

Response from International Wildlife Consultants (UK) Ltd to DEFRA on the consultation document on the Animal Welfare Bill.

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Activities that we do relevant to this consultation document:

- We manage 4 farms in Wales, one in England and one in New Zealand, all of which have sheep and cattle, sometimes also pigs and poultry.
- Some of these farms are also ranged by potential wild animal disease vectors including Red, Roe and Fallow deer, wild pigs, badgers, possums, wildfowl and other bird species. In the case of badgers (in Wales) we are in a TB area, and in New Zealand similarly with possums, we are in a TB eradication area.
- In the first foot and mouth outbreak, all the livestock on our farm in England were killed as ‘contiguous cull’. In the farms in Wales we suffered heavy losses of lambs due to movement restrictions.
- We are possibly the largest falcon breeding farm in UK, producing about 250 falcons per year to an open market valuation of about £1 million. We export to Europe, Japan, Middle East and the Americas.
- We are one of only two CITES registered falcon breeding facilities in UK.
- We have trained DEFRA staff at the facility in Wales, in the record-keeping entailed in breeding and exporting birds in UK.
- For 26 years we have maintained a small population of New Zealand Falcons *Falco novaeseelandiae* in UK as a gene bank. This is the only breeding colony in the world outside New Zealand.
- We import falcons to UK and run a Registered Quarantine Facility in Wales.
- In UK we have bred and released 53 Red Kites as part of the Red Kite Recovery Programme. Similarly we have translocated or bred 54 New Zealand Falcons as part of their recovery programme in South Island.
- We run field research and active conservation projects in Eastern Europe, Siberia, Kazakhstan, Mongolia, China and New Zealand, and previously in UK, Mauritius, Kyrgyzstan and Pakistan. We work with a variety of universities, institutions and government departments (see www.falcons.co.uk)
- Our scientists have undertaken avian flu sampling in Mongolia and China.
- We frequently need to move blood, smears and other samples across international boundaries for lab testing.

- We frequently need to move blood and feather samples across international boundaries for DNA sampling.
- We import to the farm in Wales, from UK and Europe, 400,000 dead day-old cockerels, 6000 live coturnix quail, 16,500 dead quail, 5000 dead mice, 17000 dead rats, 650 dead wild rabbits and 100 dead wild hares to feed to our falcons.
- Our farming experience extends back to 1968, our raptor conservation work to 1972 and we have been contracted consultants to the Environment Agency, Abu Dhabi since 1989. Our length and breadth of experience probably exceeds that of most of your more specialised consultees. We see at first hand the different effects of diseases, movements and regulations on animals in all these very varied countries and farms.
- We are actively engaged in animal welfare research at the captive/wild interface, for example:

Fox, N. C. and H. Macdonald. 1997. Welfare Aspects of Killing or Capturing Wild Vertebrates in Britain. The Hawk Board.

Fox, N. C. 2002. A Legal solution to the issue of hunting with dogs. 67p. The All Party Parliamentary Middle Way Group, The House of Commons, London, SW1A 1AA.

Fox, N. C., S. Rivers, N. Blay, A. G. Greenwood and D. Wise. 2003. Welfare Aspects of Shooting Foxes: A Study for the All Party Parliamentary Middle way Group. 48 pp and film. All Party Parliamentary Middle Way Group, The House of Commons, London SW1A0AA.

Fox, N. C., N. Blay, A. G. Greenwood, D. Wise and E. Potapov. 2005. Wounding rates in shooting foxes (*Vulpes vulpes*). Journal of Animal Welfare 14: 93-102.

Fox, N.C. and C.Wynn. 2010. The impact of electrocution on the New Zealand falcon (*Falco novaeseelandiae*). In press.

Comments.

It is easy to be lost in the detail and ignore the bigger picture. We are likely to have a change of government in the next few months, and we have a massive national debt to recoup as a result of the recession. Also, for those of us in Wales, we have no idea what bits of legislation are decided by the Welsh Assembly, DEFRA, Westminster, or Brussels. Therefore some of the comments I make below may be on target, some may not. I have provided real-life examples from our own experience:

Animal welfare. British farmers sell their produce in direct competition with imported produce. Britain imports over 40% of its food (see BBRC Food Security). Despite contrary claims from our consumers, most food is bought on price. Unless UK produced food is competitive, UK consumers buy imported food. UK has no regulation whatsoever on welfare standards for imported animal products. I personally see how some of these animals are treated in other countries. By placing still more costs on British farmers, we become even less competitive, the proportion of imported

food will continue to rise, and there will be a net increase in animal suffering. On a global perspective, the British farmer is one of the most welfare friendly and we already have plenty of legislation in place to deal with rogues. Not to require that imported animal products fulfil the same standards of animal welfare as British ones is unethical and political hypocrisy. I am no longer interested in explanations about trade barriers or EU Directives, this is moral cowardice plain and simple. Now that we have 27 countries in the EU, and the eastern borders of the EU are so porous, only the most parochial and naïve believe that the EU countries actually adhere to the Directives they sign up to. Go there and have a look.

The proposed arrangements for animal welfare in England staying under DEFRA will not make any progress at all on the welfare of animals in the 40% of our imported foods.

Example: The EU ratified the Agreement on International Humane Trapping Standards in 1998. In 2005 it still failed to make a Directive on this. (Britain voted against it). Britain did not want to go it alone for fear of upsetting trade agreements, but it could have implemented it in UK. While the debates centred on fur-bearing mammals, species that are actually commonly trapped, namely the mouse and the brown rat, were neglected. The mouse traps sold in shops in Britain do not meet IHTS trapping standards. For British politicians, animal welfare will always be a matter of expediency and votes.

Animal Health.

Disease transfer. We can distinguish between **endemic diseases** such as TB, and exotic or imported diseases. On TB, the British government, especially in England, has failed both the farmer and the cattle. Now its indecision is being overtaken by financial expediency. It dithers between badger-lovers on the one hand and mounting bills on the other. By putting TB in cattle under ‘Animal Health’ and the welfare of badgers under DEFRA, there is even less chance of a speedy resolution. Beef and dairy farming in western Britain has been brought to its knees by prevaricating governments. In New Zealand, the government will drop poisoned baits by air to kill TB possums.

For **exotic diseases**, foot and mouth is a classic example of British stupidity. This disease came in from abroad in imported meat. Our farm in Northumberland was about 30 miles from the initial outbreak. Yet, to this day there are virtually no effective controls on importing diseased meat into UK. If you go to Australia or New Zealand, customs officers have even cleaned my shoes with a toothbrush in front of me, to prevent disease entering the country. Come to UK and there are virtually no signs at ports and airports and one is hard-pressed to find a customs officer to declare anything. At Heathrow I have seen people bring in bush meat with blood soaking through the bottoms of the boxes. Faced with this open-door policy at our ports, what is the point of traceability systems, electronic tagging etc on British farms? It is a bureaucratic farce with no mechanism whatsoever for evaluating its effectiveness in proportion to cost and risk. Why should British farmers be pouring resources into a bucket that clearly has no bottom in it?

Example: You are trumpeting the success of detecting equine infectious anaemia in two imported horses in Wiltshire. This was no success. The horses were already in the

country and not in quarantine. They were in contact with other horses. It was sheer luck the disease had not gone further. There is no quarantine and no pre- or post-import testing at all for equines from EU countries, of which Romania is one. I know, my family brings horses in and out of continental Europe. We see what actually happens. Worse still, all UK equine owners now have to buy £21 equine passports even though most of their animals never cross a border. Why? – a pay back deal on the regulations on bute and other medicines. This is an EU mis-use of border controls for political ends in the same vein as using anti-Terrorism law to foil Iceland in the Icesave Bank crisis.

Wildlife vectors. Our current veterinarians have very little training or experience of diseases in wildlife and the ways diseases and people behave. In 1994 I set up the Middle East Falcon Research Group (www.mefrg.org) to bring together field biologists and veterinarians in Asia and the Middle East working on falcons. There is a yawning gulf between the two groups. Most young veterinarians have now been brought up on the ‘Precautionary Principle’. This, like aspects of Health and Safety, and Political Correctness, has created spectacular lapses in plain common sense. For a government vet, with little experience in the private sector, there can only be one approach if a health threat looms, and that is the Precautionary Principle. These people are not themselves responsible for caring for any living animals, or even for making an animal better. They are only responsible for inspections and forms. So to cover themselves they energetically spread these around, calling the animal keepers their ‘customers’. A health threat is boom time for them.

Example: The result for those of us on the ground is a farce. During foot and mouth, I had to bulldoze holes in my hedges (which I am forbidden to do by Planning) in order to move sheep to fresh fields because I was not allowed to move them to our fields across the road. Meanwhile deer and walkers could cross our fields freely. The deer because vets had no clue about what needed doing for wildlife vectors, and the walkers because of voter pressure following the castration of the rural tourism industry by the veterinary administration.

Example: In Britain (sheltering behind Brussels) UK banned on-farm burial for fallen stock. Nobody defined what diseases could be caught from a dead sheep that could not already be caught from a live one. So, at 65 and 60 years old, regardless of our own health and safety, my wife and I are now supposed to pick up carcasses from the farm even from areas inaccessible to machinery, put them into a vehicle and drive them across the countryside, dripping body fluids, to pay expensively for them to be cremated in an outburst of carbon emissions. We have had to manhandle bloated sheep carcasses onto a horse to get them out. In real life of course, the farmers keep a few spare sheep in order to make up numbers in the book for deaths and lost ear tags. Removing this source of food can prove disastrous for wildlife scavengers who rely on it. The Red Kite in Wales depends heavily on fallen stock in winter and ‘Kite feeding stations’ have had to be set up for them. Similarly in Spain, catastrophic declines in vultures have necessitated ‘Vulture Restaurants’ to compensate for the lack of the resource. All this is completely unnecessary. In New Zealand we use offal pits or leave stock where it dies. No problem, no cost. The New Zealand government, unlike UK, is well aware that it has to be competitive on agricultural exports, and equally knows that collecting and incinerating fallen stock is a waste of time.

Example: to register a quarantine facility, the veterinarian will carefully measure on a map a 300 metre radius of the facility and ensure the absence of domestic birds. Meanwhile jackdaws nest in the chimney across the yard, swallows, (newly arrived from Africa) nest in the shed and seagulls, fresh from the rubbish dump, land on the fresh cut silage. There seems to be a complete inability to see the world as it really is.

Financial and bureaucratic pressure on farming. Over the past 40 years I have experienced the increasing bureaucracy on farming. Britain has got itself into a terminal muddle with Europe and the CAP. We have conflicting agricultural schemes with compliance regulations etc which, by written admission, even their own administrators do not understand. The sheer waste of time in yarding, tagging, recording, updating etc for the farmer is mind boggling until you have tried it yourself.

Example: During the War we had to ‘farm for food’, ‘feed the country’. Then we had to rip out hedges, drain the bogs. Next we had to retain hedges, block the drains. Then we had set-aside (which never benefited livestock farms). Now we get threatening non-compliance letters from administrators querying whether a 0.1 ha piece of land is declared as ‘improved grassland’ when possibly it is ‘semi-improved grassland’. We have to keep records of what sheep are in what fields every day. British farming is only marginally economic now. Last year 60% of farms sold were to non-farmers. Our average age is 59 years old. Very few young people can afford or want to enter farming. The agricultural colleges have closed their farming courses in favour of ‘countryside management’ and tourism. Cheap farm labour is imported from Eastern Europe. Read the writing on the wall, look at the bigger picture.

Example: Last year we hosted staff from Animal Health in Bristol to show them the records and paper trail needed in falcon breeding to keep up with their requirements. They were shocked at the workload. Of course, we can be prosecuted if we get a ring number wrong, they cannot. But over the years, on average, they make more clerical errors than we do.

Bureaucratic bodies. The British farmer and animal keeper is over-whelmed by both governmental and non-governmental bodies. Britain breeds quangos. Every incoming government swears it will cut back on them, and every one creates even more (look at your pathetic justification for this one). Given half a chance the Brits love to dress themselves in uniforms and call themselves ‘Inspectors’ of this and that, to police others. We see the Brits behaving this way on the international stage as well as nationally. We love to create rules and tell everyone to obey them. As a result, our wildlife laws are in a mess. The Wildlife and Countryside Act 1981 (for which I was a consultant) is a complete hotch potch. Our Game Laws, pest control regulations, trapping standards and so on are a bewildering disaster. Birds get priority treatment over mammals. Reptiles and amphibians are ignored although they are facing catastrophic declines. The government show no proper leadership but bends and vacillates according to pressure from NGOs such as the RSPB. For anyone wanting to import or export birds, as we do, one faces dealing with an array of different forms and certificates, all from different offices, and all of which have limited life but have to be valid at the same time. It is a complete shambles, a Tower of Babel.

Example. In 1975 the Farrier's Registration Act came out. I had to register as a farrier to continue shoeing my own horses. The Act allowed the Farrier's Registration Council to levy a fee from us for registration. So I paid. Each year the fees went up until they reached £80 which, about 25 years ago, was a lot of money. I asked them for accounts showing that the fee was being spent in its entirety on the cost of registration as allowed under the Act. It wasn't, they had started to use it for courses and all sorts of add-ons. I protested, and they sent a representative from London to the farm in Wales to negotiate. I refused to pay a fee over and above that required for actual registration. They obviously did not want to lose what for them was a nice little earner. So for years I shod our horses unregistered; the horses didn't mind, they never went lame. The FRC pretended not to notice. Young farriers are still being exploited in this way, the training is still as useless as it always was, a 4 year, cheap assistantship system for Master Farriers, and it is even harder now to get a farrier to come than 40 years ago.

Proposal One: New Animal Health Organisation.

Therefore, no, I am opposed to setting up yet another 'non-departmental body'. Keep the whole thing under one roof and make the DEFRA staff work effectively. We seem to have more right hands and left hands than a Buddha. The proposed general purpose, scope, and general functions are a typical wishy-washy bureaucrat charter. How many times have we seen these things before? The more open the mandate you give them, the more slippage you will see on levies later on. It is always the same; they start off small, then sneak more control and more money without delivering anything worthwhile. If such a body is worth having, and worth paying for, why not give them some genuine measurable goals such as 'Eliminate Bovine TB from UK by the year 2020'?

Financial Incentives for Good Behaviour.

Are you joking? We haven't had money from you in the first place! Have you got the remotest idea of the work and hassle and worry all these regulations cause? For sure, some farmers will get compensation for beasts that are compulsorily slaughtered. But what about all the movement restrictions, the cleaning of vehicles, the needless loss of life and income? You seem to have a very distorted sense of logic. What about financial settlements for DEFRA's own behaviour – their failure to impose effective restrictions on infected meat imports, their failure to police imports at borders? During the second foot and mouth outbreak, which came from government labs, did they suffer a 'financial disincentive for bad behaviour'? That episode screwed us up for months. Cut out the Mandy-speak and just call it what it is 'Penalising bad behaviour'. From our end we see it for what it is, an attempt by government to claw back costs for the burgeoning TB and national vet bill. A great deal of the costs in animal diseases has been caused by inept administration rather than the diseases themselves.

Example: During the Avian Flu outbreak a turkey farm in Norfolk brought in the infection from Europe. This farm was not properly cleaned then for several months, which meant that UK was not considered 'clean' internationally, which meant that countries would not accept our exports. This cost us over £35,000 in a cancelled shipment to Japan and a tremendous struggle of testing and certification for exports to Morocco and the Middle East. Nor was there any differentiation between England and

Wales. For international purposes Wales is considered to be the same as England. If we are talking about financial incentives, would you like us to send you the bill?

Vaccination and testing.

Vaccination. If we really had faith in these vaccinations I would be all for them. But the track record is pretty dismal isn't it? The British Swine Flu vaccination was an own goal. In birds, the aetiology and immunisation for most diseases are still poorly understood and are often species or genus specific. Therefore, if you want to undertake a compulsory vaccination programme you had better be certain what you are doing. In most cases, viruses evolve faster than our vaccination research can keep up.

Testing can be a good thing, to assess the extent of a disease problem. As scientists, we always need more data. *Compulsory* testing is a different matter. Working with valuable and sensitive species such as falcons is completely different to poultry. Just catching a falcon in a pen as a high degree of risk (as DEFRA inspectors know). If a breeding bird dies it may take years to re-pair and breed from the surviving bird, and several years loss of production.

The danger is that while you cheerfully legislate for 'the farming industry' you fail to take into account the small or specialist producer or animal keeper, some of whom you have never even heard of. So a couple of years ago we found ourselves in a position where animal meat could not be fed to animals – nobody had realised that birds of prey eat meat!

Example: In order to re-import some of our falcons from the Middle East for breeding they have to have tests for Avian Flu and Newcastle Disease. Before the falcons can be imported, oro-pharyngeal and cloacal swabs have to be sent to an OIE approved laboratory for testing. Because the UAE has no such laboratory, these swabs should logically come to the VLA Weybridge. Only Weybridge in UK and two other labs in Europe are able to do these tests. However, we were advised that each swab needed separate CITES permits issued before it is taken. This is absurd. CITES is the trade in endangered species; you cannot trade sputum and faecal samples. They are not derivatives and have no commercial value and will ultimately be destroyed. But what is doubly insane is that VLA has to apply for these permits and then arrange for intra-governmental cost recovery, which delays the process by several weeks. As a result, and because the falcons are currently in a country of rapidly escalating temperature, International Wildlife Consultants has offered to pay for the additional permits, even though they should not have been needed in the first place.

Animal Welfare and Animal Health.

I do not agree with your distinction between the two as a basic premise, nor how one would draw the line in particular. Nor do I accept your claim that Animal Welfare is a matter of public concern and therefore for the tax-payer, whereas Animal Health is not a matter of public concern and should therefore be paid for by the people who keep the animals. Wasn't BSE of public concern? Wasn't Avian Flu of public concern? Wasn't Swine Flu of public concern? The meat industry is a supply chain. The farmer only receives a minor proportion of the shelf price. Why should the farmer bear the cost rather than all the stake-holders in the meat industry? Or is the farmer

supposed to try to pass the costs onwards to the retailer and consumer, and end up taking all the flack?

You have been told by Whitehall to 'make full cost-recovery'. So you have cast around to work out how you could identify a group of stake-holders and set up a taxing system to get money coming in. Your efforts to split welfare from health smack more of expediency than of logic.

In my opinion, both animal welfare and animal health are indistinguishable, they should be kept together for administrative purposes and they should be financed from the public purse because they are both of public concern and benefit. I think that the proposal to tax livestock keepers to pay for animal health is a charter for the new body to do what it wants and charge what it wants. I do not see any ambition in these proposals to tackle the real issues concerning either animal welfare or animal health.

Every few years we see yet another re-structuring: MAFF, DOE, DETR, DEFRA, Animal Health. Will this one benefit the animals, the tax-payer, or the animal keepers? Or is it just a way for Whitehall to masquerade as saving the tax-payer money? An extra £2.1 million to set up, an extra £400K to run, so that livestock keepers can be taxed? Our farm costs go up, prices for the consumer go up, and we get even less competitive in the world market. The politicians try to look better before an election, but in a few months, who will be in power and, rather than massage figures, how will they really achieve cost-cutting while trying to keep our overall economy functioning? Farming is our last remaining primary industry. Food is one thing we cannot live without.