <https://www.legislation.gov.uk/ukpga/2022/22/enacted>

When considering the extent to which The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 is meeting its intended objective of improving animal welfare, we cannot ignore this current lack of enforcement and therefore non-compliance with animal protection laws, which is resulting in poor welfare and extreme suffering.

The legal requirement for CCTV in slaughterhouses is a tool to start addressing this, but this must be partnered with much stronger overall monitoring in slaughterhouses and factory farms, as well as better enforcement when non-compliance with animal protection laws is documented, in order to improve animal welfare overall in practice.

Although the implementation of The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 is an important step forward for animal welfare in theory, it is essential that more is done in order to improve animal welfare in practice.

The evidence given in this request for evidence shows that:

1. Extreme animal cruelty and non-compliance with other animal protection laws has taken place since the implementation of The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018;
2. Stronger enforcement of the legal requirement for CCTV is needed, as well as regular inspections in order to paint a clearer picture of the level of compliance with animal protection laws;
3. Widespread animal suffering is still taking place in fish slaughterhouses, and the legal requirement for CCTV should be extended to include fish slaughterhouses to address this.

3. Any unexpected consequences, positive or negative, that your organisation has perceived

Our answer to Section 4 has been contributed by [REDACTED].

a) CCTV and welfare prosecutions

'CCTV cannot replace direct oversight by slaughterhouse staff, Animal Welfare Officers and Official Vets along with proper supervision and sanctions for non-compliance. It can improve the efficiency of monitoring and enforcement activity with associated animal welfare benefits albeit retrospectively and/or by way of acting as a deterrent. However, only 10% of slaughterhouse non-compliances are identified either by live or retrospective CCTV viewing – this correlates

with my experience, that in fact the number of referrals for prosecution or prosecutions for animal abuse hasn't drastically changed i.e. gone down.

Review of footage was pre-determined to be 'intermittent, selective and periodic' by the government, which reduces the value of the footage for deterring animal welfare offences. Without routine auditing of footage, compliance with animal welfare standards isn't always taken as seriously. The better the auditing of footage, the more likely prosecution or action will flow and the more likely the amount of misconduct will decrease. I hope that this review will involve analysing empirical data on whether CCTV does deter animal welfare violations in the UK, because on the front line things haven't drastically changed. There is some evidence on CCTV (in general crime), having a reduction on certain offences, but this is very much setting dependent and usually involves situations where there is a combination of deterrents i.e. security officers or ANPR. CCTV does appear to have been of some use in training and improving processes however from a H&S/FSA perspective.

There are also ways to obfuscate the remit of the CCTV requirement. The regulations capture "killing" and 'related operations'. Under Article 2(1) of the EU Regs this means operations such as handling, lairaging, restraining, stunning and bleeding of animals taking place in the context and at the location where they are to be killed. The slaughterhouse only represents a very small proportion of an animal's life – it does not therefore include where they are kept prior and will not capture any abuse that occurs prior.

Quality of footage is also important. The CCTV system should produce as close to real time recordings as practically possible (recommended minimum 15 frames per second) – but this is not compulsory. The CCTV Regulations do not define CCTV system requirements, there is merely reference in the guidance to the 'British Standards' which attention should be paid to. More could be done to impose specific criteria, rather than leave this as an issue to address retrospectively by way of an enforcement notice.'

b) Retention

'The rules only require slaughterhouses to install and operate a CCTV system, keep CCTV images for 90 days, and make the images available to inspectors.

Firstly, 90 days is insufficient for retention. Frankly, as is seen in all types of prosecutions, there are often numerous problems caused by the non-retention of CCTV even where it is only summary offences that are involved – this works both ways, for the prosecution and defence. A prosecutor usually has six months from the date of a summary only offence to lay an information. Investigations/prosecutions do not always get underway as of the date of any offence. Where the AWA 2006 is engaged there is scope to lay within 3 years from date of offence, albeit within six months from point of sufficient knowledge to prosecute. Other statutes,

such as WATOK, have a similar provision to the AWA. Other statutes involve longer limitation periods and either-way offence can be laid at any point. CCTV is often the impartial and independent evidence that can sway a prosecution given the issues that frequently arise with witness evidence i.e. credibility, memory, lapse of time. Defendants may also require this to mitigate on offences and/or prove their defence. 90 days is insufficient. Often by the time a request is made the footage is gone. A more pragmatic approach (albeit not completely satisfactory) would be closer to six months.'

c) Prosecutions

'Thus far I have not seen any prosecutions for offences under the Regulations themselves for non-compliance with the CCTV requirements, albeit other prosecutors acting for the Local Authority may have. Presumably the majority are dealt with by way of enforcement notices and so are kept within the remit of the LA. Alternatively, there has potentially been good compliance – however, I am not convinced given the number of referrals I see for prosecution for animal abuse. This is more likely down to resources i.e. insufficient inspections and/or not ensuring that all essential locations have CCTV coverage i.e. fields, sheds or pens for lairage prior to stun and kill.'

4. Refinements that could be made to enhance benefits, reduce burden on business, reduce costs and/or improve compliance

For this section, we refer back to the policy objectives and intended effects of the Original Impact Assessment, which states, *'The policy objective and intended effects are to improve animal welfare in slaughterhouses and provide assurance that all slaughterhouses are operating to high welfare standards.'* The following refinements are our suggestions to enhance benefits in terms of improving animal welfare and to improve compliance with the legal requirement for CCTV in slaughterhouses.

a) Stronger enforcement of current legislation

There is a clear need for stronger enforcement where CCTV is a current legal requirement to improve compliance with the laws that are in place to offer farmed animals some protection. It is evident from investigations carried out by Animal Equality and other UK animal protection groups that animal protection laws at the time of killing are being breached.

CCTV is one tool to monitor this, and should be partnered with an increased volume of inspections. To ensure that all slaughterhouses are meeting the requirement to install CCTV in slaughterhouses, regular inspections must be carried out, along with stricter penalties if the requirement is not being met. It should also be a requirement for CCTV to be kept under constant observation and for non-compliances to be made publicly available for scrutiny and increased industry transparency

b) More inspections in slaughterhouses

As mentioned, CCTV must be partnered with an increased rate of inspections, both announced and unannounced, to monitor the state of animal welfare at the time of killing.

The following contribution was provided by [REDACTED].

'CCTV can provide evidence as to whether surveillance of the stunning process is satisfactory at all times, but it should not be seen as an alternative to the presence of the monitor on the spot, able to take immediate action and to make a permanent record of the problem, the impact of the problem on the animals, and the steps taken to resolve it.'

Frequent inspection by trained, independent assessors is, of course, essential to ensure quality control. It is reasonable to expect that some visits be arranged in advance so that the abattoir staff can ensure that all records, CCTV footage etc. are available for inspection. However, I recommend that, in addition to these routine inspections, assessors should have the right to make unannounced visits to carry out spot checks on any, or all stages in the processes of handling, stunning and slaughter.'

c) Disturbance to correct procedure

As above, the following advice was also given by [REDACTED].

'As a constructive suggestion for the future, it should be possible, in these days of algorithms for the monitoring system to identify a significant disturbance to correct procedure (of humans or machines) and sound an alarm. Even in the best system there would inevitably be some false alarms but these could quickly be resolved by human intervention. However, all alarms and actions taken should be recorded and available for inspection.'

I realise that I am describing a research project rather than an immediate change in the law. However, I believe that such a system could do a great deal to reduce animal suffering. Current legislation is primarily designed to improve human behaviour – which is important, but reducing animal suffering should always be recognised as the primary objective.'

d) Mirroring legislation to cover Wales and Northern Ireland

While The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 covers animals in slaughterhouses in England, we still have the problem that CCTV is not compulsory in Wales or Northern Ireland, and potentially much more animal abuse is being left uncovered as a result. There is, however, a 12-week consultation starting on 14 November 2022 and closing on 6 February 2023 in Wales regarding this, which is a positive step.

We recommend that The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 should be mirrored to create similar legislation in Wales and Northern Ireland, that also includes stronger enforcement requirements to make sure the law is being complied with.

e) Legislation extended to cover fish slaughterhouses and wellboats

Given the extent to which fish are currently experiencing extreme suffering at the time of slaughter, as documented in Animal Equality's investigation into a fish slaughterhouse operated by The Scottish Salmon company which was released in 2021, it is critical that The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 are extended to include fish slaughterhouses as a matter of priority. For clarity, we have included the following definitions:

'fish' means all seawater or freshwater animals (except for live bivalve molluscs, live echinoderms, live tunicates and live marine gastropods, and all mammals, reptiles and frogs) whether wild or farmed;

'fish slaughterhouse' means any processing site (including both on-shore and off-shore, such as wellboats) where the killing of fish to produce food for human consumption or feed for animal consumption takes place;

f) Proposal for licensing system

In order to continue the work towards improved animal welfare in the UK that The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 has started, we would like to take this opportunity to recognise that overall enforcement of animal protection laws in the UK is currently causing extreme animal suffering.

The legal requirement for CCTV in slaughterhouses recognises the need for stronger monitoring, but we must also acknowledge that currently, there is not even a legal requirement for UK slaughterhouses or farms to be licensed. This is leading to insufficient monitoring, inadequate record-keeping and widespread non-compliance with animal protection laws.

In order to address this, we propose that a licensing system is implemented across all farms and slaughterhouses in the UK. This is standard practice for the vast majority of other industries e.g. animal breeding facilities and zoos, so it is illogical that places responsible for something as important as animal welfare do not have the same requirement.

The aforementioned report¹⁴ by Animal Equality and the Animal Law Foundation shows the extent to which the current lack of enforcement is currently resulting in poor animal welfare across the country.

Animal Equality is keen to work together with the Animal Welfare Committee towards a potential solution. We believe that a licensing system will go some way in ensuring stronger enforcement of animal protection laws, including compliance with the legal requirement for CCTV in slaughterhouses.

5. Conclusion

Monitoring welfare at the time of killing is paramount to ensuring that the pain and suffering caused to animals farmed for human consumption in the UK is kept to an absolute minimum. The implementation of The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 has been a very important step in acknowledging this, however, more is needed to ensure that this legislation meets its intended objectives.

Given Animal Equality's extensive experience investigating the overall state of animal welfare throughout the UK for over a decade, we hope the above evidence and recommendations given above are taken into consideration.

We are keen and available to discuss our response in more detail, and are available for consultation. Please contact [REDACTED]

¹⁴ https://animalequality.org.uk/app/uploads/2022/10/Report_The-Enforcement-Problem-in-the-UK.pdf

or [REDACTED] with any further questions.