



Petitions Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

By email

18 January 2021

Dear Petitions Committee,

The League Against Cruel Sports welcomes your consideration of the petition to *Ban Game Bird Cages* and thank you for the opportunity to respond to correspondence on the issue from the Minister for Environment, Energy and Rural Affairs (LG/02835/20).

Whilst glad to see the matter discussed, we do not believe that the Government response addresses the significant welfare concerns over the use of cages for the breeding of 'game' birds and the case for a ban supported by the petition. It does however highlight the inadequacies of the current system which would be best addressed by a ban on such cages.

While a *Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes* exists, it does not rule out the use of cages, which are of heightened concern due to the semi-wild nature of the birds, or set specific conditions such as minimum space requirements, merely recommending housing of "appropriate size, stocking densities and facilities". Birds intensively farmed for shooting are therefore not afforded even the basic legal standards which apply to birds farmed for food and are set in law.

The existence of the current Code therefore does not sufficiently address the cruelty of breeding game birds in cages simply for them to be released to be shot for 'sport'. Nor does the present situation reflect the level of public support for a ban – 82% of the Welsh public are opposed to the use of cages for this purpose, according to nationally representative opinion polling conducted by YouGov in 2018¹.

While the Code specifies that appropriate enrichment should be provided, research published by the Department for Environment, Food and Rural Affairs shows that this brings little welfare improvements for pheasants compared to barren cages, and catalogues the suffering of caged birds seen through indicators such as feather damage caused by pecking, foot injuries and jump

¹ YouGov/League Against Cruel Sports (2018). [https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/1qaemiv24u/YG-Archive-230418-League AgainstCruelSports.pdf](https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/1qaemiv24u/YG-Archive-230418-League%20AgainstCruelSports.pdf)

escape behaviour². It is little surprise that enrichment, which in practice can amount to as little as a single shared perch, a plastic curtain and some astroturf, offers little relief – it is cages themselves that are inherently cruel, offering so little space that birds are denied the ability to express their natural behaviour.

It is also important to note that the Code functions as guidance and breach of the Code is not an offence, in stark contrast to the position of laying hens, for which conditions such as minimum space requirements are set in the Welfare of Farmed Animals (Wales) Regulations 2007, made under Section 12 of the Animal Welfare Act 2006. The fact that raised laying cages are currently permitted by law demonstrates that the Act and existing Code do not protect game birds from the cruelty inherent in their use, which is all the greater due to their semi-wild nature, as summarised in the petition.

In common with the signatories to the petition and the majority of the Welsh public, we believe that action is required to end the use of cages to breed gamebirds, which would be in line with the Minister's stated ambition for Wales to become a cage-free nation.

Additionally, a review of the Code was initiated in 2019, in which the League has participated as a stakeholder. Prior to this, calls were made in the Senedd for a review of the regulatory framework, specifically to address the "overcrowded, battery-like conditions" endured by game birds under a Code which "doesn't even require a minimum space for the birds" and a system with no regular inspections. It was suggested by the Minister at that time that the review of the Code would be the opportunity to make any necessary changes in the regulations³.

However, the review has been disappointingly narrow in scope and, on the basis of the draft updated Code most recently provided to us, a sadly wasted opportunity to address many of its weaknesses and improve welfare requirements. Over a year has passed since the draft update was shared with the League and other stakeholders and we have had no substantive update on its progress since last year.

We were able to identify no changes of substance in the draft with the majority of the changes being made only to the preface of the Code. It has been suggested to us by officials that ending the use of cages was outside of the scope of the review and would not be possible within the framework of the Code. While the League's strong preference is towards a ban on by means of regulation (such as through powers available under Section 12 of the Animal Welfare Act), we maintain that it was nevertheless possible to consider strengthening the guidance contained in the Code, such as through minimum space requirements or ruling out the use of cages outright. An example is the updated Code for England introduced by the then Labour Government in March 2010 which was withdrawn soon after by the coalition government.

² Defra (2015). Evidence Project Final Report - AW1303.

<http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=17541>

³ Questions to the Cabinet Secretary for Energy, Planning and Rural Affairs, 17/01/2018;

<https://record.assembly.wales/Plenary/4897#C51205>

We would therefore welcome clarity on the progress and outcome of the review, as well as any update on the Government's consideration of the possibility of new research into the issue⁴.

We do not believe that the inspection regime alluded to in the correspondence, which forms part of the delivery and enforcement of animal health and welfare provisions referred to by the Minister, is adequate protection for the welfare of game birds farmed at breeding sites. While the Animal and Plant Health Agency (APHA) and local authorities are responsible for inspections, there is no system of routine or unannounced inspections of game bird establishments and very few inspections take place each year.

As indicated by a recent written answer in the Senedd⁵, the Welsh Government does not appear to collate or monitor data on the inspection of game bird breeding sites by statutory agencies. However, a written question to the UK Government in 2019 revealed that only 2 inspections were carried out by APHA in Wales in 2018, and only 23 in the whole of Great Britain during that time⁶. A recent Freedom of Information request made by the League in December 2020 to Powys County Council, where the overwhelming majority of gamebirds in Wales are bred, for information on inspections of gamebird breeding sites in the local authority area, returned details of only one inspection since 2015.

The present system relies on the reporting of specific welfare issues in order to initiate an inspection of a breeding site. Given that the breeding of game birds takes place at private sites away from the public gaze, it is often incumbent on animal protection organisations to carry out investigations to expose suffering and apparent breaches of welfare guidance. Even then, in cases where serious concerns have been raised about welfare and breaches of the Code after such investigations, no action appears to have been taken following visits by APHA. For example, respected campaign group Animal Aid have documented welfare concerns and apparent breaches of the Code in multiple successive investigations at a breeding site in Wales, including exposure of extremes to temperature, use of barren cages and presence of dead, cannibalised birds, with apparently no action taken as a result.

Taking into consideration these points, not least the severe welfare impacts inherent to the use of cages to breed game birds, we would welcome the Committee's further exploration of the request of the petition to ban game bird cages.

Yours faithfully,

Bethan Collins
Senior Public Affairs Officer, Wales

⁴ WQ81201; <https://record.assembly.wales/WrittenQuestion/81201>

⁵ WQ81272; <https://record.senedd.wales/WrittenQuestion/81272>

⁶ UIN 247715; <https://questions-statements.parliament.uk/written-questions/detail/2019-04-25/247715>