

# The Enforcement Problem

2022 and 2023 data

# Table of Contents

<b>Foreword</b>	<b>1</b>
<b>Background</b>	<b>2</b>
<b>1. Introduction</b>	<b>3</b>
<b>2. Inspections</b>	<b>7</b>
<b>3. Enforcement Action</b>	<b>13</b>
<b>3.1 Local Authority Enforcement Action</b>	<b>13</b>
<b>Complaints</b>	<b>14</b>
<b>Inspections Showing Non-Compliance</b>	<b>17</b>
<b>Formal Enforcement Action</b>	<b>19</b>
<b>3.2 Central Authorities Enforcement Action</b>	<b>25</b>
<b>3.3 Slaughterhouse Enforcement</b>	<b>30</b>
<b>Food Standards Agency</b>	<b>30</b>
<b>Food Standards Scotland</b>	<b>31</b>
<b>Department of Agriculture, Environment and Rural Affairs</b>	<b>32</b>
<b>3.4 Previous Convictions</b>	<b>32</b>
<b>Farms, Markets, Borders, Transport</b>	<b>33</b>
<b>Slaughterhouses</b>	<b>34</b>
<b>4. Case Studies</b>	<b>36</b>
<b>Crustacean Killing Methods</b>	<b>36</b>
<b>Official Guidance for Farmed Fish</b>	<b>38</b>
<b>Tail Docking</b>	<b>39</b>
<b>Chicken Handling</b>	<b>41</b>
<b>5. Limitations and Corrections</b>	<b>43</b>
<b>References</b>	<b>48</b>



## Foreword

It has been two years since The Enforcement Problem was first published, which was a groundbreaking report on the poor enforcement of farmed animal welfare law. The report revealed widespread and systemic underenforcement. This latest report by The Animal Law Foundation updates the data from that report and sadly reveals that not much has changed. Whilst previously we could have attributed the consequences of the Covid-19 pandemic as an explanation for the low inspections and poor enforcement, that excuse no longer exists and what is left is the resounding reality, that there remains an enforcement problem.

Our data shows that the current system is failing animals. This is not what the British people want. They want welfare standards to be high and those standards enforced. They want animal law to matter.

We will continue to highlight the poor enforcement of farmed animal welfare law and stop those in charge of regulating this field from hiding behind the illusion that once a law is in the statute books the job is done. Our data shows that is clearly not the case; animals continue to be mistreated by those who have a legal responsibility to take care of them, and rather than be held accountable for their actions, apparent complacency and disregard for those legal protections stops this from happening on a system-wide basis.

It is vital that the protections afforded to animals mean something in practice. Asking for laws to matter is not a big ask, it is simply the fulfilment of promises already made to the public when Parliament enacted those laws in the first place.



Edie Bowles  
Executive Director  
The Animal Law Foundation

## Background

In 2022, The Animal Law Foundation, in partnership with Animal Equality, published The Enforcement Problem report. In The Enforcement Problem, we revealed the harsh reality for the majority of farmed animals in the UK. Through our research by way of Freedom of Information Act requests and our analysis of 65 investigations conducted by animal protection organisations in the UK, we discovered that animal welfare laws in the UK are severely under-enforced. The Animal Law Foundation will continue this vital exercise and publish updated figures concerning enforcement action taken by those responsible. This report contains the updated data from 2022 and 2023.

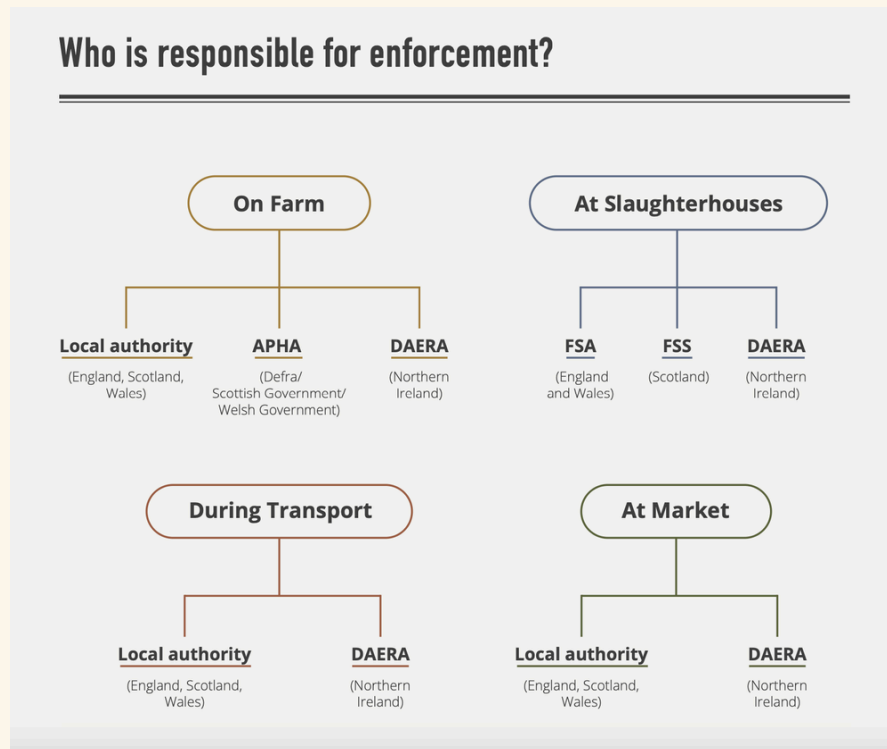
Overall, the new data shows that there have been marginal increases in enforcement action across the UK since the original The Enforcement Problem, but there has been a decrease in the number of farms being inspected. For a comprehensive insight into any changes the reader is encouraged to read the previous report alongside this report. Some key insights include:

- Based on the total inspections conducted on farms during 2022 and 2023, this would equate to **2.62% of farms being inspected**. This is a marginal decrease from 2018-2021, where almost 3% were inspected. This is the total number of inspections, which could include multiple inspections at the same farm, rather than inspections at different farms, which is dealt with in section 2 below.
- Following an inspection, instances of **non-compliance on farms were found in 22.16% of cases**. This is a decrease from the 2018-2021 average, where non-compliance was found in 31.38% of cases.
- On average during 2022 and 2023, there has been a marginal **increase in prosecutions**, with 0.55% of cases prosecuted against the number of welfare complaints made on farms, in markets and borders, and during transport, compared to 0.33% in 2018-2021.

The Animal Law Foundation welcomes any improvements in enforcement action. Unfortunately, we are far from a cause to celebrate, since the data shows that there has only been marginal improvement. Enforcement remains extremely low, and the inspection figures are even lower than previously identified.

# 1. Introduction

There are a whole host of regulators in place to monitor and ensure compliance with animal welfare legislation for farmed animals.



Knowing who is responsible raised the question: how do those responsible exercise their role in practice?

We asked for information covering 2022 and 2023 from the relevant public bodies, which focused on three key areas:

1. **Inspections:** how many are carried out each year, by how many inspectors, at what rate, and what do they find?
2. **Welfare issues:** what do the welfare complaints received and the non-compliance detected reveal about the scale of welfare issues on UK farmed animal premises?
3. **Repercussions:** how are complaints and non-compliance handled by the relevant authorities?

To obtain the information presented in this report we have relied on the right to freedom of information. In England, Wales, and Northern Ireland, the Freedom of Information Act 2000 grants a right to information held by public bodies, and in Scotland it is the Freedom of Information Act (Scotland) 2002. We have also relied on

information available in the public domain, where it was relevant. Where we have identified limitations in collecting this data, we have disclosed these in Section 5 of this report (Limitations and Corrections).

## Key Takeaways

---

- 2.5% of farms were inspected
  - Approximately 22% of inspections on farms identified non-compliance
  - On average, fewer than 1% of cases of non-compliance revealed during inspections across all farmed animal premises, including slaughterhouses, were prosecuted in 2022-2023
- 

## Local Authorities

Local authorities are the main enforcement bodies for farmed animal welfare in England, Scotland, and Wales. In Northern Ireland, enforcement falls on the Department of Agriculture, Environment and Rural Affairs ('DAERA').

There are 371 principal councils in England, Scotland, and Wales. Principal councils refer to unitary, upper, and second-tier local authorities. County councils are upper-tier authorities and district councils are lower-tier authorities.<sup>1</sup>

In England, there are 317 principal local authorities, which are split into county, unitary, metropolitan, London borough, sui generis authorities (i.e. City of London Corporation and Isles of Scilly), and district councils. In England, generally county, unitary, sui generis, and metropolitan authorities enforce animal welfare legislation, although most metropolitan, London borough, and unitary city councils do not need to enforce this law, due to a lack of relevant premises in their area. In addition, some local authorities have combined their animal welfare enforcement or subcontracted the work, for example Somerset County Council subcontracted this work to the Heart of the South West Trading Standards Service, which is commissioned by Devon, Plymouth, Somerset, and Torbay councils. In London, the City of London is contracted to enforce farmed animal welfare legislation in Greater London,<sup>2</sup> but some London boroughs enforce the legislation themselves. The requests were sent to all principal local authorities to form a more accurate picture of who is responsible and to establish whether there were any exceptions.

In Scotland there are 32 unitary authorities,<sup>3</sup> and in Wales there are 22.<sup>4</sup> Unitary authorities would normally enforce farmed animal welfare law in Scotland and Wales.

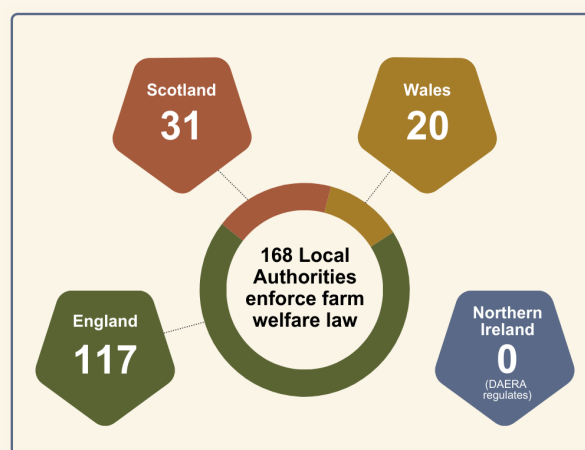
We wrote to all 317 principal local authorities in England. Three did not respond. Of the 314 local authorities that responded, 117 either stated that they enforced animal legislation or provided substantive responses, which we take to mean that they hold some enforcement powers. Their enforcement powers are primarily conferred by the Animal Welfare Act 2006, the Welfare of Farmed Animals (England) Regulations 2007, the Welfare of Animals (Transport) (England) Order 2006, and the Welfare of Animals at Markets Order 1990.

We wrote to all 22 local authorities in Wales, one of which did not respond and one of which said that they do not enforce the relevant law. 20 local authorities stated that they enforced farmed animal welfare laws or provided substantive responses, which we take to mean that they hold some enforcement powers. Their enforcement powers are conferred by the Animal Welfare Act 2006, the Welfare of Farmed Animals (Wales) Regulations 2007, the Welfare of Animals (Transport) (Wales) Order 2007, and the Welfare of Animals at Markets Order 1990.

We wrote to all 32 local authorities in Scotland, all of whom responded. One said they did not enforce the relevant law and did not provide any substantive data. 31 local authorities stated that they enforced animal welfare law or provided substantive responses. As above, we take this to mean that they hold some enforcement powers. Their enforcement powers are conferred by the Animal Health and Welfare (Scotland) Act 2006, the Welfare of Animals (Transport) (Scotland) Regulations 2006, and the Welfare of Animals at Markets Order 1990.

In both 2022 and 2023, a total of 168 local authorities enforced animal welfare law across England, Wales, and Scotland.

The responses revealed that county councils and unitary councils still tend to be the main enforcers of farmed animal welfare legislation in England and that district councils do not enforce this legislation.



## Central Regulators

DAERA is the primary enforcement agency of animal welfare legislation in Northern Ireland. This includes welfare in slaughterhouses.

In England, the overarching regulator for farmed animal welfare is the Department of Environment, Food & Rural Affairs ('DEFRA').

In Wales, the Welsh Government has regulatory oversight over farmed animal welfare.

In Scotland, the Scottish Government is responsible for farmed animal welfare through the Agriculture and Rural Economy Directorate.

England, Scotland, and Wales outsource most of their enforcement to the Animal and Plant Health Agency ('APHA'), which is an executive agency of the central governments.

The Food Standards Agency ('FSA') is responsible for animal welfare in slaughterhouses in England and Wales. Food Safety Scotland ('FSS') is responsible for animal welfare in slaughterhouses in Scotland.

DAERA and FSS provided comprehensive responses. The FSA provided some of the information required and also referred us to information available in the public domain. APHA provided information for England only.

## Number of Farms

According to data provided by APHA, as of October 2024, there are 277,256 registered farm premises in England (205,490), Scotland (39,398), and Wales (32,368). DAERA, in Northern Ireland, oversaw a total of 24,410 animal farms in 2022 and 24,379 in 2023.

The total number of farms in the whole of the United Kingdom was 301,666 for 2022 and 301,635 for 2023.

Farmed animal welfare issues also occur at marketplaces, border posts, and during the transport of live animals, and these are referenced throughout the report.



## 2. Inspections

Non-compliance with farmed animal welfare law tends to be detected through complaints, inspections, and undercover investigations. Information on complaints and non-compliance detected through inspections is dealt with in the following sections. We have not included any data on non-compliance detected during undercover investigations in this report.

Welfare inspections are covered by various pieces of legislation, such as the Animal Welfare Act 2006 in England and Wales, the Animal Health and Welfare (Scotland) Act 2006 in Scotland, and the Welfare of Animals Act (Northern Ireland) 2011 in Northern Ireland. They are also mandated under the official controls regime, which derives from assimilated Regulation (EU) 2017/625 on official controls of those responsible for animals kept for human consumption.

Regulation (EU) 2017/625 of the European Parliament and of the Council states that:

*‘Article 9*

*1. Competent authorities shall perform official controls on all operators regularly, on a risk basis and with appropriate frequency, taking account of:*

*a. identified risks associated with:*

- i. animals and goods;*
- ii. the activities under the control of operators;*
- iii. the location of the activities or operations of operators;*
- iv. the use of products, processes, materials or substances that may influence food safety, integrity and wholesomeness, or feed safety, animal health or animal welfare, plant health or, in the case of GMOs and plant protection products, that may also have an adverse impact on the environment’*

Recital 53 of the same regulation states: *‘the frequency of official controls should adequately address risks to human, animal and plant health, [and] animal welfare.’*

Inspectors in England, Scotland, and Wales can be appointed by the appropriate national or local authority. National authorities include DEFRA, the Welsh Government, and the Scottish Government. These bodies outsource their inspections to APHA. APHA provides some inspections for cross compliance for financial subsidies, as well as at markets, ports, on the roadside, and at supervised loadings of export consignments. Meanwhile, welfare inspections at the time of killing are carried out through a service level agreement with the FSA in England and Wales and FSS in

Scotland. The majority of inspections in England, Scotland, and Wales are done through the environmental health or trading standards departments at local authorities. In Northern Ireland, DAERA is responsible for welfare inspections for farmed animals.

In this section, we have considered the data from all local authorities that provided a response when asked how many premises in their jurisdiction were inspected one or more times in 2022 and 2023. This data includes where local authorities answered zero where they had premises and may also include figures from local authorities who stated that they did not enforce animal welfare law, but still provided substantive data. In total, we received data on premises inspected from 151 local authorities in 2022 and 152 in 2023. We have also received data from DAERA (Northern Ireland only) and APHA (England only).

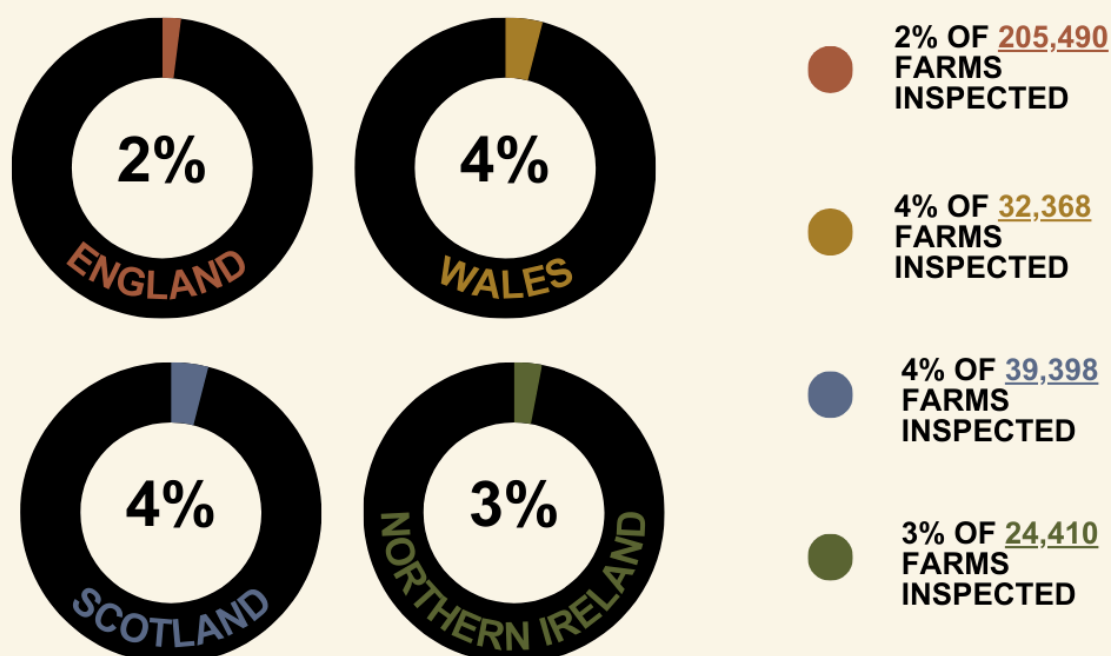
The responses reveal that the following number of premises were inspected at least once between 2022-2023:

Year	Country	Body	Total number of premises inspected at least once
<b>2022</b>	England	Local authority (107)	3,527
	Wales	Local authority (17)	1,354
	Scotland	Local authority (27)	1,420
	England (Scotland and Wales data was not provided)	APHA	739
	Northern Ireland	DAERA	786
<b>2023</b>	England	Local authority (107)	3,333
	Wales	Local authority (17)	1,000
	Scotland	Local authority (28)	1,783

	England (Scotland and Wales data was not provided)	APHA	1,155
	Northern Ireland	DAERA	728

In 2022, the data includes a total of 7,453 farms inspected at least once in the whole of the UK, which would amount to 2.47% of the total 301,666 farms being inspected.

## INSPECTIONS 2022



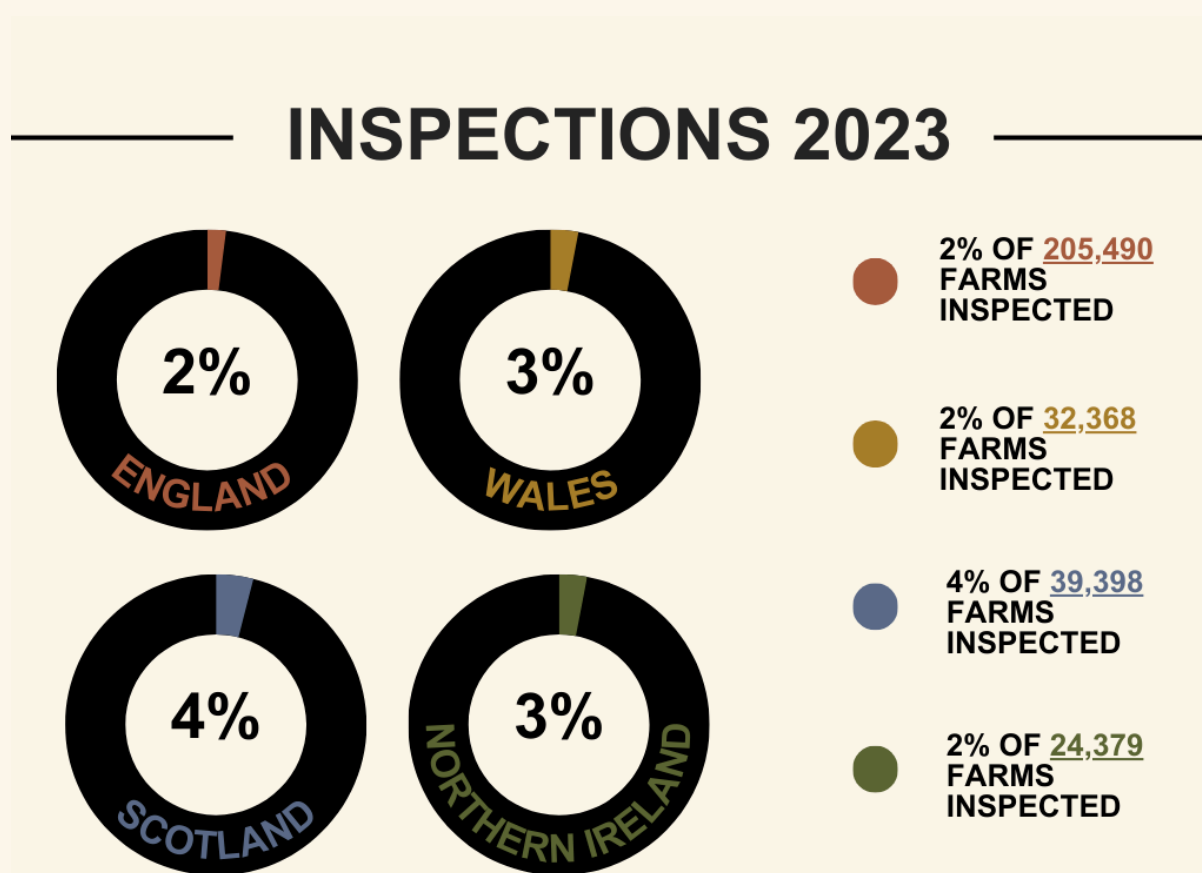
Fewer than 2% of farms were inspected in England in 2022.

Fewer than 4% of farms were inspected in Wales in 2022.

Fewer than 4% of farms were inspected in Scotland in 2022.

Just over 3% of farms were inspected in Northern Ireland in 2022.

In 2023, the data included a total of 7,617 farms that were inspected at least once in the whole of the UK, which would amount to 2.53% of the total 301,635 farms being inspected.



Just over 2% of farms were inspected in England in 2023.

Fewer than 3% of farms were inspected in Wales in 2023.

Slightly over 4% of farms were inspected in Scotland in 2023.

Fewer than 3% of farms were inspected in Northern Ireland in 2023.

### Number of Inspectors

In response to The Animal Law Foundation's request for information on the number of inspectors employed to carry out welfare inspections, the following information was provided from the same pool of 151 and 152 local authorities above:



Year	Local Authority	Number of inspectors employed (on a full or part time basis)	FTE
2022	England (107)	179	39.15
	Scotland (27)	38	5.75
	Wales (17)	41	10.95

Year	Body	Number of inspectors employed	FTE
2023	England (107)	179	38.80
	Scotland (28)	40	5.95
	Wales (17)	42	10.95

Local authorities responded to this question in different formats. Some provided the total number of employees who are able to conduct animal welfare inspections, whereas some provided the full time equivalent figure.

The total number of individuals provided is 258 for 2022 and 261 for 2023. The FTE number equals the equivalent of 56 full time people for both 2022 and 2023.

When adding the FTE to the number of individuals given, this would equate to 314 individuals in 2022 and 317 individuals in 2023 to conduct animal welfare inspections for farmed animals. This would mean a ratio of one inspector for every 882 farms in 2022 and 874 farms in 2023.

APHA did not provide the information regarding the number of individuals hired to carry out inspections.

On average there was **one inspector** for every 878 farms in 2022 and 2023

DAERA was not able to provide a breakdown for 2022 and 2023, but as of 29 March 2024, there were 391 staff members who took part in inspections. This means a ratio of one inspector for every 62 farms per year.



## 3. Enforcement Action

### 3.1 Local Authority Enforcement Action

In this section, we have considered data from all local authorities that were able to provide all of the following information, even if that answer was zero:

- the total number of inspections conducted
- the number of inspections finding non-compliance with the law
- the number of complaints received, and
- any formal enforcement action taken.

141 local authorities provided all this information for 2022, of which 100 were in England, 15 in Wales, and 26 in Scotland.

140 local authorities provided all this information for 2023, of which 98 were in England, 15 in Wales, and 27 in Scotland.

This only included England, Scotland, and Wales, as animal welfare law for farmed animals in Northern Ireland is enforced by DAERA.

These totals include any data received from local authorities that said that they did not enforce the law, but then provided substantive responses to the relevant questions. Any data received from local authorities that did not provide all this information has been excluded.

The Animal Law Foundation specifically asked for formal legislative enforcement actions; these being actions that are provided for under animal welfare legislation, rather than informal action (e.g., warning letters, advice notes). The formal enforcement action requested was as follows:

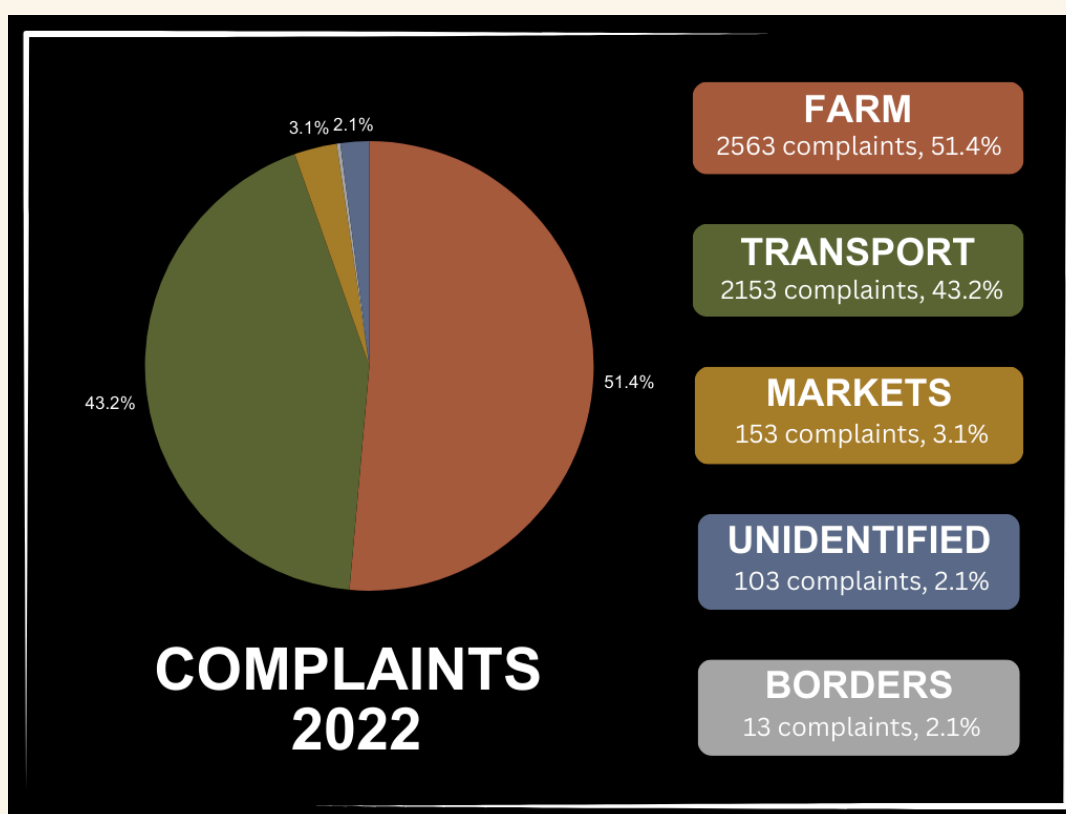
- 
- Prosecutions commenced for offences under the Animal Welfare Act 2006 (England and Wales)
  - Prosecutions commenced for offences under the Animal Health and Welfare (Scotland) Act 2006
  - Prosecutions commenced for offences named in Regulation 7 of the Welfare of Farmed Animals (England) Regulations 2007 and the Welfare of Farmed

Animals (Wales) Regulations 2007, and Regulation 11 of the Welfare of Farmed Animals (Scotland) Regulations 2010

- Prosecutions commenced for offences named in the Welfare of Animals at Markets Order 1990 (England, Wales, and Scotland)
- Improvement notices issued under Section 10 of the Animal Welfare Act 2006 for failures to comply with Section 9(1) of that Act (England and Wales)
- Care notices issued under Section 25 of the Animal Health and Welfare (Scotland) Act 2006 for failures to comply with Section 24 of that Act
- Compliance notices issued for failures to comply with the Welfare of Animals (Transport) (England) Order 2006, the Welfare of Animals (Transport) (Wales) 2007, and the Welfare of Animals (Transport) (Scotland) Regulations 2006

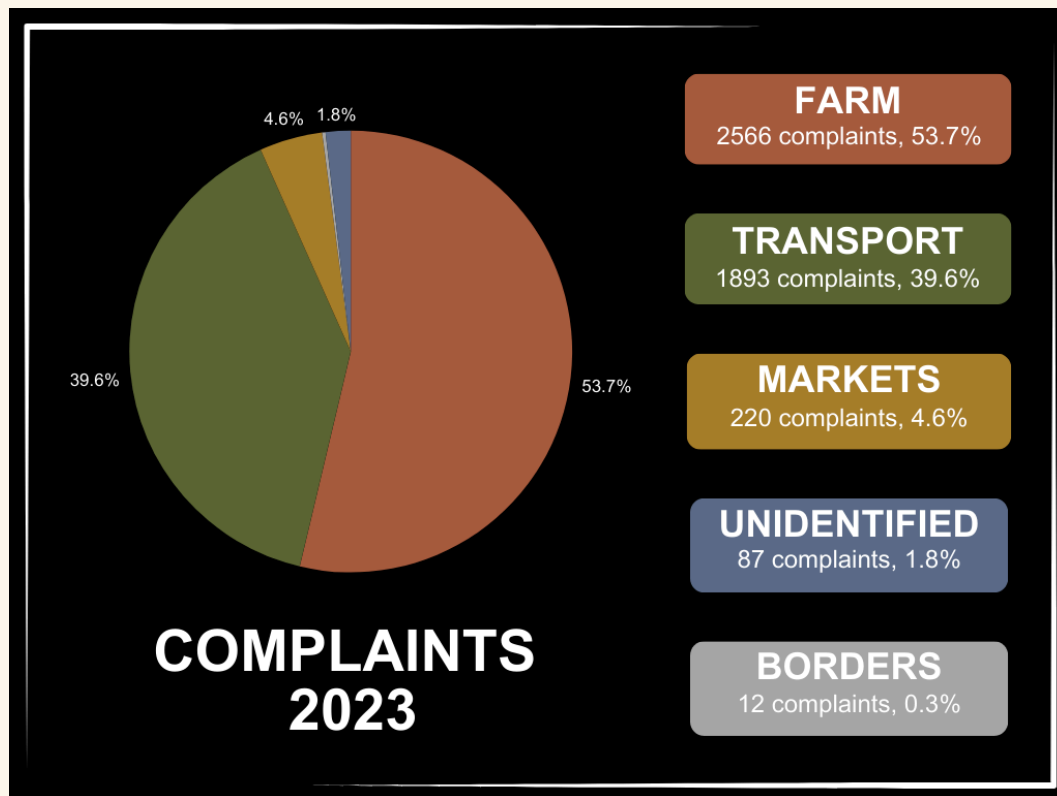
## Complaints

In 2022, there were **4,982 complaints** relating to farmed animal welfare received by local authorities in England, Scotland, and Wales. 2,563 related to on-farm welfare, 153 were in relation to markets, 2,153 related to transport, 13 were at border control, and 103 were unidentified, as some local authorities could not break down the data by type of premise.





In **2023**, there were **4,778 complaints** relating to farmed animal welfare received by local authorities in England, Scotland, and Wales. 2,566 related to farms, 220 were in relation to markets, 1,893 related to transport, 12 were at border control, and 87 were unidentified, as some local authorities could not break down the data by type of premise.



### Breakdown by Country

#### England

In **2022**, there were a total of 3,556 complaints concerning farmed animal welfare at farms, markets, border points, and during transport. 49.97% of these complaints were in relation to welfare on-farms, 1.55% were in relation to welfare at markets, and 45.5% were in relation to welfare during transport.

In **2023**, there were a total of 3,261 complaints concerning farmed animal welfare at farms, markets, border points, and during transport. 53.73% of these complaints were in relation to welfare on-farms, 2.09% were in relation to welfare at markets, 41.43% were in relation to welfare during transport, and 0.06% were at border posts.

A number of local authorities were not able to break down the complaint data by type of premise.

Total complaints received in England		
Type of premise	2022	2023
Farms	1777	1752
Markets	55	68
Transport	1618	1351
Borders	3	2
Unidentified	103	87
<b>Total</b>	<b>3556</b>	<b>3261</b>

### Scotland

**In 2022**, there were a total of 722 complaints concerning farmed animal welfare at farms, markets, during transport, and at border posts. 44.6% of these complaints were in relation to welfare on-farms, 10.94% were in relation to welfare at markets, 43.07% were in relation to welfare during transport, and 1.39% were in relation to welfare at border posts.

**In 2023**, there were a total of 851 complaints concerning farmed animal welfare at farms, markets, during transport, and at border posts. 40.66% of these complaints were in relation to welfare on-farms, 14.57% were in relation to welfare at markets, 43.6% were in relation to welfare during transport, and 1.18% were in relation to welfare at border posts.

Total complaints received in Scotland		
Type of premise	2022	2023
Farms	322	346
Markets	79	124
Transport	311	371
Borders	10	10
<b>Total</b>	<b>722</b>	<b>851</b>

## Wales

**In 2022**, there were a total of 704 complaints concerning farmed animal welfare at farms, markets, borders, and during transport. 65.91% of these complaints were in relation to welfare on-farms, 2.7% were in relation to welfare at markets, and 31.39% were in relation to welfare during transport.

**In 2023**, there were a total of 666 complaints concerning farmed animal welfare at farms, markets, border posts, and during transport; 70.12% of these complaints were in relation to welfare on-farms, 4.2% were in relation to welfare at markets, and 25.68% were in relation to welfare during transport.

Total complaints received in Wales		
Type of premise	2022	2023
Farms	464	467
Markets	19	28
Transport	221	171
Borders	0	0
<b>Total</b>	<b>704</b>	<b>666</b>

## Inspections Showing Non-Compliance

**In 2022**, the total number of inspections showing non-compliance in England, Scotland, and Wales was 1,671, this equates to 18.79% of inspections showing non-compliance.

**In 2023**, the total number of inspections showing non-compliance in England, Scotland, and Wales was 1,648, this equates to 19.42% of inspections showing non-compliance.

## Breakdown by Country

### England

**In 2022**, local authorities conducted a total of 5,026 inspections. Of these, 926 inspections found non-compliance with welfare legislation, meaning that 18.42% of inspections found non-compliance, which equates to almost one in five.



767 instances of non-compliance were identified at farms, 156 at markets, and three at borders.

**In 2023**, local authorities conducted a total of 4,670 inspections. Of these, 795 inspections found non-compliance with welfare legislation, which amounts to 17.02% of inspections or approximately one in six.

651 instances of non-compliance were identified at farms, 142 at markets, and two at borders.

### *Scotland*

**In 2022**, local authorities conducted a total of 1,971 inspections. Of these, 393 inspections found non-compliance with welfare legislation in farms, at markets, and at border posts. This equates to roughly one in five inspections or 19.94%.

350 instances of non-compliance were identified at farms, 43 at markets, and none at borders.

**In 2023**, local authorities conducted a total of 2,273 inspections. Of these, 469 inspections found non-compliance with welfare legislation, meaning that 20.63% of inspections found non-compliance, which roughly equates to one in five inspections.

433 instances of non-compliance were identified at farms, 36 at markets, and none at borders.

### *Wales*

**In 2022**, local authorities conducted a total of 1,896 inspections. Of these, 352 inspections found non-compliance with welfare legislation, meaning that 18.57% of inspections found non-compliance, which equates to almost one in five.



287 instances of non-compliance were identified at farms, 65 at markets, and none at borders.

In 2023, local authorities conducted a total of 1,543 inspections. Of these, 384 inspections found non-compliance with welfare legislation, meaning that 24.89% of inspections found non-compliance, which roughly equates to one in four inspections.

286 instances of non-compliance were identified at farms, 98 at markets, and none at borders.

## Formal Enforcement Action

Complaints and Non-compliance	2022	2023
Number of complaints/referrals	4,982	4,778
Number of inspections	8,893	8,486
Number of inspections finding non-compliance	1,671	1,648
% of inspections finding non-compliance <sup>5</sup>	18.79%	19.42%

Despite the high number of complaints and non-compliance detected following an inspection, only the following legislative enforcement actions were taken in 2022 and 2023 across England, Scotland and Wales.

### 2022

- 22 improvement notices were issued under Section 10 of the Animal Welfare Act 2006 in England, and 56 improvement notices were issued in Wales. 38 care notices were issued under Section 25 of the Animal Health and Welfare (Scotland) Act 2006 in Scotland.
- Five compliance notices were issued under the Welfare of Animals (Transport) (England) Order 2006. Seven compliance notices were issued under the Welfare of Animals (Transport) (Wales) Order 2007. 41 compliance notices were issued under the Welfare of Animals (Transport) (Scotland) Regulations 2006.

- Three prosecutions were commenced under the Welfare of Farmed Animals (England) Regulations 2007. One prosecution was commenced under the Welfare of Farmed Animals (Scotland) Regulations 2010.
- 15 prosecutions were commenced under the Animal Welfare Act 2006 in England. Two prosecutions were commenced under the Animal Welfare Act 2006 in Wales. Four prosecutions were commenced under the Animal Health and Welfare (Scotland) Act.

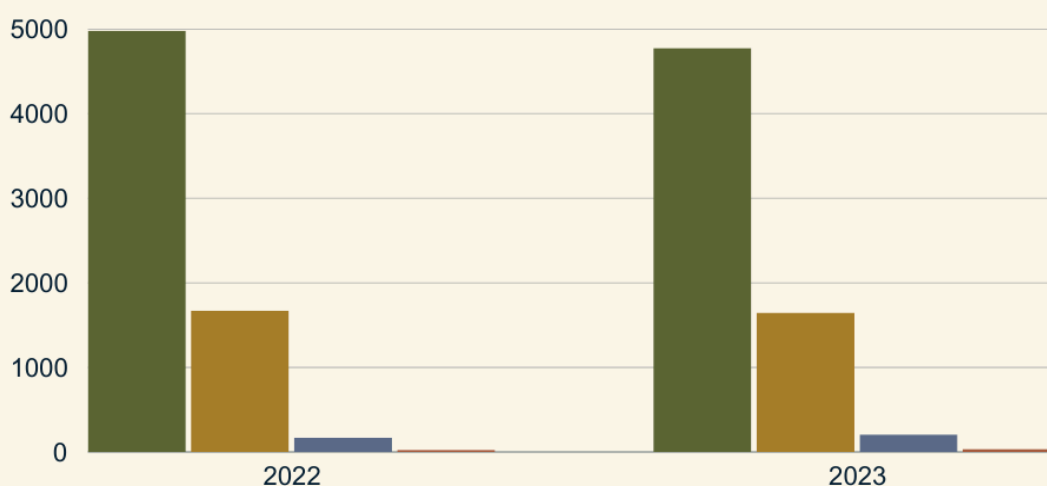
## 2023

- 26 improvement notices were issued under Section 10 of the Animal Welfare Act 2006 in England and 63 improvement notices were issued in Wales. 44 care notices were issued under Section 25 of the Animal Health and Welfare (Scotland) Act 2006.
- 14 compliance notices were issued under the Welfare of Animals (Transport) (England) Order 2006. 13 compliance notices were issued under the Welfare of Animals (Transport) (Wales) Order 2007. 47 care notices were issued under the Welfare of Animals (Transport) (Scotland) Regulations 2006.
- Four prosecutions were commenced under the Welfare of Farmed Animals (England) Regulations 2007. Three prosecutions were commenced under the Welfare of Farmed Animals (Wales) Regulations 2007. One prosecution was commenced under the Welfare of Farmed Animals (Scotland) Regulations 2010.
- 16 prosecutions were commenced under the Animal Welfare Act 2006 in England. Eight prosecutions were commenced under the Animal Welfare Act 2006 in Wales. Four prosecutions were commenced under the Animal Health and Welfare (Scotland) Act 2006.

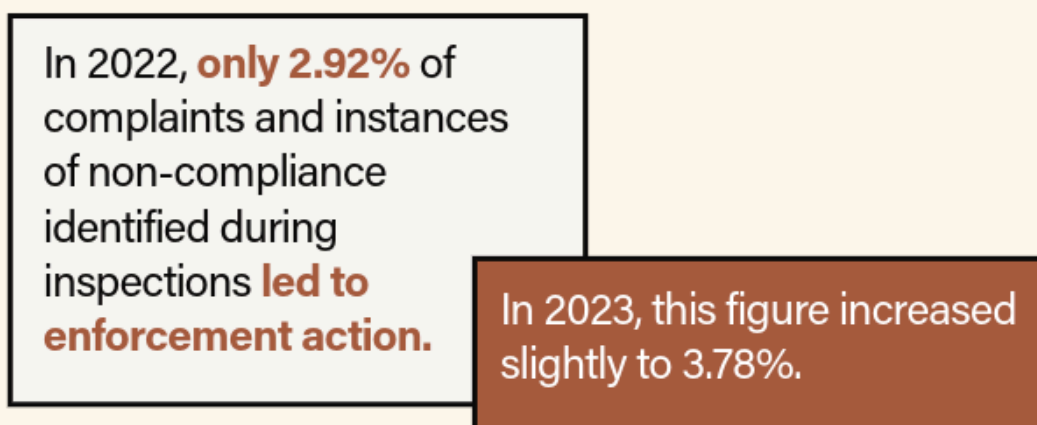
In 2022 and 2023, prosecutions were initiated in **fewer than 1%** of cases against the total number of complaints and non-compliance found during inspections.



## UK FARMED ANIMAL WELFARE ENFORCEMENT (LOCAL AUTHORITY DATA)



Complaints and Non-Compliance/ Enforcement Action	2022	2023
Total number of complaints	4,982	4,778
Total non-compliance found during inspections	1,671	1,648
Total number of complaints and non-compliance	6,553	6,246
Total number of prosecutions	25	36
Total number of notices <sup>6</sup>	169	207
Total enforcement action	194	243



## Breakdown by Country

### England

**In 2022**, out of the 100 local authorities in England considered in this section, 24% took a form of enforcement action. In total, 22 improvement notices and five compliance notices were issued, and 18 prosecutions were commenced.

Only 41.03% of local authorities brought enforcement action following an inspection that detected non-compliance on a farm.

Despite 156 inspections showing non-compliance at markets, there were no prosecutions for offences under the Welfare of Animals at Markets Order 1990 within the local authorities that provided all the relevant data.

**Based on the total number of welfare complaints received and the total number of inspections revealing non-compliance in 2022, enforcement action (whether a prosecution or a formal notice) was only taken in 1% of cases.**

**In 2023**, of the 98 local authorities in England, only 24.49% took a form of formal enforcement action. In total, 26 improvement notices and 14 compliance notices were issued, and 20 prosecutions were commenced.

Only 40% of local authorities brought enforcement action following an inspection that detected non-compliance on a farm.





Despite 142 inspections showing non-compliance at markets, there were no prosecutions for offences under the Welfare of Animals at Markets Order 1990 within the local authorities that provided all the relevant data.

2023

In England, **based on the total number of welfare complaints received and the total number of inspections revealing non-compliance**, enforcement action (whether a prosecution or a formal notice) was only taken in **1.48% of cases**.

### Scotland

**In 2022**, 30.77% of 26 local authorities took a form of formal enforcement action. In total, 38 care notices and 41 compliance notices were issued, and five prosecutions were commenced.

Only 35.29% of local authorities brought enforcement action following an inspection that detected non-compliance on a farm.

Six local authorities found non-compliance at a marketplace following an inspection, and three of them took enforcement action.

In Scotland, based on the total number of welfare complaints and inspections finding non-compliance, **enforcement action was taken in 7.53% of cases.**



**In 2023**, 25.93% of 27 local authorities took a form of enforcement action. 44 care notices and 47 compliance notices were issued, and five prosecutions were commenced.

Only 35.29% of local authorities that found non-compliance at farms brought enforcement action, either by issuing a care notice or prosecution.

Seven local authorities found non-compliance at marketplaces and only one of these brought enforcement action, either by issuing an official care notice or prosecution.

**Following either a complaint or an inspection finding non-compliance, enforcement action was taken in 7.27% of cases.**

## Wales

**In 2022**, 52.94% of 15 local authorities in Wales took a form of enforcement action. In total, two prosecutions were commenced, and 56 improvement notices and seven compliance notices were issued.

Only 54.55% of local authorities brought enforcement action following an inspection that detected non-compliance on a farm.

Despite 65 inspections showing non-compliance at markets, there were no prosecutions commenced for offences named in the Welfare of Animals at Markets Order 1990.

In Wales, following either a complaint or an inspection finding non-compliance, enforcement action was brought in **6.16% of cases.**

**In 2023**, 60% of 15 local authorities in Wales took a form of enforcement action. In total, 63 improvement notices and 13 compliance notices were issued, and 11 prosecutions were commenced.

Only 63.64% of local authorities brought enforcement action following an inspection that detected non-compliance on a farm.

Despite 98 inspections showing non-compliance at markets, there were no prosecutions commenced for offences named in the Welfare of Animals at Markets Order 1990.

## WALES

Based on the total number of welfare complaints and inspections finding non-compliance, **enforcement action was brought in 8.29% of cases.**

## 3.2 Central Authorities Enforcement Action

Whilst local authorities are the main enforcement bodies of farmed animal welfare law in England, Scotland, and Wales, The Department of Agriculture, Environment, and Rural Affairs (DAERA) is the main enforcement body in Northern Ireland and DEFRA, the Scottish Government, the Welsh Government, and DAERA still have overall responsibility for farmed animal welfare law and policy throughout the UK.

### *Northern Ireland*

DAERA is the main enforcement agency in Northern Ireland, rather than the local authorities. The relevant pieces of legislation enforced in Northern Ireland are: The Welfare of Animals Act (Northern Ireland) 2011, The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006, and The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014.

In this section we asked DAERA for information on:

- Prosecutions for offences named in the Welfare of Animals Act (Northern Ireland) 2011
- Improvement notices issued under Section 10 of the Welfare of Animals Act (Northern Ireland) 2011 for failures to comply with Section 9(1) of that Act
- Prosecutions for offences named in Regulation 6 of the Welfare of Farmed Animals Regulations (Northern Ireland) 2012
- Compliance notices issued for failures to comply with the Welfare of Animals (Transport) Regulations (Northern Ireland) 2006
- Prosecutions for offences under the Welfare of Animals and Poultry at Markets Order (Northern Ireland) 1998

**In 2022**, there were a total of 139 complaints relating to farmed animal welfare. All of these complaints were related to on-farm concerns.

In total, 133 inspections found non-compliance with animal welfare law. Of these, 65 were on farms and 68 were at markets.

There were three prosecutions and one improvement notice under the Welfare of Animals Act (Northern Ireland) 2011. Five compliance notices were issued under The Welfare of Animals (Transport) Regulations (Northern Ireland) 2006, concerning farmed animals.

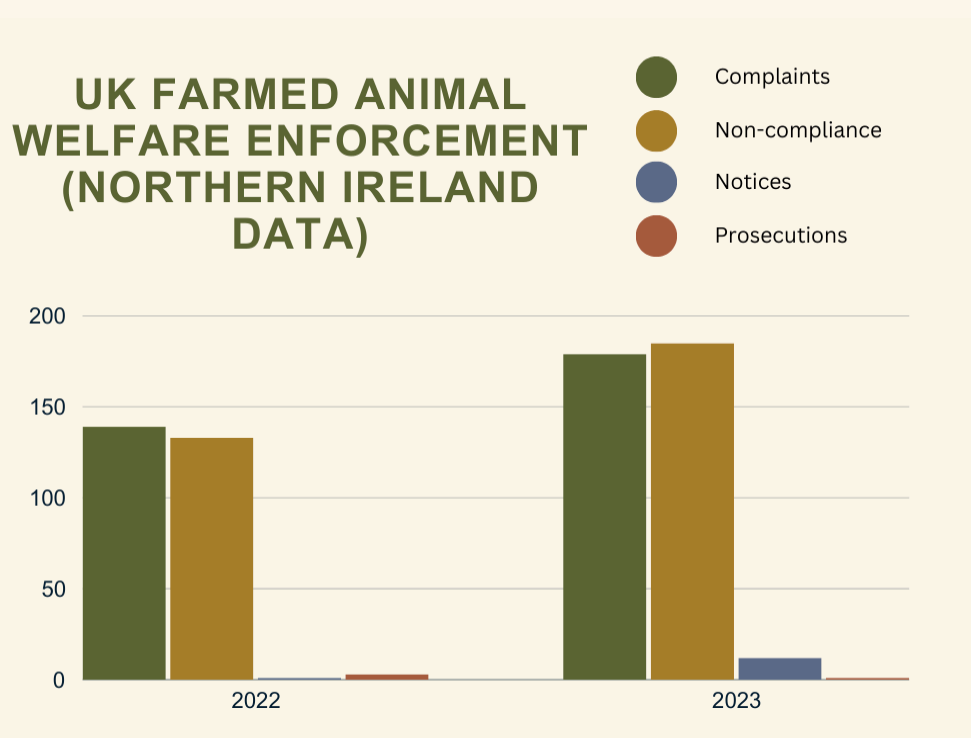
DAERA did not provide any information on offences named in the Welfare of Animals and Poultry at Markets Order (Northern Ireland) 1998.

In **2023**, there were a total of 179 complaints relating to farmed animal welfare. DAERA did note that these figures are provisional and have not yet been finalised. All of these complaints were related to on-farm concerns.

In total, 185 inspections found non-compliance with animal welfare law. Of these, 113 were on farms and 72 were at markets.

There was one prosecution and 12 improvement notices under the Welfare of Animals Act (Northern Ireland) 2011.

DAERA did not provide any information on offences named in the Welfare of Animals and Poultry at Markets Order (Northern Ireland) 1998 and was unable to provide the data for compliance notices issued under the Welfare of Animals (Transport) Regulations (Northern Ireland) 2006 for the year 2023.



Complaints and Non-Compliance/ Enforcement Action	2022	2023
Number of complaints	139	179
Inspections finding non-compliance	133	185
Total number of	272	364

complaints and non-compliance		
Prosecutions	3	1
Improvement notices	1	12
Total enforcement action	4	13

Based on the total number of complaints and inspections finding non-compliance in **2022**, this would equate to **prosecutions being brought in 1.1% of cases.**

Based on the total number of complaints and inspections finding non-compliance in **2023**, this would equate to **prosecutions being brought in 0.27% of cases.**

Based on the total number of complaints and inspections finding non-compliance in 2022, this would equate to enforcement action (whether an improvement notice or prosecution) being taken in 1.47% of cases.

Based on the total number of complaints and inspections finding non-compliance in 2023, this would equate to enforcement action (whether an improvement notice or prosecution) being taken in 3.57% of cases.

### *England*

In response to The Animal Law Foundation's request for enforcement information from the central authorities in England, Wales, and Scotland, DEFRA, the Scottish Government, and the Welsh Government all referred to APHA as the relevant body in charge of enforcement. In response to the request for information, APHA was only able to provide data regarding England.

**In 2022** APHA received a total of 740 complaints for England. 736 related to farms, four related to markets, and none related to transport and border posts. A total of 871 inspections were conducted by APHA. 801 of these inspections were carried out on farms and 70 at markets. Of these, 222 inspections conducted at farms found non-compliance with animal welfare law; this amounts to non-compliance findings in 27.72% of inspections. 30 improvement notices were served under Section 10 of the Animal Welfare Act 2006.



**In 2023** APHA received a total of 1042 complaints for England. 1,038 related to farms, four related to markets, and none related to transport and border posts. A total of 1,433 inspections were conducted by APHA. 1,359 of these inspections were carried out on farms and 74 at markets. 438 inspections conducted at farms found non-compliance with animal welfare law; this amounts to non-compliance findings in 32.23% of inspections. No inspections reported non-compliance at markets. 18 improvement notices were served under Section 10 of the Animal Welfare Act 2006.

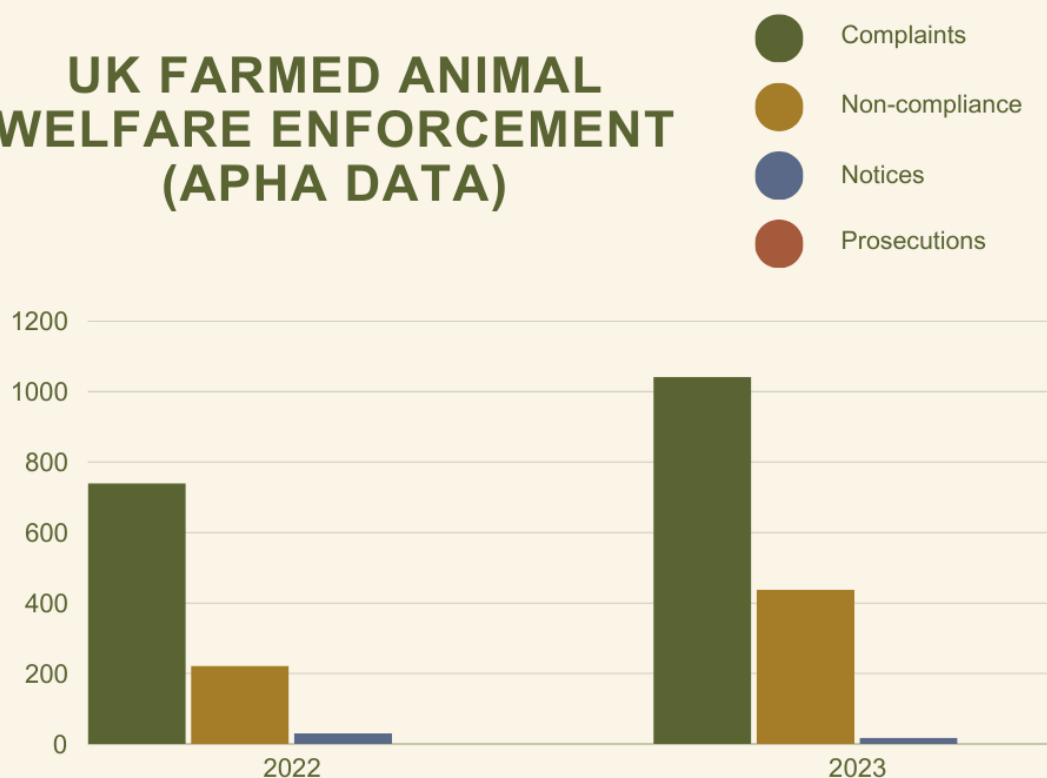


APHA did not commence any prosecutions in 2022-2023, nor did it refer any to the Crown Prosecution Service for farmed animal welfare offences.

There is a noticeable drop in enforcement action taken by APHA between 2022 and 2023, with enforcement action being taken in approximately two-thirds fewer cases.



## UK FARMED ANIMAL WELFARE ENFORCEMENT (APHA DATA)



Complaints and Non-Compliance/ Enforcement Action	2022	2023
Number of complaints	740	1042
Inspections finding non-compliance	222	438
Total number of complaints and non-compliance	962	1480
Improvement notices	30	18

Based on the total number of complaints and inspections finding **non-compliance in 2022**, improvement notices (which amounts to all enforcement action) were issued in **3.12% of cases.**

In 2023, this number **decreased to 1.22%** of cases for the same criteria.

### 3.3 Slaughterhouse Enforcement

We asked the authorities responsible for enforcement at slaughterhouses for information regarding the formal enforcement action taken following breaches of the relevant law, namely:

- The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014.
- The Welfare of Animals at the Time of Killing (England) Regulations 2015
- The Welfare of Animals at the Time of Killing (Wales) Regulations 2014
- The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012
- The Welfare of Animals Act (Northern Ireland) 2011
- The Animal Welfare Act 2006
- The Animal Health and Welfare (Scotland) Act 2006

#### *Food Standards Agency ('FSA')*

The FSA is responsible for animal welfare in slaughterhouses in England and Wales. To date, there are 242 FSA approved slaughterhouses across England, Wales, and Northern Ireland.

The FSA provided a limited amount of data to The Animal Law Foundation's request under the Freedom of Information Act 2000. The Animal Law Foundation has

supplemented this data with information available in the public domain, where possible.

The FSA received nine welfare complaints in England and Wales during 2022 and 2023.

All slaughterhouses are inspected daily during operation by the FSA Official Veterinarians and Meat Hygiene Inspectors.

The FSA's datasets on Animal Welfare Enforcement Non-Compliance reveal that **in 2022 there were 4,211 instances of non-compliance. Of these, 14 were referred for further investigations (0.33%).<sup>7</sup> In 2023 there were 3,843 instances of non-compliance. Of these, only 28 were referred for further investigations (0.73%).<sup>8</sup>** These datasets cover instances occurring in slaughterhouses, but also those cases identified as originating on farm or in transport.

The FSA referred five potential prosecutions to the Crown Prosecution Service in both 2022 and 2023. In 2022, the FSA issued 14 enforcement notices under Regulation 38 of The Welfare of Animals at the Time of Killing (England) Regulations 2015. In 2023, it issued 13.

### *Food Standards Scotland ('FSS')*

FSS is responsible for animal welfare before and during slaughter in Scotland. In 2022, FSS had 25 slaughterhouses under its authority and in 2023 it had 24. FSS approved premises are inspected on a daily basis, through FSS Official Veterinarians.

FSS stated that it did not receive any welfare complaints in relation to welfare at slaughterhouses in 2022 and received one in 2023.

**In 2022**, 333 instances of non-compliance were observed on inspection. FSS commenced or referred two prosecutions to the Crown Office and Procurator Fiscal Service or the local authority for offences named in the Animal Health and Welfare (Scotland) Act 2006 or under The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012.

In 2022, only 1.2% of instances of non-compliance led to a prosecution. Two enforcement notices were issued under Regulation 21 of The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012.

291 cases were referred to APHA or local authorities for enforcement from FSS due to the potential breaches relating to on-farm or transport welfare issues.

In 2023, 372 instances of non-compliance were identified. Three enforcement notices were issued under Regulation 21 of The Welfare of Animals at the Time of Killing Regulations (Scotland) 2012. No prosecutions were commenced or referred to the Crown Office and Procurator Fiscal Service or a local authority for prosecution for offences named in the Animal Health and Welfare (Scotland) Act 2006 or in The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012.

**In 2023, only 0.81% of instances of non-compliance led to an enforcement notice. No prosecutions were commenced.**

315 cases were referred to APHA or the local authorities for enforcement of on farm or transport welfare issues.

### DAERA

Whilst the FSA approves slaughterhouses in Northern Ireland, DAERA remains responsible for welfare at slaughterhouses.

The number of slaughterhouses under DAERA's authority saw a slight increase, from 19 in 2022 to 20 in 2023. Official veterinarians are present in all Northern Ireland slaughterhouses to carry out animal welfare inspections. In addition, official visits can be conducted for the purpose of carrying out a full audit, partial audit, or an unannounced inspection due to a concern being reported. DAERA provided data for the audit inspections that occurred at the slaughterhouses in their jurisdiction. There were 46 inspections in 2022 and 34 in 2023. Despite the decrease in audit inspections, a similar number (27 in 2022 and 22 in 2023) revealed non-compliance with animal welfare laws in each year.

DAERA received zero welfare complaints in 2022 and one in 2023.

In 2022, 15 prosecutions were brought against slaughterhouses and 14 were brought in 2023.

DAERA did not issue any enforcement notices under Regulation 31 of The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014.

## 3.4 Previous Convictions

The authorities were also asked how many individuals subject to a legislative enforcement action (i.e. improvement/care/compliance/enforcement notice or prosecution) had previously committed an animal welfare offence.

## Farms, Markets, Borders, Transport

**2022**

Country	England	Wales	Scotland	Northern Ireland	Total
Total number of enforcement action brought	45	65	84	9	203
Individuals with a previous conviction	13	13	3	0	29
Percentage of individuals with a previous conviction	28.89%	20%	3.57%	0%	14.29%

**2023**

Country	England	Wales	Scotland	Northern Ireland	Total
Total number of enforcement action brought	60	87	96	13	256
Individuals with a previous conviction	14	15	3	2	34
Percentage of individuals with a previous conviction	23.33%	17.24%	3.13%	15.38%	13.28%

## The results showed that on average in 2022:

- Almost 30% of those subject to enforcement action in England had previously committed an animal welfare offence
- 20% of those subject to enforcement action in Wales had previously committed an animal welfare offence
- Approximately 3% of those subject to enforcement action in Scotland had previously committed an animal welfare offence
- None of those subject to enforcement action in Northern Ireland had previously committed an animal welfare offence

## The results showed that on average in 2023:

- Just over 20% of those subject to enforcement action in England had previously committed an animal welfare offence
- In Wales, approximately 17% of individuals facing legal action had previously committed an animal welfare offence
- In Scotland, approximately 3% of those facing legal action had previously committed an animal welfare offence
- In Northern Ireland, approximately 15% of those facing legal action had previously committed an animal welfare offence

## Slaughterhouses

### 2022

Regulator	FSA (England and Wales)	FSS (Scotland)	DAERA (Northern Ireland)	Total
Total number of enforcement action brought	19	4	15	38
Individuals with a previous conviction	0	0	1	1
<b>Percentage of individuals with a previous conviction</b>	0%	0%	6.67%	2.63%



**2023**

Regulator	FSA (England and Wales)	FSS (Scotland)	DAERA (Northern Ireland)	Total
Total number of enforcement action brought	18	3	14	35
Individuals with a previous conviction	0	0	2	2
<b>Percentage of individuals with a previous conviction</b>	0%	0%	14.29%	5.71%

**The results show that on average in 2022:**

- Just over 6% of those subject to enforcement action in Northern Ireland had previously committed an animal welfare offence
- None of the individuals referred for prosecution by the FSA had been subject to a previous prosecution
- None of the individuals subject to enforcement action in Scotland had previously committed an animal welfare offence

**The results show that on average in 2023:**

- 14.29% of those subject to enforcement action in Northern Ireland had previously committed an animal welfare offence
- None of the individuals referred for prosecution by the FSA had been subject to a previous prosecution
- None of the individuals subject to enforcement action in Scotland had previously committed an animal welfare offence

## 4. Case Studies

### Crustacean Killing Methods

**Key non-compliance welfare issue:** prolonged suffering due to the illegal and inhumane killing practice of boiling crustaceans alive.

#### I. Introduction

Each year, more than 420 million crabs, lobsters, shrimps, and langoustines are caught in the UK.<sup>9</sup>

Decapod crustaceans, such as lobsters and crabs, are sentient animals capable of experiencing emotions, such as pain and suffering. Boiling these animals alive is the most common means of killing them.

These prolonged and painful deaths are contrary to the law as safer and faster killing methods exist.

#### II. The Issue of Boiling Crustaceans Alive

A government-commissioned report titled 'Review on the Evidence of Sentience in Cephalopod Molluscs and Decapod Crustaceans', authored by The London School of Economics, highlighted the advanced nervous systems of crustaceans.<sup>10</sup> The findings in this report resulted in these creatures being recognised as sentient under the law under the Animal Welfare (Sentience) Act 2022.

Their advanced nervous systems enable decapod crustaceans to feel pain, distress, and fear, which are sensations that are heightened when subjected to the process of being boiled alive. According to the LSE review, boiling alive without prior stunning is an inhumane killing method for relatively large decapods that potentially results in significant suffering for these animals, who continue to be sentient for approximately 2.5 minutes after being immersed in water.<sup>11</sup> When asked to consider if decapod crustaceans can feel pain during the process, 78% of the British public think it is unacceptable to cook decapod crustaceans by boiling them while still alive.<sup>12</sup>

## DID YOU KNOW?

When asked to consider if decapod crustaceans can feel pain during the process, **78% of the British public** think it is **unacceptable** to cook decapod crustaceans by boiling them while still alive.

### III. Legislation

The Welfare of Animals at the Time of Killing (England) Regulations 2015 ('WATOK')<sup>13</sup>

The Welfare of Animals at the Time of Killing (England) Regulations 2015 make it an offence to restrain, stun, or kill certain animals, which includes invertebrates, in a way that may:

- a) Cause any avoidable pain, distress or suffering to that animal; or
- b) Permit that animal to sustain any avoidable pain, distress or suffering.

The person killing these animals must have the knowledge and skill necessary to perform these operations humanely and efficiently.

The Animal Welfare (Sentience) Act 2022 ('Sentience Act')

Section 5(1)(c) of the Animal Welfare (Sentience) Act 2022 puts the findings of the LSE review on statutory footing, recognising decapod crustaceans as sentient beings within the meaning of the Act.

The consequence of the above is that decapod crustaceans feel pain and that the pain is avoidable and therefore contrary to the law.

### IV. Evidence of Enforcement Issues

In a press release dated 19 November 2021, DEFRA claimed that the recognition of lobsters, octopuses, and crabs as sentient beings '*will not affect any existing legislation or industry practices such as fishing*'. It is further stated that '*there will be no direct impact on the shellfish catching or restaurant industry*'.<sup>14</sup>

The Animal Law Foundation disagrees with this interpretation and instead takes the view that the combination of WATOK and the Sentience Act means that decapod crustaceans can no longer be boiled alive.

## Official Guidance for Farmed Fish

**Key non-compliance welfare issue:** no official guidance for farmed fish explaining what the legal protections mean, leaving room for confusion, with a risk of misinterpretation of the law and fish suffering.

### I. Introduction

Salmon is the most prolifically farmed fish in the UK. In Scotland, it is estimated that 37.7 million farmed salmon are produced each year, leading Scotland to be the third largest salmon producer in the world.<sup>15</sup> However, this number does not take into account all of the salmon that die prematurely before completing the production process.

Unlike terrestrial animals such as chickens and pigs, farmed fish in Scotland are not provided with official guidance that adequately informs the industry how to comply with their legal obligations. Instead, the industry relies on the industry-developed Code of Good Practice for Scottish Finfish Aquaculture ('The Code of Good Practice'). The Code of Good Practice is not sufficient as it does not explain to farmers how to meet the legal obligations imposed on them, nor does it carry official oversight.

### II. Legislation

Fish have legal protections in Scotland under the Animal Health and Welfare (Scotland) Act 2006, which requires a keeper to meet their welfare needs. Fish must also be spared unnecessary suffering. They also have protections under the Welfare of Animals at the Time of Killing Regulations (Scotland) 2012 and The Welfare of Animals (Transport) (Scotland) Regulations 2006.

Despite these legal protections, a lack of official guidance explaining what the legal protections mean and how to meet them can create confusion, with the industry unsure of what their legal responsibilities are. Instead, the industry largely regulates itself via the Code of Good Practice. The Code of Good Practice claims to safeguard welfare, yet it is silent on how to meet the specific legal requirements.

The Animal Welfare Committee ('AWC') has recommended species specific regulations for farmed fish at the time of slaughter.<sup>16</sup> However, it is critical that keepers of farmed fish know how to comply with their current legal obligations at every stage of the farming process, which highlights the need for official guidance.

### III. Evidence of Enforcement Issues

Numerous investigations on farms have revealed a range of health and welfare

issues, such as disease, deformities, painful sea lice infestations, and poor husbandry practices.

Despite the numerous welfare concerns that have been brought to light that arguably breach the law, as of February 2024 there has never been a prosecution or formal notice issued.

## Pig Tail Docking

**Key non-compliance welfare issue:** routine tail docking, contrary to the law.

### I. Introduction

An estimated ten million pigs are slaughtered in the UK each year, with the vast majority being raised on intensive factory farms. Pigs living on factory farms typically undergo mutilations, such as teeth clipping and tail docking.

Tail docking is a common practice that causes extreme suffering to pigs. It is carried out by farmers as a measure to reduce the incidence of tail biting from other pigs, which can result from boredom, frustration, and inappropriate environments lacking in space and enrichment.

Tail docking is extremely painful for pigs. It is typically carried out without anaesthetic or analgesic when the piglet is 1-3 days old. Tail docking can also lead to neuromas, which are very painful and psychologically distressing.

Some believe that tail docking is necessary to prevent tail biting behaviours and subsequent infection, because a pig with a docked tail is less of a target to other pigs wanting to bite a tail. However, studies have shown that tail docking can cause acute trauma and pain, with the possibility of causing infections that can leave lasting discomfort for the animal.

This issue is exacerbated by the amount of pigs that are housed in factory farms with inadequate space and environmental enrichment. The number of industrial-sized pig farms is continuing to rise in the UK, with nearly 2,000 across the country, with each often housing a minimum of 2,000 pigs.

**DID YOU  
KNOW?**

**Data shows anywhere from 71% to 85% of pigs have their **tails docked** in the UK each year.**

## **II. Legislation and Codes of Practice**

Under Section 5 of the Animal Welfare Act 2006, Section 5 of the Welfare of Animals Act (Northern Ireland) 2011, and Section 20 of the Animal Health and Welfare (Scotland) Act 2006, mutilations are not permitted against a protected animal. A pig is a protected animal within the meaning of these Acts. A mutilation under welfare law is a procedure which involves interference with the sensitive tissues or bone structure of the animal, otherwise than for the purpose of its medical treatment. Tail docking would fall within this definition.

There are legislative exemptions from the prohibition, as set out in The Mutilations (Permitted Procedures) (England) Regulations 2007, The Mutilations (Permitted Procedures) (Wales) Regulations 2007, The Prohibited Procedures on Protected Animals (Exemptions) (Scotland) Regulations 2010, and The Welfare of Animals (Permitted Procedures by Lay Persons) Regulations (Northern Ireland) 2012. Under these regulations, tail docking is permitted where there is evidence that injuries to the tails of other pigs have occurred and where other measures to improve environmental conditions or management systems have been taken in order to prevent tail-biting.

## **III. Evidence of Enforcement Issues**

The exemption makes it clear that tail docking should be carried out as a last resort, where other methods have already been tried. However, investigations have shown that tail docking is performed on a routine basis in many facilities.

This notion is also confirmed by DEFRA's Code of Practice for the Welfare of Pigs, which, although not legally binding, should still be followed to ensure compliance with the legal provisions. Section 124 of the Code clearly states: *'Routine tail docking is not permitted. Tail docking should only be used as a last resort, after improvements to the pigs' environment and management have proved ineffectual in preventing tail biting.'*

Despite this, data collected from 2013-2017 shows that 71% of pigs in the UK had their tails docked.<sup>17</sup> In addition, data collected following 13 investigations by animal organisations into UK pig farms between 2016 and 2021 showed that tail docking was present on 85% of farms.<sup>18</sup> This data suggests that the current legal requirement that



only permits tail docking as a last resort is not being followed. The problem is worsened by inadequate record-keeping and a lack of inspections.

## Chicken Handling

**Key non-compliance welfare issue:** handling chickens by their legs during transport related operations.

### I. Introduction

During transport to slaughter, chickens bred for meat and eggs are often grabbed by their legs, held upside down, with several chickens in each arm, and shoved into crates.

Handling chickens by their legs can cause severe suffering and physical damage, including bruising, fractures, broken bones, and difficulty breathing due to the lack of a diaphragm to keep their organs away from their lungs.

This is all in the name of minimal savings. Data from the Dutch animal protection organisation Eyes on Animals shows that the cost for eggs only increases by € 0.0004 per egg when using the upright handling method.<sup>19</sup>

### II. Legislation

Under European Transport Regulation 1/2005, it is forbidden to lift chickens by their legs on farms and during loading and unloading:

*'It shall be prohibited to... lift or drag the animals by head, ears, horns, legs, tail or fleece, or handle them in such a way as to cause them unnecessary pain or suffering.'*

This Regulation continues to apply in the UK post Brexit.

### III. Evidence of Enforcement Issues

Despite the law that states that this is not permitted, 3.1 million chickens are transported to slaughter every day in the UK, and it is common practice for them to be caught and carried by their legs, upside down, during this process.<sup>20</sup> For example, an investigation by Animal Justice Project revealed that staff were grabbing as many as five chickens in each hand by one leg.<sup>21</sup>

DEFRA's Code of Practice for the Welfare of Meat Chickens and Meat Breeding Chickens ('Broiler Code') and the Code of Practice for the Welfare of Laying Hens and

Pullets ('Laying Hen Code') explicitly permit leg-catching.

DEFRA has now acknowledged that the position set out in the Codes is currently illegal, but it plans on changing the law to permit for carrying chickens by the legs.

## 5. Limitations and Corrections

There were inevitably some limitations as to what information we could obtain as part of our research for this report, such as information not held by public bodies, crimes that were left undetected, information that could be exempt from the freedom of information legislation, and information that may have been wrongly recorded. There may also be duplication if multiple bodies were complained to, for example local authorities and a central regulator, or two local authorities dealing with a cross-jurisdictional issue, for example a transport complaint. We expect any duplication to be minimal. Below, we set out specific limitations encountered in the preparation of this report and we explain how they may impact our analysis of the data. We also provided corrections to any errors made.

### Terminology

In the first edition of *The Enforcement Problem* (2022) and in the freedom of information requests sent to local authorities in 2024, Regulation 7 of the Welfare of Farmed Animals (England) Regulations 2007 and the Welfare of Farmed Animals (Wales) Regulations 2007 was referred to as 'Section 7'. Regulation 11 of the Welfare of Farmed Animals (Scotland) Regulations 2010 was referred to as 'Section 11'.

In the first edition of *The Enforcement Problem*, *The Welfare of Animals at the Time of Killing Regulations* were referred to as *The Welfare at the Time of Killing Regulations*.

In the freedom of information requests sent to local authorities in 2024, Regulation 6 of the Welfare of Farmed Animals Regulations (Northern Ireland) 2012 was referred to as 'Section 6'.

### Partial Responses

Some local authorities provided partial responses to our requests under the freedom of information legislation in the respective jurisdictions. Due to the correlations that we were establishing in terms of the number of farms, inspections, complaints, non-compliance, and enforcement, where the correlation would be distorted by a partial response, we excluded this data.

In section 2 of this report (Inspections), we have only included data from local authorities that were able to confirm how many premises in their jurisdiction were inspected one or more times, broken down by calendar year. Responses were included even if local authorities were not able to provide data for each premise, i.e. farms, markets, and border posts. As seven local authorities did not break down the

data by calendar year, this could mean that the total number of premises inspected is likely higher.

Some local authorities did not provide data for the number of premises inspected reactively, but only for those inspected as a matter of routine. This means that the total number of inspections could be higher, but as only Carmarthenshire Council and Merthyr Tydfil Council responded in this way, we do not expect the discrepancy to be significant.

In section 3 of this report (Enforcement Action), we have only included data from local authorities that were able to provide complete responses to questions regarding the number of inspections undertaken, the number of cases of non-compliance following an inspection, the number of welfare complaints received, and the formal enforcement action taken. Local authorities who could not answer all questions and break down their responses by calendar year were excluded.

As above, seven local authorities did not break down the data by calendar year, which could mean that the number of total inspections conducted is likely to be higher.

Two local authorities did not provide data for the number of reactive inspections, but only for routine inspections. We do not expect this discrepancy to be significant.

Due to local government reorganisation, Cumbria County Council Trading Standards was split between Cumberland Trading Standards and Westmorland and Furness Trading Standards. It was not possible to disaggregate the data provided by the two local authorities, which means that there may be duplication in the figures that they provided. However, we would expect this to mean that the statistics provided remain broadly accurate as the duplication will also have occurred in the complaints and cases of non-compliance to enforcement action averages, cancelling out any overlap in data.

## Interpretation Issues

Some local authorities provided the same set of data to questions that addressed different variables.

For example, we asked local authorities and central regulators how many farmed animal premises were inspected one or more times. The figures provided in response to this question are sometimes referred to in this report as the number of premises inspected at least once. Both mean individual premises inspected, rather than the total number of all inspections (which could include the same premise twice) carried out by the authority. Where we asked for the total number of inspections undertaken, some local authorities pointed us to their responses to how many premises they had

inspected. We included this response in the total number of inspections. However, as the same premise could have been inspected multiple times, this could mean that the total number of inspections was in fact higher than the one included in this report, although we expect this to be low as it only happened three times.

When we asked how many inspections overall uncovered instances of non-compliance, some local authorities pointed us to their response regarding the number of premises that were non-compliant. We were asking about total non-compliance, including where the same premise may have been inspected twice. This could mean that the number of inspections finding non-compliance is presented as lower in the report than the reality, as a premise could have multiple cases of non-compliance, but they are only recorded once.

The number of farms provided by APHA was the number of animal farm premises, registered County Parish Holding (CPH) numbers, in October 2024. It is worth noting that whilst most farm businesses will only have one CPH number, there are scenarios where they might apply for more,<sup>22</sup> meaning the number we have been given from APHA could have some duplication. A CPH is also needed when keeping farmed animals for any reason, including as companions; however, it only applies to poultry if keeping 50 or more.<sup>23</sup> The number of farms provided for by DAERA was for farms housing cattle, sheep, pigs or birds.

## Staff

We asked local authorities to confirm how many staff members were employed to carry out animal welfare inspections as part of their duties. The local authorities in this section are the same who provided data for the total number of premises inspected. However, seven local authorities were unable to confirm how many staff members were employed. This means that the total number of inspectors may be slightly higher than what was included in the report.

Local authorities provided staffing information in different formats. Some local authorities responded with the number of employees who did inspections as part of their duties, others provided the full time equivalent figure. These different measurements impact our data twofold. As some local authorities provided the number of their entire Trading Standards staff who may only conduct animal welfare inspections as a very small part of their duties, it is likely that the overall full time equivalent of people employed to conduct inspections is lower. The converse is also true - although we have taken one full-time equivalent response to equal one employee, it is possible that several employees carry out these duties as smaller parts of their role. For example, a local authority in Wales reportedly employs 17 officers who are able to conduct inspections, but only one officer carries out the majority of

these. On the other hand, there may be a higher number of employees that perform the FTE duties.

Where multiple local authorities have contracted another local authority to enforce animal welfare law, those inspectors were only counted once; however, where the numbers were different, we included the higher number, and where there was any doubt of function, we counted the extra inspectors, to ensure we were always giving the benefit of the doubt to the local authorities. However, it is possible that there remains some duplication with the numbers of inspectors provided being higher than the reality.

The average number of inspectors per farm is referenced as 878 per farm, this is a significantly higher number of farms than what was recorded in the previous report. The Enforcement Problem (2022) recorded one inspector per 205 farms. This is because the latest data is only counting inspectors from local authorities and not the central regulators, due to APHA not providing the data on the number of inspectors. DAERA's data is provided separately.

## Proceedings

It is possible that there is overlap between proceedings brought under Welfare of Farmed Animals Regulations, the Welfare of Animals at Markets Order 1990, and the Animal Welfare Act and the Animal Health and Welfare (Scotland) Act. Some prosecutions are also still in progress, which means that the total number of prosecutions and enforcement action brought could be recorded as higher than it actually was.

## Other

We asked local authorities if they took formal enforcement action by way of a notice or a prosecution following an inspection that revealed non-compliance on farms, and where they did, we recorded a positive response. However, the proportion of local authorities that took enforcement action does not necessarily account for situations where multiple non-compliance was detected at a premise, nor does it account for situations where a large number of non-compliance across multiple farms only led to one case of formal enforcement action by that local authority. For example, an inspection could have shown multiple cases of non-compliance, yet only resulted in one enforcement action, and a local authority could have conducted multiple inspections across multiple farms that revealed non-compliance, yet only brought one action against one farm; the data in this report could suggest that a local authority has brought enforcement action in 100% of cases, which is not correct.

In Northern Ireland, DAERA did not hold the requested information for the number of farms. Instead, DAERA uses Business IDs to maintain a record of those who register to keep animals. Animal Group Numbers are used to register animal groupings with a Business ID, and some businesses may have more than one Animal Group Number. DAERA counted each animal grouping as an individual premise inspected and subsequently the non-compliance showing during that inspection. This means that the number of individual farms inspected could be lower.

The purpose of the Background section was to set the scene for the report and to assist the reader in making comparisons between the data uncovered in 2018-2021 and any developments in 2022-2023. Due to the fact that the questions asked in the freedom of information requests were not framed identically, and due to differences in how the data was presented, comparisons were made between numbers that are not 100% equivalent. Namely, The Enforcement Problem (2022) stated that only 0.33% of farms were prosecuted following initial complaints on non-compliance. In this update, the figure of 0.55% of cases prosecuted is measured against the number of welfare complaints made on farms, in markets, at borders, and during transport.

Adur and Worthing Councils operate under a joint management structure. However, in official data from the Local Government Association they appear as two separate local authorities. For this reason, the total number of local authorities included in our data is 316, although 317 were initially contacted.



## References

1. <https://lgiu.org/resources/local-government-facts-and-figures/local-government-facts-and-figures-england/#:~:text=There%20are%20317%20principal%20>
2. <https://www.cityoflondon.gov.uk/services/animal-health-welfare/animal-welfare-licensing/animal-welfare-information>
3. <https://www.gov.scot/policies/local-government/#:~:text=Local%20government%20comprises%2032%20local.waste%20management%2C%20libraries%20and%20planning>
4. <https://law.gov.wales/local-government-bodies>
5. We asked about inspections on farms, markets and borders, but not during transport.
6. We use the overarching term ‘notice’ to refer to notices under The Animal Welfare Act 2006, The Animal Health and Welfare (Scotland) Act 2006, and the relevant Welfare of Animals (Transport) legislation for England, Scotland, and Wales.
7. <https://www.data.gov.uk/dataset/92ee0c84-d680-400c-a560-94a3a1a100a6/animal-welfare-enforcement-non-compliance>
8. <https://www.data.gov.uk/dataset/92ee0c84-d680-400c-a560-94a3a1a100a6/animal-welfare-enforcement-non-compliance>
9. [https://www.crustaceancompassion.org/\\_files/ugd/46ca59\\_b9636b2becde4d9590188b01e118247e.pdf](https://www.crustaceancompassion.org/_files/ugd/46ca59_b9636b2becde4d9590188b01e118247e.pdf)
10. <https://www.lse.ac.uk/business/consulting/reports/review-of-the-evidence-of-sentiences-in-cephalopod-molluscs-and-decapod-crustaceans>
11. <https://www.lse.ac.uk/business/consulting/assets/documents/Sentience-in-Cephalopod-Molluscs-and-Decapod-Crustaceans-Final-Report-November-2021.pdf>, pages 74-75.
12. This data was collected as part of a YouGov survey commissioned by The Animal Law Foundation in September 2023.
13. A version of these regulations exists in each UK country: The Welfare of Animals at the Time of Killing (Wales) Regulations 2014, The Welfare of Animals at the Time of Killing (Scotland) Regulations 2012, The Welfare of Animals at the Time of Killing Regulations (Northern Ireland) 2014.
14. <https://www.gov.uk/government/news/lobsters-octopus-and-crabs-recognised-as-sentient-beings>
15. <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2023/09/animal-welfare-committee-awc-update-to-the-2014-fawc-opinion-on-the-welfare-of-farmed-fish-at-the-time-of-killing/documents/animal-welfare-committee---update-to-the-2014-fawc-opinion-on-the-welfare-of-farmed-fish-at-the-time-of-killing/animal-welfare-committee---update-to-the-2014-fawc-opinion-on-the-welfare-of-farmed-fish-at-the-time-of-killing/govscot%3Adocument/Animal%2BWelfare%2BCommittee%2B-%2Bupdate%2Bto%2Bthe%2B2014%2B>

- [2BFAWC%2Bopinion%2Bon%2Bthe%2Bwelfare%2Bof%2Bfarmed%2Bfish%2Bat%2Bthe%2Btime%2Bof%2Bkilling.pdf](#);  
<https://digitalpublications.parliament.scot/ResearchBriefings/Report/2018/2/13/Salmon-Farming-in-Scotland>
16. <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2023/09/animal-welfare-committee-awc-update-to-the-2014-fawc-opinion-on-the-welfare-of-farmed-fish-at-the-time-of-killing/documents/animal-welfare-committee---update-to-the-2014-fawc-opinion-on-the-welfare-of-farmed-fish-at-the-time-of-killing/animal-welfare-committee---update-to-the-2014-fawc-opinion-on-the-welfare-of-farmed-fish-at-the-time-of-killing/govscot%3Adocument/Animal%2BWelfare%2BCommittee%2B-%2Bupdate%2Bto%2Bthe%2B2014%2BFAWC%2Bopinion%2Bon%2Bthe%2Bwelfare%2Bof%2Bfarmed%2Bfish%2Bat%2Bthe%2Btime%2Bof%2Bkilling.pdf>
  17. <https://www.thepigsite.com/news/2019/03/the-real-welfare-of-uk-pig-farms>
  18. [https://static1.squarespace.com/static/63257c5fe37f66705b2bcf79/t/635ebfd2e1936e1e0cdb2b54/1667153886551/Report\\_The-Enforcement-Problem-in-the-UK+%281%29.pdf](https://static1.squarespace.com/static/63257c5fe37f66705b2bcf79/t/635ebfd2e1936e1e0cdb2b54/1667153886551/Report_The-Enforcement-Problem-in-the-UK+%281%29.pdf)
  19. <https://www.eyesonanimals.com/wp-content/uploads/2021/02/2021-02-12-brochure-kippen-EN-online.pdf>
  20. <https://thehumaneleague.org.uk/article/law-broken-every-day-on-britains-chicken-farms>
  21. <https://www.animaljusticeproject.com/campaigns/rspca-assured-chicken-catching>
  22. <https://www.gov.uk/government/publications/additional-cph-for-an-officially-tb-free-cattle-business-application#:~:text=Details,2%20or%20more%20smaller%20holdings>
  23. <https://www.gov.uk/guidance/apply-for-a-county-parish-holding-cph-number>




---

The Animal Law Foundation  
 animallawfoundation.org  
 hello@animallawfoundation.org  
 Charity No: 1200108 (England & Wales)