



Department
for Environment,
Food & Rural Affairs

Government response to Animal Sentience Committee: report on the due regard to animal welfare – legislative compliance and enforcement

June 2025



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(Sentience) Act 2022

We are responsible for improving and protecting the environment. We aim to grow a green economy and sustain thriving rural communities. We also support our world-leading food, farming and fishing industries.

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Summary

1. This is the government's formal response to the Animal Sentience Committee's report on the due regard to animal welfare – legislative compliance and enforcement published on 24 February 2025. We express our thanks to the Animal Sentience Committee for their engagement, assessment and recommendations, which we have carefully considered. Defra is currently developing an animal welfare strategy to set out our overarching approach. We will be outlining more detail in due course.

Introduction

2. The UK wants to build and maintain a world-leading record on animal health and welfare, and this government is committed to ensuring animals receive the care, respect, and protection they deserve. This response relates to England only as responsibility for animal welfare is devolved to the devolved administrations and legislatures in Scotland, Wales and Northern Ireland.
3. Our animal welfare laws aim to recognise animal sentience, impose duties of care on keepers and protect animals from unnecessary suffering and cruelty. Animal health laws are in place to ensure the protection of both human and animal health, whilst protecting the country from the threat of diseases which impact our nation's productivity and ability to trade freely.
4. The vast majority of owners and keepers both comply with their duty of care and follow the law. However, there are occasions when some fail to do so, and it is the responsibility of enforcement authorities to use appropriate enforcement tools to make sure the law is upheld; protect animals and humans; and encourage animal keepers to be compliant now and in the future.
5. The government is committed to improving animal welfare. As outlined in our manifesto, we will ban trail hunting and the import of hunting trophies and we will end the illegal landing of dogs (puppy smuggling) and farming, and the use of snare traps. We are considering the most effective ways to deliver these commitments and have already initiated a series of meetings with key animal welfare stakeholders as part of the development of an overarching approach to animal welfare. We will be outlining more detail in due course.
6. We agree with the committee's report that an effective enforcement regime should be clear, transparent and fair. On transparency, we are actively working with enforcement authorities to reform the way they collect and publish data of on-farm enforcement activities and the actions they take to support compliance and act on non-compliance.

7. To ensure we have a consistent and fair enforcement regime, we will be building on the enforcement tools that have recently been introduced, such as penalty notices; and we will also explore whether the current enforcement tools used by our enforcement bodies (such as improvement notices and prosecutions) are effective, proportionate and transparent.
8. This response addresses the recommendations made by the committee in their report. There may be instances where we respond to recommendations in groups due to overlapping responses.

Recommendations

Recommendation 1: A central body responsible for directing and coordinating animal welfare law surveillance and implementation, working collaboratively with other governmental organisations (the police, APHA, FSA, local authorities, and the CPS, the ASRU) and, where necessary, NGOs (for example, the RSPCA).

Recommendation 2: Setting out minimum resource allocation for animal welfare enforcement activities in agencies (such as local authorities), for example, budget, adequately trained and qualified personnel.

9. The enforcement of our animal health and welfare laws is undertaken by enforcement authorities such as local authorities with the support of regulators such the Animal and Plant Health Agency (APHA) who work in tandem to ensure that animals receive the protection they deserve.
10. We do not agree with the recommendation that a central body responsible for directing and coordinating animal welfare law surveillance and implementation alongside a specified minimum resource allocation is required. However we do agree that effective intelligence sharing between enforcement authorities is important. We do already have a series of forums and partnerships in place to manage how enforcement across different animal welfare laws is delivered effectively.
11. Establishing a new organisation or repurposing an existing organisation to do this would be costly and slow to implement. Limited resources are better focused on improving compliance and enforcement outcomes than on changing governance.
12. In 2002, the Animal Health and Welfare Framework was introduced to support local authorities in England deliver their duties in relation to the health and welfare of farmed animals. The framework was developed in partnership with local authority officers from the National Animal Health and Welfare Panel (NAHWP) supported by the Association of Chief Trading Standards Officers (ACTSO) and Defra. The framework aims to:

- maximise resources of our enforcement authorities
- share information and intelligence to ensure all delivery is risk based
- develop a common understanding of the regional and local priorities that inform service delivery
- create an effective relationship between local authorities and APHA by increasing mutual awareness and promoting communication.

13. To support oversight of how enforcement authorities are delivering on their duties in relation to the health and welfare of farmed animals, we intend this year to begin audits of the enforcement activities undertaken by local authorities.

Recommendation 3: The introduction of licensing of farm businesses, with a regular inspection process of all farm businesses for legal compliance. The ‘audit burden’ on farmers could be minimised by cooperation with, and streamlining of, farm assurance and disease control auditing bodies, and an element of documented self-assessment. Smallholders could have a much-reduced inspection frequency and a more declaration-based approach.

Recommendation 4: Publication of criteria used to undertake risk-based inspections and audits.

Recommendation 5: A review of animal premises registration systems to ensure comprehensive data is available to all government bodies.

Recommendation 10: Central reporting of animal welfare offence reports, investigations, and prosecutions (or fixed penalty notices, improvement notices) which is available as an open-access annual report, broken down by species and sector and local authority.

14. Before making any long-term decisions in relation to farm licenses, inspections and audits, Defra is undertaking a review, as recommended by the Corry Review, of farm regulation including inspections and audits focusing on how they can be more coherent, less time consuming and easier to understand to better support farmers in understanding their responsibilities.

15. Eligible cattle, sheep and pig farmers are currently able to access a funded Animal Health and Welfare Review, working with their vet to look at how to improve the health and welfare of their animals. Defra intends to consult later this year on measures to make these reviews mandatory. Reviews would remain focused on advice and guidance from the farmer’s own vet rather than a new inspection or audit.

16. We agree that animal registration data is important. Animal keepers must already register if they plan to keep any livestock or poultry. In 2024, Defra introduced a mandatory requirement for all bird keepers to register with the Animal and Plant

Agency following the UK's largest ever series of Avian Influenza outbreaks. This will enhance disease control measures and ensure that all bird keepers can be communicated with.

17. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 require operators to be licensed in order to carry out certain activities. Local authorities issues licenses and will determine whether a business activity is low or high risk based on elements such as past compliance, compliance history, appreciation of animal welfare standards, welfare management procedures, and appreciation of hazards and risks. Aside from businesses keeping or training animals for exhibitions where licences are issued for three years, a star rating will then be determined, ranging from one to five stars. The issued licence will indicate the star rating awarded, as well as stating the length of the licence. This information is already publicly available, either being published on the local authority website or through a direct enquiry to the local authority. At this stage we do not intend to undertake a review of registration and licensing systems.
18. Local authorities also have access to the National Intelligence Database (IDB). IDB is a database where local authority officers can upload intelligence and access intelligence submitted by others. Enforcement authorities and regulators such as APHA have access to the database, providing oversight of intelligence recorded in the system at a national level.
19. We agree that increasing transparency on what enforcement action has been taken is important in providing assurance that the welfare of animals is being protected. We will be supporting local authorities who carry out enforcement activities on-farm to develop a standardised data set that supports the work they do on compliance and what support they provide to farm businesses. We will review how best to integrate this data with existing data available to simplify how compliance levels and enforcement activity is demonstrated. We will then explore whether this process might be replicated across the whole animal health and welfare landscape.

Recommendation 6: Development of inspection protocols to ensure compliance with animal welfare regulations in pest control operations.

20. Pest controllers are already legally required to comply with animal welfare legislation in their operations, especially when dealing with protected animals or using methods that could cause suffering. This legislation includes the Wildlife and Countryside Act 1981; the Animal Welfare Act 2006; and the Glue Traps (Offences) Act 2022. We agree there is merit in this conclusion and that it is likely to secure greater levels of compliance. Specifically, it could help achieve higher standards and greater consistency where animal welfare is concerned.

21. As the committee's report implies, a significant level of 'pest control' wildlife management is undertaken without any need for a licence (or any other statutory permit). Animal welfare legislation still applies but species which do not require a licence to be controlled and therefore have less protection than others include brown rat and house mouse (with the exception of control under the Glue Traps (Offences) Act 2022); fox; mink; grey squirrel; rabbit; and mole. The government relies on 'self-regulating' initiatives to be assured that pest control operatives comply with animal welfare legislation where the control of these species is concerned. In association with inspection protocols, the need for government-endorsed good practice to help pest controllers improve standards of animal welfare for these individual species is also noted here and will be kept under review.

Recommendation 7: An independent review as to whether current scientific evidence suggests the trapping and killing activities conducted under general licences represent a low risk to welfare. In addition, whether the current system of general licences is fit for the purpose of protecting animal welfare.

22. Since 2019, Defra are currently the licensing authority for 3 general licences which authorise the control of certain wild bird species for certain purposes, namely for conservation (General Licence 40 (GL 40)); for preserving public health and safety (GL41) and to prevent serious damage (GL42). This role was, until 2019, undertaken by Natural England.

23. Animal welfare issues pertaining to the control of these species under general licence are considered along with current scientific evidence and addressed as appropriate in the form of licence conditions and advice notes. To act under the authority of a general licence, licence users must comply with the terms and conditions of the licence, however the intention is not to scrutinise activity undertaken under those licences unless it becomes apparent that failure to comply with the terms and conditions has occurred or is about to occur. It is conceded that licence users' compliance with the conditions of general licences cannot be fully guaranteed.

24. Welfare issues relating to the trapping of wild birds (mostly corvids such as carrion crow and magpie) for control under GLs 40-42 are covered by a separate general licence (GL33). This sets out the conditions that must be followed if practitioners choose to carry out live cage trapping and dispatch of wild birds, for example when using Larsen traps.

25. Guidance advises practitioners to take appropriate steps to achieve and maintain the necessary level of competence in live cage trapping and dispatch, and that this may include training. While advice currently states that live-capture cage trapping and dispatch is widely considered to be a humane method for wildlife control, it is recognised this view is by no means universally held. Where shooting wild birds for the purpose of controlling them under GLs 40-42 is concerned, it is conceded there is

minimal regulation concerning the competence of firearms users acting under general licences. There is for instance no equivalent of GL33 for the use of firearms in controlling wild birds under general licence.

Recommendation 8: A risk-based approach to compliance and competence checks for users relying on individual licences for the killing or taking of protected animals, and open reporting of user-reported data.

26. Individual (and class) licences must be applied for from Natural England for the killing or taking of protected species in contexts not covered by the default permissions of a General Licence. Natural England considers the implications for the welfare of animals in making decisions on wildlife licences. The methods permitted and conditions and guidance included in individual licences aim to minimise the risk of adverse welfare outcomes. Animal welfare is a consideration in the design of licensing regimes.
27. A risk-based approach is used for targeting compliance checks. Animal welfare is one of the risks considered in making decisions regarding compliance. Natural England's approach aims to make effective and proportionate use of the resources available to ensure licence users are competent and that sufficient compliance checking is undertaken. In principle, Natural England supports open reporting of user-reported data. However, such reporting would need to be anonymised as and when appropriate.

Recommendation 9: A centrally recognised reporting mechanism for the public and other third parties to report potential animal welfare offences (separate from injured wildlife).

28. We agree with the committee that more can be done to increase the awareness of existing reporting channels for animal welfare concerns, and we will be exploring ways to achieve this. For farmed animals there is already a 24/7 central helpline for reporting suspected animal disease and welfare concerns to APHA. Concerns relating to animal welfare can also be directed to local authorities with details available on their respective websites. While there could be benefits in delivering a central reporting mechanism for reporting potential animal welfare offences, we are instead prioritising activity to improve the actions taken when potential offences are reported.

Recommendation 11: Appropriate and effective use of fixed penalty and improvement notices; including limits on the number of times they can be applied to an individual or business, before other routes of prosecution are applied (or scaling fines to business turnover).

Recommendation 12: Centralised training packages for relevant personnel, shared training across sectors and expansion of the number of individuals within each local authorities who are trained at any one time (to at least two).

29. Since 1 January 2024, enforcement authorities have been able to issue penalty notices for a range of animal health and welfare offences. We agree with the committee that they can be an effective tool when used appropriately. We have published statutory guidance to support enforcement authorities when deciding whether penalty notices would be a suitable enforcement action and have also provided templates and tools such as a penalty notice calculator that supports enforcement authorities in determining a penalty notice amount in a consistent and transparent way. This summer, we are expecting to see the first returns from enforcement authorities on penalty issues issued in 2024 to 2025, which will then be published as required by the Animals (Penalty Notices) Act 2022.
30. We have also funded training sessions for enforcement authorities in partnership with delivery partners to support the introduction and implementation of penalty notices. Feedback from participants supports the benefits of centralised training and we will consider where else this could be effectively applied.
31. It is important for enforcers to have the right tools available, from advice and guidance to improvement notices and penalty notices through to prosecution. We are reviewing these tools to ensure that we have a robust, proportionate and transparent enforcement system that protects the welfare of kept animals.

Recommendation 13: Revision of requirements set out in Section 18 of the Animal Welfare Act 2006 (powers in relation to seizure of animals in distress) and 16E of the Zoo Licensing Act 1981 (welfare of animals following closure of a zoo) to allow greater provision for the sale, rehoming or slaughter of commercially-kept animals prior to a Section 20 being applied.

32. The seizure of animals as an enforcement action is an important tool to ensure that animals that are suffering or likely to suffer can be removed and protected from future harms. We agree with the committee that this is not always working as effectively as intended and we are exploring the barriers that prevent this tool being used effectively. We are working with enforcement partners to identify solutions.

Recommendation 14: A review of APHA's enforcement remit, particularly with respect to on-farm inspections, including improved capacity for evidence gathering and ability to apply fixed penalty notices. APHA may be well-positioned to take an overarching role in the enforcement of farm animal welfare enforcement.

33. APHA is the national regulator for animal health and welfare on behalf of Defra, Welsh and Scottish Governments, which includes responding to outbreaks of exotic diseases. As a regulator, APHA does not formally investigate offences or prepare files for prosecution. However, APHA inspectors are trained to understand the requirements for evidence gathering which they provide to local authorities as part of any investigations. The scope of the Arm's Length Bodies review recently announced by government may

look at wider aspects such as this as part of its overarching review based on its four principles of: ministerial policy oversight; duplication and efficiency; stakeholder management; and independent advice.

Recommendation 15: A minimum period for review of Codes of Practice with amendments of ‘good practice;’ timely revision to reflect changes in legislation, developments in animal behaviour and welfare science, and current industry best-practice. Movement to a digital platform would enable timely updates, easier editing and wider dissemination.

34. Various welfare codes of practice have been updated recently to reflect the legal requirements in the Animal Welfare Act 2006 and the latest scientific evidence and husbandry developments. Animal-based outcome measures now also feature in some of the latest codes. The farm animal welfare codes of practice are published on GOV.UK in both a PDF format and HTML to aid user accessibility. The ability to produce timely updates and easier editing of the farm codes is limited by the specific procedure that is required to be followed in issuing a code under Section 14 of the Animal Welfare Act 2006. There is a requirement to consult, with the final code having to be laid in Parliament for 40 days.
35. On 24 May 2025, new Standards of Modern Zoo Practice for Great Britain were published that represent a long overdue overhaul of the standards that are required by zoos in Great Britain. The new Standards of Modern Zoo Practice for Great Britain represent the latest in best practice and have been drafted to be clearer and easier to enforce. These changes, part of the wider Plan for Change, will modernise the way animals are cared for in zoos and aquariums and reaffirm the UK’s position as a global leader in ethical and responsible wildlife management.
36. Overall, we understand the importance of having up to date codes and we will consider updating other specific codes where there is a need to update them subject to available resource.

Recommendation 16: Route for incorporation of relevant animal welfare science into codes of practice, inspection regimes and use of animal welfare assessment tools in enforcement activities.

37. We agree with the committee that the latest scientific evidence is a key consideration when updating the farm codes of practice. Science also plays an essential role when compliance with legislation is monitored by APHA during an official inspection on farm: for example, when establishing whether common husbandry procedures are compliant with the legislation or not. In the past, APHA has conducted inspections on a random and risk basis; it is now focusing on risk basis using a formal protocol that is reviewed and adjusted annually to reflect the continuously changing farming landscape, and

inspections are conducted incorporating animal based and behavioural indicators, in addition to resource indicators, in line with scientific knowledge.

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