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Food & Rural Affairs

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Caroline Lucas MP
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Dear Caroline,

Thank you for your email of 25 September to the Secretary of State, about the Repeal Bill and the recognition of animals as sentient in UK law after we leave the EU. I am replying as the Minister responsible for this policy area.

The EU (Withdrawal) Bill will convert the existing body of direct EU animal welfare laws to become UK laws. Most of these EU laws relate to farmed animals and many passed after Article 13 of the Treaty on the Functioning of the European Union (TFEU) came into effect.

Article 13 of the TFEU created a qualified obligation on the EU and Member States "to have full regard to the welfare of animals [as they are sentient beings]" when formulating and implementing EU law. We are exploring how the 'animal sentence' principle behind Article 13 can continue to be reflected in the UK after we have left the EU.

Existing domestic law, such as in the Animal Welfare Act 2006 and the various Welfare Codes made under it, already protect animals where there is clear scientific evidence that they are 'demonstrably sentient' – that is they are capable of experiencing pain or suffering.

The UK has protections in place relating to farm animals, to companion animals, to animals in transport, to animals at markets and to animals at slaughter. Our legal requirements are backed by 15 statutory animal welfare codes covering both farm animals and companion animals. Our requirements are informed by expert advice provided by the Farm Animal Welfare Committee, and we take account of research and of evidence from other sources including the Animal Health and Welfare Board for England.

The UK has some of the highest animal welfare standards in the world and our ambition is not only to maintain but enhance these standards as we leave the EU. We have already set out our plans to introduce mandatory CCTV in slaughterhouses, increase sentences for animal cruelty to five years, ban microbeads which damage marine life, and ban the ivory trade to help bring an end to elephant poaching.

Yours sincerely,
Lord Gardiner