COUNTRY LAND AND BUSINESS ASSOCIATION

DRAFT CODE OF PRACTICE ON THE WELFARE OF GAMEBIRDS REARED FOR SPORTING PURPOSES

RESPONSE TO THE PROPOSALS

Introduction

1. The Country Land and Business Association (CLA) represents some 36,000 individual owners of private land in the countryside, from large to small, who own and manage rural businesses of all kinds. Collectively our members own and manage about half the rural land in England and Wales. A very large proportion of this land is used for game shooting, and many members run shoots. Accordingly, the subject of game rearing is a significant one.

2. The CLA argues that in a freely traded open market animal welfare improvements can only be guaranteed if they are delivered across the EU. Unilateral action damages UK interests without improving welfare when the same level of consumption switches to imported animals that have been reared under different conditions.

3. The emergence of cage rearing has been driven by economics. Many of the eggs and birds that are imported to the UK are produced at low cost under such systems in continental Europe.

4. Veterinary evidence suggests that cages per se (whilst admittedly unsightly) are not necessarily less able to deliver suitable conditions for keeping birds, provided they are enriched and offer adequate space per bird.

5. Moreover, we have heard little or no complaint against the traditional methods used for partridge rearing, which involve the use of “boxes” rather than cages. We fear that any attempt to ban the use of cages for pheasants would inevitably lead to unintended consequences for partridge rearing.

Background

6. Having strongly supported from the outset the idea of a Government game rearing code based on the excellent GFA code and issued under the Animal Welfare Act, we are delighted with the progress made and we welcome the draft code for England circulated by Defra for public consultation.

7. We welcome the fact that it takes as its starting point the time-tested but voluntary GFA Code of Practice.

8. We are pleased that it improves on the GFA Code through its incorporation of the 2008 recommendations of the Farm Animal Welfare Council and the advice of the Defra Gamebird Working Group, on which CLA was represented.

9. As a result of the long and careful preparation that has gone into the draft Code, during which all parties have had ample time to express their views, we see no need to change any aspect of the published text.
10. A new Government code with legal standing will achieve something that GFA have never been able to enforce – the sure regulation of game rearing practice.

11. Generally, a poorly kept gamebird does not perform well, which is why UK game rearing standards are normally high and prosecutions for cruelty and welfare offences are almost unknown. But this code will strengthen the legal backstop to address any wrongdoers and thus ensure that everyone who rears game must do so to a good welfare standard.

12. The FAWC did not recommend a ban on cages, nor did the gamebird working group. There are many reasons why Option 3 - a ban on cages, rather than a strictly enforced requirement under Option 2 - to ensure bird welfare through enrichment, would be wrong. These include

- The export of poor bird welfare rather than its abolition.
- The unintended consequences on partridge rearing
- The potential for economic damage to the 1.6bn shooting industry
- The potential increased risks from increased imports to biosecurity and the sustainability of shooting.
- The potential that businesses that had been banned against the advice of the independent FAWC may take legal action for compensation
- The fact that no evidence has been tested to enable space standards or other means of definition to be based in sound science.

13. The draft Code including Option 2 on cage rearing is very welcome.

14. Option 1 and Option 3 are recommended by neither the stakeholder working group nor the FAWC. They should be dropped.

**Detailed comments**

A1 A code of practice is much better than regulation. It meets Hampton principles, has the support of the industry and there is no evidence that anything further is needed. In the unlikely event of a code not working, the ‘backstop’ of regulation is always available.

A2 The code’s layout should reflect the game rearing process. The code is intended for practical game rearers and this layout will make most sense to them and allow for easy reference.

A3 The draft code is clear and understandable.

A4 The order of the draft code is logical and should be left unchanged.

A5 The annex listing other relevant legislation is important and useful.

A6 There is nothing that needs to be added to the draft code.

A7 Barren cages should not be used for housing laying pheasants. Properly managed, enriched cages should continue to be allowed. (See our general comments on cages above).
A8 Barren cages for partridges should not be used. Properly managed, enriched cages should continue to be allowed. (See our general comments on cages above).

A9 A definition of a cage is not necessary and would cause problems. Using the EFSA definition could restrict systems currently in widespread use and not subject to this debate so far (such as single pen harem systems for laying pheasants of varying designs). The way a laying system is managed is much more important in terms of bird welfare than the details of its construction. Any system used must be able to meet the ‘five needs’ in the Animal Welfare Act. That is what the code already requires and there is no need to go further.

A10 Space alone is no guarantee of good welfare and people should not be misled into thinking it is. Overall good management is what ensures that in any system the ‘five needs’ are met. Specific space allowances that have lately been suggested by others have no current evidential base and were not recommended by FAWC or the Defra Working Group.

A11 A space allowance per pheasant should not be set in the code. (See A10 above).

A12 A space allowance per partridge should not be set in the code. (See A10 above).

A13 The draft code says that spectacles should not generally be used. That is the correct approach to the issue.

A14 The use of bits for young pheasants is essential and should always be capable of justification by the user, who should indeed monitor their use.

A15 The draft code says that bumpa bits should not generally be used except in response to a specific need. We support that line.

A16 The assumptions on the numbers of UK cage users in the draft impact assessment are broadly correct, although we understand that improved, independent data may shortly be made available to Defra from ADAS.

A17 The estimates of the financial effects arising from the code are broadly correct but may be capable of improvement in the light of the ongoing ADAS work. There is, however, a reference to licence fee income which we find baffling as licensing of game rearers has never been suggested in the many discussions surrounding this subject.

Scotland and Wales
We applaud the intention of the Scottish and Welsh Governments, expressed at meetings of the Defra Gamebird Working Group, to adopt gamebird codes in line with the English code. This really is essential if we are not to have widespread confusion and unlevel playing fields for game production in the different home nations. We believe the draft code for England is very well thought through and has a sound basis in evidence and experience. We see no reason why the codes for Scotland and Wales should be different, as game rearing in those countries mirrors the English pattern exactly. We therefore urge the Scottish and Welsh Government’s to adopt the text of the English code as drafted, with Option 2 on cages.
The CLA calls on the Minister to take proper account of the points made herein.

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