

Animal Welfare Bill

The Animal Welfare Bill completed its House of Commons stages in March and was introduced in the House of Lords shortly after. The Bill was debated and amended in Grand Committee of the Lords in May and June. Report and Third Reading are likely to occur in October when the Lords return from Summer recess. The Bill is expected to receive royal assent in November or early December with the majority of its provisions likely to come into force in England in April 2007 (later in Wales).

Although amendments are being tabled for Report Stage, it seems likely that the majority of the Bill will remain substantially the same as at present. Many of the amendments are aimed at securing commitments from the government on the content of secondary legislation which will be passed under the Bill following its enactment. Controversial issues likely to be debated include the use of wild animals in circuses, the government's continued intention to legalise pet fairs, the scope of the exemption for working dogs in the regulations on tail docking, and the use of electric shock collars.

The main offences in the Bill are the unnecessary suffering offence (which updates the cruelty offence in the Protection of Animals Act 1911); the tail docking offence; animal fighting offences which extend the current law; and the welfare offence, which remains a central change in the law on animal protection. It is hoped that the welfare offence will serve to increase people's level of knowledge as to how to look after animals properly. Although prosecutions may be taken where a person has failed to take reasonable steps to ensure that the needs of an animal for which they are responsible are met to the extent required by good practice, "improvement notices" are likely to be issued in most instances before prosecution is considered. These will set out the steps a person must take to meet their legal obligation and give them an appropriate period of time in which to comply.

For more information about the Bill, go to
<http://www.defra.gov.uk/animalh/welfare/bill/index.htm>.

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