



HOUSE OF LORDS

European Affairs Sub-Committee on
The Windsor Framework

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Lord Douglas-Miller
Minister for Biosecurity, Animal Health & Welfare
Department for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
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SW1P 4DF

7 March 2024

Dear Minister,

ANIMAL WELFARE (LIVESTOCK EXPORT) BILL

In its December 2020 *Review of investigative and scrutiny Committees*, which first proposed the establishment of the (then) Sub-Committee on the Protocol on Ireland/Northern Ireland, the Liaison Committee identified its six core tasks, one of which was “**Scrutiny of the implications of relevant domestic UK legislation and policy for Northern Ireland**”. In our *Introductory report* of July 2021, we set out our intention to consider the implications of relevant domestic legislation for Northern Ireland in this context at the time of a Government Bill receiving Second Reading in the House of Lords. Since renamed the Sub-Committee on the Windsor Framework, we therefore considered the Animal Welfare (Livestock Export) Bill at our meeting on 6 March 2024, in particular the territorial scope of the legislation which excludes Northern Ireland from its provisions.

We note that at the Bill’s Second Reading in the House of Commons on 18 December 2023, the Secretary of State for Environment, Food and Rural Affairs Steve Barclay MP said that the provisions of the Bill did not apply in Northern Ireland and that this was “to ensure that farmers in Northern Ireland have unfettered access to the UK and Republic of Ireland markets.”¹ In the Second Reading in the House of Lords on 21 February 2024, Lords Minister Lord Douglas Miller added that: “Farmers in Northern Ireland routinely move animals to the Republic of Ireland for slaughter and fattening. It is critical that we protect the Northern Irish agricultural sector and wider economy, and that is why the Bill’s territorial extent is drafted as it is.”² At the same time, we note the Government’s Impact Assessment of 4 February, which states that the policy to ban the export of live animals for fattening or slaughter “cannot be implemented in Northern Ireland. Northern Ireland will continue to follow EU legislation on animal welfare in transport for as long as the Northern Ireland Protocol is in place.”

We would be grateful if the Government could provide further clarification on the reasons why the provisions of the Bill do not extend to Northern Ireland. Was this a policy decision by the Government or a legal necessity in the context of the Windsor Framework?

We note that in the Second Reading debate in the House of Lords, a number of members discussed the possibility of loopholes whereby animals could be legally moved from Great

¹ [HC Hansard, 18 December 2023, col 1176.](#)

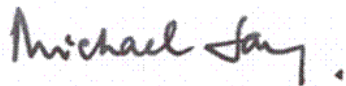
² [HL Hansard, 21 February 2024, col 615.](#)

Britain to Northern Ireland and then further exported. We further note the Minister's reassurance that the "requirements when moving animals to Northern Ireland would make such a slaughter trade uneconomic" and his commitment to "continue to monitor volumes over the next few years as this policy takes effect." What are the Government's plans to monitor volumes of livestock movements in and out of Northern Ireland? Where and how would any monitoring take place, and who would undertake it? How will the Government ensure effective enforcement action is taken to prevent attempts to undermine the intentions of the Bill?

We would be grateful for a response before the Lords Committee Stage of the Bill.

I am copying this letter to Sir William Cash MP, Chair of the Commons European Scrutiny Committee, George Wilson, Clerk of the Commons European Scrutiny Committee, Rt Hon Sir Robert Buckland MP, Chair of the Commons Northern Ireland Affairs Committee, Les Saunders, EU Document Scrutiny Manager, Foreign Commonwealth & Development Office; John Leach, Departmental Scrutiny Coordinator, Department for Environment, Food and Rural Affairs; and Tom Elliott MLA, Chair of the Northern Ireland Assembly Committee for Agriculture, Environment and Rural Affairs.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Michael Jay". The signature is fluid and cursive, with a small dot at the end.

Lord Jay of Ewelme
Chair of the Sub-Committee on The Windsor Framework