

REPORTS AND COMMENTS

New Animal Welfare Bill for England and Wales?

In January 2002, the Department of the Environment, Food and Rural Affairs (DEFRA) launched a consultation on a proposal for a new Animal Welfare Bill. In contrast to the situation in some countries that have recently developed single, all-embracing animal welfare laws, having had no laws at all on the subject hitherto, animal welfare legislation in the UK has grown in an organic fashion over a long period of time. Welfare provisions, of varying quality, are scattered through quite a number of Acts, some of which are many decades old. The proposal is to bring some of these together in one new Act and, in so doing, to update and modernise them. The intention is not to roll absolutely all of the UK animal welfare legislation together; some of the more modern Acts — the Animals (Scientific Procedures) Act 1986 (ASPA), the Zoo Licensing Act 1981 (ZLA), and the legislation concerning farm animals (most of which is now based on EC Directives) — are specifically excluded from the review.

When the Government announced, at the end of the initial consultation period (30th April), that it had received a large number of responses and that these indicated a great deal of support for the proposed new law, there were some misinformed howls of derision from the popular press about this 'bill of rights for animals'. Whilst it is understood that deliberations remain at an early stage, there are no indications that whatever may finally emerge will amount to a bill of rights.

In a recent speech at a Pet Advisory Committee conference, Animal Welfare Minister Elliot Morley said: "There has been a groundswell of support for a radical overhaul of our outdated animal welfare laws in relation to companion animals. In its day, the Protection of Animals Act 1911 was state of the art but it was written before anyone had begun to consider the need for considering good animal welfare in the round. We need practical laws that underpin the principles of responsible pet ownership. The question for pet owners and law enforcers alike has moved on from 'Is the animal being treated cruelly?' to 'Is the animal being properly looked after?'".

There is a good case for consolidating the welfare legislation, especially that relating to companion animals, and for drafting it in a modern format (like that of ASPA and the ZLA), in order to permit specific provisions — for example regarding husbandry standards — to be updated without recourse to changes in primary legislation. This would provide the flexibility required to enable it to be kept up to date and in line with scientific advances and expert opinion concerning animals' needs and welfare.

Development of this proposed new welfare bill will be a major task and it will be crucial that no important elements of the existing legislation are accidentally lost in the process. It is understood that the Government hopes to have a first draft ready for consultation in 2003.

Animal Welfare Legislation. 30 April 2002. Report of progress of the consultation. Department of the Environment, Food and Rural Affairs. Available at <http://defra.gov.uk/news/latest/2002/petleg.htm>.

EC Scientific Steering Committee view on non-human primates in biomedical research

The Scientific Steering Committee (SSC) of the Health and Consumer Protection Directorate of the European Commission has recently published a statement outlining its views about the future need for the use of non-human primates in biomedical research. It has done this because it considers it necessary to raise awareness about the implications of a complete disappearance of non-human primate research facilities. The reasons why it has chosen to address this issue at this

time are not made apparent in the document but there is undoubtedly growing public concern about the use of primates in research.

The SSC believes that non-human primates are required in biomedical research for two reasons: first, because occasionally no alternatives can be found for testing vaccines or biological agents for specificity and safety in a 'near-human' immune system; and second, because they are used as models for the study of infectious and non-infectious diseases for which no other suitable animal models exist. Five examples of human diseases for which the SSC believes primate research is very important in the development of controls are outlined. These are AIDS, malaria, tuberculosis, hepatitis, and immune dysfunctions. The SSC states that the number of captive-bred animals required to maintain the outbred population that is needed for studies of biological agents and vaccines is high, and that large, diverse, well-characterised captive breeding colonies are needed in Europe.

Whilst emphasising its belief in the scientific case for the continued use of non-human primates, the SSC says that it does not feel competent to decide on the balance of the costs to the experimental animals and the benefits for the future of humans or other animals. It believes that this question is one for the European Commission's European Group of Ethics of Sciences and New Technologies. However, "if it is accepted that the use of primates in research is ethical, those animals should be housed and treated in a way that fulfils their species-specific requirements and avoids any unnecessary suffering".

This is not a very substantial contribution to the debate. If produced in response to a perceived threat to progress in biomedical research arising through a future ban on the use of non-human primates, then it has a rather surprisingly casual and hastily produced feel.

The Need for Non-Human Primates in Biomedical Research: Statement of the Scientific Steering Committee. Adopted at its meeting of 4–5 April 2002. Health & Consumer Protection Directorate-General of the European Commission. 4 pp A4. Available at http://europa.eu.int/comm./food/fs/sc/ssc/out25_en.pdf.

The future of farming in England

Many branches of the UK's farming industry have been struggling in the face of increasing challenges for many years. The foot and mouth disease epidemic of 2001 focused unprecedented (at least in recent years) attention on the livestock industry and prompted a great deal of rumination about the way forward.

In August 2001, the Prime Minister appointed a Commission under the Chairmanship of Sir Donald Curry to "advise the Government on how we can create a sustainable, competitive and diverse farming and food sector which contributes to a thriving and sustainable rural economy, advances environmental, economic, health and animal welfare goals, and is consistent with the Government's aims for Common Agricultural Policy (CAP) reform, enlargement of the EU and increased trade liberalisation". The Commission published its report in January 2002.

The report starts with a utopian vision of the future of farming in England: "... farmers ... are technically efficient and run profitable businesses". These farmers "continue to receive payment from the public purse but only for public benefits that the public wants and needs". "Farming is fully integrated into the wider economy of rural areas" and "the vibrancy and diversity of this economy offers positive additional or alternative employment and business opportunities to farmers, their families and employees". And so on, including: "... provide high standards of environmental management, food safety and animal welfare". The goal is thus clearly, and rosily, defined, but can it be reached?