



Module 5

Improving Animal Welfare through Legislation and Incentives

Student Activities

Questions

1. List four reasons for the creation of effective animal welfare legislation.

(4 marks)

Any four of the following:

- protecting species/the environment
- prohibiting cruelty
- controlling methods of production
- improving animal welfare
- improving public health
- improving animal health
- banning particular activities

2. Define the term 'Bylaw'.

(2 mark)

Bylaws are laws which are created and enforced locally. These have limited effect due to geographical size but are usually much easier to enact due to the smaller buy-in needed.

3. Explain how secondary legislation differs from primary legislation.

(3 marks)

Any three of the following:

- secondary legislation gives more detailed provision about a particular subject than primary legislation
- it is usually drawn up after primary legislation is passed
- it is more readily amended than primary legislation

- it is more flexible than primary legislation
- infringement of secondary legislation usually constitutes an offence

4. List three attributes of a model welfare law.

(3 marks)

Any three of the following:

- applies to all sentient animals and is clearly written
- offences include failing to meet the needs of the animal
- easy to amend in line with new scientific knowledge, ethics etc.
- enforcement responsibility is clear and the enforcement body has sufficient power and funds
- education of public and industry is included

5. On what grounds are practices such as bull fighting and the force-feeding of geese for the production of foie gras allowed to continue in the EU, even though many consider them unnecessarily cruel?

(1 mark)

Certain laws, such as the protocol on the protection and welfare of animals in the EU, allow exceptions to welfare laws on cultural or religious grounds.

6. Give two examples of supranational agreements.

(2 marks)

- European Union treaties
- World Trade Organization rules

7. What are the three main reasons why animal welfare legislation may be ineffective?

(3 marks)

1 mark for each of the following:

- legal status of animals as property or commodities, owned by a person who considers themselves to have overall rights of decision making
- wording of legislation is poor and difficult to interpret
- lack of enforcement and/or sanctions that act as deterrents

8. Animal protection legislation can often come in to conflict with international agreements on trade, for example, the World Trade Organisation's (WTO) General Agreement on Tariffs and Trade. Briefly explain what the GATT is for and how it can conflict with domestic animal protection legislation.

(3 marks)

- The General Agreement on Tariffs and Trade (GATT) obliges countries to treat imported goods and locally produced goods equally.
- This means that you cannot discriminate between goods on the grounds of production methods, e.g. between battery or free range eggs.
- This creates a problem for countries that have or want to have their own legislation to improve animal welfare, as imported lower-welfare food may be cheaper than local higher-welfare food which discourages consumers from purchasing higher welfare products.

9. Legislation which is non-animal-related, e.g. privacy laws for individuals, can come in to conflict with animal welfare legislation where it is in place. Three scenarios are listed below. Suggest where these welfare-related scenarios may conflict with other forms of legislation.

- a) Suspicion of cruelty or lack of welfare provision on behalf of the owner**
- b) Repeated suffering experienced by animals during cosmetic testing**
- c) The inhumane killing of a bull during a bullfight**

(3 marks)

1 mark for each example (other sensible suggestions may be accepted at the discretion of the lecturer):

- a) privacy laws (may prevent access to premises)
- b) legal requirements to test products on animals
- c) welfare laws are required to allow exceptions on the grounds of religious rites, cultural traditions and regional heritage in some countries.

In-class activities

Discussions

This discussion investigates the role of legislation in relation to animal welfare standards. It should take approximately 45 minutes. The initial discussion is appropriate for small group work, with a plenary session at the end for whole class feedback. Access to the material provided in the hyperlinks below and relevant examples from your local country are needed to carry out the discussion fully.

Animal welfare legislation is often seen as laying out the minimum requirements for animal welfare, while animal welfare standards that are tied to food assurance schemes aimed at consumers are often actually the ones to define animal welfare best practice. Which do you think is more effective in ensuring that animal welfare standards are met/raised and why? What are the opportunities and obstacles for enforceable animal welfare legislation in your country?

As an example of existing animal welfare legislation you can view a copy of the 'The Welfare of Farmed Animals (England) (Amendment) Regulations 2003' from www.opsi.gov.uk/si/si2003/20030299.htm

If it exists, it would be good to view legislation from your own country as well.

Some examples of UK voluntary animal welfare standards which are tied to food assurance schemes are:

Soil Association – this link takes you to the Soil Association's technical information page and from there you can view their outline standards for beef cattle, sheep etc.

www.soilassociation.org/farmersgrowers/technicalinformation

Red Tractor – this link takes you to the criteria page for beef and lamb welfare standards.

http://assurance.redtractor.org.uk/rtassurance/farm/beef/bl_docs/bl_standards.eb

Freedom Food – from this page you can access all the RSPCA welfare standards for the major farm animal species in the UK.

www.rspca.org.uk/sciencegroup/farmanimals/standards

Again, if food assurance schemes exist in your country it would be good to have some examples to look at during this discussion.

Key prompts:

- Is market pressure from consumers a better way to improve animal welfare than legislation?
- Should animal welfare legislation only focus on setting minimum standards or have a greater role in establishing best practice?

- Is there a way for legislation and voluntary schemes to work together? If so, how?
- If animal welfare legislation exists in your country, how well is it enforced and, if anything, what can be done to improve its effectiveness?

Group Presentation

This activity involves students working in small groups to compare and contrast different levels of animal welfare legislation in different countries, compile a brief report, and then present back to their class. Access to the internet will be required to carry out research.

A number of different methods could be applied to explore this topic.

- Each group in the class could pick a particular country to research. Each member of that group could then identify a specific area of animal welfare legislation e.g. animals in entertainment, and investigate the status of the relevant legislation in that country.
- The whole class could be assigned a particular country. Each group in the class would then pick a particular class of animals e.g. primates, farm animals, etc. and then compare and contrast established legislation for each within the selected country.
- The whole class could be assigned a particular area of animal welfare legislation e.g. animals in research, medicine and testing. Each group could then be assigned a particular country to investigate its existing legislation in that area.

After their initial research, the members of each group should then come back together and combine their findings in an overall report. The presentation can be a poster, a verbal presentation, or a slide show.

To start their research students should explore some of these initial resources:

- The legislation section of the Animal Mosaic site (<http://animalmosaic.org/legislation/>), particularly the Global Legislation section which hosts a matrix for a number of legislative indicators.
- This chapter from World Animal Protection's legislative manual:http://animalmosaic.org/Images/An%20overview%20of%20animal%20protection%20legislation_English_tcm46-28491.pdf
- The International Institute for Animal Law's website Animallaw.com: www.animallaw.com
- World Animal Net's animal protection section: <http://worldanimal.net/resources/animal-protection-law-resources>

Lecturers are advised to use their discretion in the awarding of marks and in the feedback given to students regarding their presentation skills. A good presentation contains typical sections such as:

- Introduction (describing the purpose of the research or task)
- Main content (the outputs from the options listed below)
- Summary/conclusion (rounding up all the findings and making concluding statements, linking back to the purpose outlined in the introduction).

A good presenter speaks clearly and slowly, and doesn't engage in distracting habits such as clicking a pen while speaking, or jangling change in his or her pockets. They should remain relatively still and not move about too much which can also be distracting to the audience.

PowerPoint slides should also contain a minimum amount of text and the presenter should know the subject well enough (or read from additional notes) so that the slide works as a prompt rather than the presenter simply reading the entire slide to the audience and adding nothing extra.