

## **Written Evidence submitted by the Labour Animal Welfare Society (LAWS)(FOF0004)**

The Labour Animal Welfare Society (LAWS) provides this written evidence to the Environment, Food and Rural Affairs (EFRA) Committee as part of its inquiry into the future of farming. LAWS is a members' association which is officially affiliated to the Labour Party. LAWS provides support and advice to the Labour Party on animal welfare issues and works to achieve policies which effectively advance the lives and well-being of animals. LAWS is submitting evidence as part of this inquiry because the welfare of animals as sentient beings must be considered as part of future farming policy in accordance with the public's expectation in the humane treatment of animals.

### **Relevance of Animal Welfare to the Future of Farming**

The British public expects high standards of animal welfare in farming. Polling shows that 71% of the British public believe that it is never acceptable to cause pain and suffering to animals (One Poll, 2022)<sup>1</sup> and 69% describe themselves as animal lovers (YouGov, 2022).<sup>2</sup>

The public's desire for high farm animal welfare standards remains strong notwithstanding the cost-of-living crisis. Recent data from IGD shows that despite the cost-of-living placing pressure on household budgets, 84% of the public see animal welfare as an important factor when making purchasing decisions.<sup>3</sup> IGD's polling found that the welfare of animals is the second-most important ethical concern to shoppers after freshness of product—with animal welfare ranking even higher than supporting local or British producers or how the product has been produced.

Data from the Food Standards authority shows that the public's concern for farm animal welfare spans both rural and urban respondents, and includes respondents worried about food affordability and those skipping or cutting the size of their meals for financial reasons.<sup>4</sup> This data is consistent with surveys which have found that those with lower household incomes are just as likely to say that animal welfare standards significantly influence their decision as those with higher incomes.<sup>5</sup>

The welfare of animals used in farming also matters for regulatory reasons. In particular, the Animal Welfare (Sentience) Act 2022 requires the government to have all due regard for the ways in which government policy, including farming policy, may affect the welfare of animals as sentient beings.<sup>6</sup>

### **Animal Welfare Issues Relevant to the Future of Farming**

<sup>1</sup> See Animal Aid "[Animal Aid asks public: are you one of the 71%](#)" (14 April 2022).

<sup>2</sup> See RSPCA "[Kindness Index](#)" (2024).

<sup>3</sup> See Agriculture and Horticulture Development Board (AHDB), "[Animal welfare seen as important by 84% of shoppers](#)" (29 May 2024).

<sup>4</sup> Data extracted from the Food Standards Agency's "[Consumer Insights Tracker](#)" during the period of July 2023 to March 2024.

<sup>5</sup> RSPCA "[Kindness Index 2022](#)" (2022).

<sup>6</sup> Animal Welfare (Sentience) Act 2022, section 2(4).

LAWS sets out below two key policy issues which must be addressed to safeguard farm animal welfare and to satisfy public demand for transparency and high standards in relation to the humane treatment of animals. The reforms proposed below would further Britain’s goal of having a thriving farming sector with world-leading animal welfare standards, and give due regard for the welfare of farm animals as sentient beings in accordance with the Animal Welfare (Sentience) Act 2022.

### *Mandatory animal welfare method-of-production labelling*

Current labelling laws for animal products prevent consumers from making informed decisions about the animal welfare status of their purchases and fail to combat misleading labelling. DEFRA’s analysis has found that while there are several well-established voluntary and industry-led labelling schemes that cover production standards, such as Red Tractor (launched in 2000) and RSPCA Assured (launched in 1994), these labels do not identify imported products that are produced using methods that would be illegal in the UK, and do not allow consumers to easily compare animal welfare production standards.<sup>7</sup> The schemes also score poorly on consumer recognition: DEFRA’s call for evidence on animal welfare labelling found that 64% of consumers do not understand Red Tractor, despite it being the most well-known assurance scheme in the UK, and only 27% of consumers recognise RSPCA Assured.<sup>8</sup> DEFRA has observed that this lack of understanding may reduce consumers’ willingness to pay for higher welfare products.<sup>9</sup>

This information asymmetry can and should be corrected. The best policy vehicle for doing so is through the implementation of DEFRA’s well-developed “A-E” method-of-production welfare label for eggs, chicken and pork, as set out in its consultation which closed in May 2024.<sup>10</sup> Importantly, the scheme would allow farmers to more easily be compensated for their higher welfare production and would support domestic farmers by helping consumers to identify imports produced to animal welfare standards which would be illegal if produced in the UK. DEFRA’s impact assessment estimates that the proposals would deliver an increase in profit of over £40 million per year for British farmers,<sup>11</sup> and would provide a net benefit to society in the value of £139.9 million over 10 years.<sup>12</sup>

The public strongly supports these proposals. 99% of individuals responding to DEFRA’s 2021 call for evidence on labelling felt that the government should reform labelling to ensure greater consistency and understanding of animal welfare information at the point of purchase.<sup>13</sup> Similarly, 97% of individuals responding to the call for evidence supported the principle of

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<sup>7</sup> Department for Food, Environment and Rural Affairs (DEFRA), “[Fairer Food Labelling Public Consultation – Impact Assessment](#)” (25 January 2024), page 14.

<sup>8</sup> DEFRA “[Fairer Food Labelling Public Consultation – Impact Assessment](#)”, page 15.

<sup>9</sup> DEFRA “[Fairer Food Labelling Public Consultation – Impact Assessment](#)”, page 15.

<sup>10</sup> DEFRA, “[Consultation on Fairer Food Labelling](#)” (opened 12 March 2024)

<sup>11</sup> DEFRA’s central scenario predicts an annual profit change of £46.56m for British farmers. See “[Fairer Food Labelling Public Consultation – Impact Assessment](#)”, page 44.

<sup>12</sup> DEFRA “[Fairer Food Labelling Public Consultation – Impact Assessment](#)”, page 1.

<sup>13</sup> DEFRA “[Summary of responses to the call for evidence on labelling for animal welfare](#)” (August 2022), page 27.

mandatory labelling of imports to identify when they do not meet baseline UK welfare regulations.<sup>14</sup>

Mandatory method-of-production standards would also improve animal welfare appreciably. DEFRA has estimated that, by effectively identifying the applicable animal welfare standards and thereby encouraging a shift towards higher ones, the proposed labelling scheme would improve the welfare of approximately 110 million meat chickens, 700,000 laying hens and 510,000 pigs per year.<sup>15</sup> These impacts would be consistent with precedent showing labelling to be an effective vehicle for improving welfare, as the existing mandatory labelling for shell eggs introduced in 2004 led to a marked increase in the sale of free-range eggs.<sup>16</sup> The vast number of animals who will benefit from method-of-production make it likely to be one of the most impactful policies at improving animal welfare—whilst also furthering the interests of farmers, consumers and the wider economy.

No primary legislation is required: DEFRA’s proposals would be implemented via secondary legislation under the Food Safety Act 1990, with a 12-18 month transition period for industry to update their labels. An example label from the consultation is set out below.



(Source: Fairer Food Labelling Consultation – English (Word Version), downloadable [here](#).)

LAWS recommends only one amendment to DEFRA’s proposal. Low welfare imports falling within the scope of the labelling regime that do not meet the UK’s animal welfare standards ought to be subject to a ‘sunset’ clause of no more than five years, after which point they must meet the UK’s welfare standards in order to be sold on British markets. Legislation requiring parity of on-farm welfare standards for imports is permitted under international trade law,<sup>17</sup> and is already in force in relation to humane slaughter standards (with meat

<sup>14</sup> DEFRA [“Summary of responses to the call for evidence on labelling for animal welfare”](#) (August 2022), page 31.

<sup>15</sup> DEFRA [“Fairer Food Labelling Public Consultation – Impact Assessment”](#), page 5.

<sup>16</sup> DEFRA [“Fairer Food Labelling Public Consultation – Impact Assessment”](#), page 55.

<sup>17</sup> Animal welfare based restrictions are measures necessary to protect “public morals” under the General Agreement on Tariffs and Trade (GATT) Article XX(a); see World Trade Organisation [“European Communities – Measures Prohibiting the Importation and Marketing of Seal Products”](#), AB-2014-1 and AB-2014-2, Reports of the Appellate Body, at 5.201. All of the UK’s Free Trade Agreements preserve this exception, providing the UK with “the same rights as it would under WTO law to maintain and adopt protections” in the area of animal welfare: See, Trade and Agriculture Commission, [Advice to the Secretary of State for International Trade on the UK-Australia Free Trade Agreement](#) (April 2022), pp. 20-21; [Advice to the Secretary of State for International Trade on the UK- New Zealand Free Trade Agreement](#) (June 2022), p. 24; [Advice to the Secretary of State for Business and Trade on the UK’s Accession Protocol to CPTPP](#) (December 2023), p. 23. Similarly, Article 412 of the UK-EU Trade and Cooperation Agreement (the “UK-EU TCA”) provides that “Article XX of GATT

imports being required to satisfy the UK's humane slaughter laws).<sup>18</sup> Requiring imports to meet the UK's animal welfare standards would provide the strongest possible benefits for animal welfare as well as to British farmers.<sup>19</sup>

### *Cages for Pigs and Chickens*

Each year, approximately 8 million layer hens in the UK spend their lives in cages<sup>20</sup> and around 200,000 mother pigs in the UK are confined in farrowing crates.<sup>21</sup> There is significant evidence showing that animals' welfare is significantly compromised in these small confinement systems: enriched cages (also known as 'furnished' or 'colony' cages) restrict many key natural behaviours of layer hens<sup>22</sup> and allow for little more space per hen than an A4 sheet of paper.<sup>23</sup> Mother pigs (sows) kept in farrowing crates are similarly restricted: they are unable to turn around, nestle their piglets or express natural rooting or nest-building behaviours.<sup>24</sup> The intensity of this confinement interferes with a sow's exploration and communication with her piglets and leads to increased physiological stress.<sup>25</sup>

Given these significant negative welfare impacts, LAWS recommends that DEFRA release the consultation already prepared by DEFRA on enriched cages<sup>26</sup> for layer hens, followed by the preparation of a consultation on the use of farrowing crates for pigs.<sup>27</sup> Farmers of caged

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1994, including its Notes and Supplementary Provisions, is incorporated into and made part of this Agreement, *mutatis mutandis*". The public morals exception contained in Article XX(a) of GATT, which applies to measures to protect animal welfare, therefore allows the UK to take measures to ban or restrict low welfare imports notwithstanding the UK-EU TCA.

<sup>18</sup> See retained Council Regulation (EC) No 1099/2009 (setting out humane slaughter rules), Article 12, which provides that "the health certificate accompanying meat imported from third countries shall be supplemented by an attestation certifying that the requirements at least equivalent to those laid down in Chapters II and III of this Regulation have been met".

<sup>19</sup> An enabling power permitting the Secretary of State to enact secondary legislation requiring imports to meet the UK's animal welfare standards would need to be included in primary legislation and could be included in the next animal welfare bill going through Parliament. In the meantime, DEFRA's current labelling proposals should be progressed via secondary legislation as soon as possible.

<sup>20</sup> Compassion in World Farming (CIWF) "[Our Campaigns – End the Cage Age](#)".

<sup>21</sup> Compassion in World Farming "[New poll shows less than one in five Brits support the use of farrowing crates on farms](#)" (16 March 2023).

<sup>22</sup> See K.M. Hartcher and B. Jones, "[The welfare of layer hens in cage and cage-free housing systems](#)", *World's Poultry Science Journal*, Volume 73 Issue 4 (31 October 2017) ("While furnished cages offer some provisions for dustbathing, their use varies between different types of furnished cages, and hens are often unable to dustbathe satisfactorily due to the depletion or inadequate provision of dustbathing materials. There is also a very limited ability for hens to forage and ground-scratch. Therefore, while there are some provisions to allow greater behavioural expression than in conventional cages, the hens' full behavioural repertoire is not able to be expressed in furnished cages.")

<sup>23</sup> The printing area of the A4 format size is 625 cm<sup>2</sup>. Enriched cages provide 750 cm<sup>2</sup> of cage area per hen, 600 cm<sup>2</sup> of which must be usable: The Welfare of Farmed Animals (England) Regulations 2007, Schedule 4, Section 2(a). See also Compassion in World Farming "[Position note: Enriched cages do not meet the welfare needs of laying hens](#)".

<sup>24</sup> Emma M Baxter et al "[Sow welfare in the farrowing crate and alternatives](#)" (10 November 2017). Available online: Woodhead Publishing Series in Food Science, Technology and Nutrition, 2018, Pages 27-72 ("the restriction of sow movement interferes with the performance of species-specific behaviours such as nest-building, orientation, exploration and communication with the piglets and leads to increased physiological stress"). See also Compassion in World Farming "[End the Cage Age Sows Investigation 2022](#)".

<sup>25</sup> Emma M Baxter et al "[Sow welfare in the farrowing crate and alternatives](#)" (10 November 2017).

<sup>26</sup> Conventional battery cages were banned throughout the EU, including in the UK, in 2012 but were replaced with enriched cages which only offer a limited space of around 750cm<sup>2</sup> per bird, and certain limited enrichments. See the Welfare of Farmed Animals (England) Regulations 2007, Schedule 4.

laying hens will be able to use DEFRA's £22 million laying hen housing grant scheme to support the costs of transitioning.<sup>28</sup> LAWS recommends that DEFRA provide similar support from the farming subsidy budget for pig farmers wishing to transition away from the use of farrowing crates.



*Pig in farrowing crate, UK. Credit: Tracks/CIWF 2019*      *Hen in an enriched cage, UK. Credit: Tom Woollard / We Animals 2023*

Phasing out the use of these cages is overwhelmingly supported by the public. Polling from July 2022 found that 94% of the British public consider it unacceptable for chickens to be kept in cages with 750 sq. cm of space (i.e. to use enriched cages), and 96% said it was unacceptable to keep pigs in cages which prevent them from turning around for several weeks (i.e. to use farrowing crates).<sup>29</sup> Strong public opposition to the use of these cages has led to Scotland proposing (in a consultation launched in April 2024) to ban enriched cages for hens,<sup>30</sup>

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<sup>27</sup> Sow stalls, which are individual stalls that housed sows throughout their pregnancy (approximately four months) until they give birth have been banned in the UK since 1999, but farrowing crates are still permitted. Farrowing crates confine the sow from up to a week before giving birth, until the piglets are weaned at around four weeks. With 2-3 litters per year, mother pigs spend approximately 10-15 weeks in these crates, in which they are unable to turn around. See the Welfare of Farmed Animals (England) Regulations 2007, Schedule 8, Part 5; [RSPCA Assured "What are Farrowing Crates"](#) and RSPCA ["Cage Free Future"](#).

<sup>28</sup> See Rural Payments Agency and DEFRA, ["Guidance: "About the Laying Hen Housing for Health and Welfare grant round 1, who can apply and what the grant can pay for"](#) (updated 18 September 2024).

<sup>29</sup> Bryant Research ["Acceptability of Common Farming Practices"](#) (18 August 2022).

<sup>30</sup> Scottish Government ["Consultation on a proposal to phase out the use of cages in Scotland's laying hen sector"](#) (opened 2 April 2024).

and Wales proposing (in its Animal Welfare Plan for Wales for 2021-2026) to restrict the use of enriched cages for laying hens and farrowing crates for pigs.<sup>31</sup>

These developments in Scotland and Wales follow global trends away from the use of cages. Enriched cages for laying hens are prohibited in Austria, Luxembourg and Switzerland, and will be prohibited in Germany from 2025 (in exceptional cases from 2028), in Czech Republic from 2027, and in Slovakia from 2030. France has also banned the installation of new enriched cages.<sup>32</sup> Similarly, farrowing crates have been banned in Sweden (1988), in Norway (2000), and in Switzerland (2007).<sup>33</sup> The European Commission has also announced its intention to propose phasing out all cage systems, and in New Zealand, the High Court found—under domestic legislation materially similar to the Animal Welfare Act 2006 in force in England and Wales—that farrowing crates were unlawful,<sup>34</sup> resulting in the government phasing them out by December 2025.<sup>35</sup>

These global reforms have left the UK—which has long prided itself on being a world leader on animal welfare—falling behind. Currently, the UK is ranked as only 9<sup>th</sup> in Europe by number of cage-free animals, behind Luxembourg, Austria, Sweden, the Netherlands, Germany, Slovenia, Denmark and Belgium.<sup>36</sup> This is a matter of significant public concern, particularly in the policy environment created by the Animal Welfare (Sentience) Act 2022, which reaffirms our nation’s commitment to protecting animals as sentient beings.

Action is needed. By consulting on the phasing out of enriched cages for layer hens and farrowing crates for mother pigs, the UK can reposition itself as a global leader on farmed animal welfare in accordance with the public’s values.

## Conclusion

Low welfare methods of production do not satisfy the public’s expectation of high animal welfare standards. They also undermine Britain’s goal of being a world leader on animal welfare. The future of British farming is in high welfare practices which allow animals to express normal patterns of behaviour. A legislated phase-out of enriched cages for hens and farrowing crates for pigs, alongside financial support from the farming subsidy budget for transitioning to higher welfare practices, is strongly recommended. These reforms should be implemented alongside mandatory animal welfare method-of-production labelling as proposed by DEFRA, which will allow farmers to be appropriately compensated for their higher welfare production. Mandatory labelling would support domestic farmers by helping consumers to identify imports produced to animal welfare standards which would be illegal if

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<sup>31</sup> Welsh Government “[Our Animal Welfare Plan for Wales 2021-2026](#)” (2021), page 15. [The Welsh Labour Manifesto](#) for the 2024 UK General Election also commits to continuing the Welsh Labour Government’s work on caged farm animals.

<sup>32</sup> Compassion in World Farming “End the Cage Age: [Why the EU Must Stop Caging Farm Animals](#)” (2020), page 7; Poultry World “[Calls for EU legislators to ban cages for layers](#)” (10 February 2024).

<sup>33</sup> RSPCA Assured “[What are Farrowing Crates](#)”.

<sup>34</sup> New Zealand Animal Law Association v Attorney-General [2020] NZHC 3009.

<sup>35</sup> Animal Welfare (Care and Procedure) Regulations 2018 (New Zealand), regulation 26(3).

<sup>36</sup> Compassion in World Farming “[End the Cage Age: How Close Are We to a Cage-Free Europe?](#)” (January 2023).

produced in the UK, thereby providing significant financial benefits to British farmers whilst delivering improvements to the lives of hundreds of millions of animals.

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