Written evidence submitted by the British Association for Shooting and Conservation

The British Association for Shooting and Conservation.

1. The British Association for Shooting and Conservation (BASC) is the representative body for sporting shooting in the UK with a membership of over 150,000. It aims to promote and protect sporting shooting and the wellbeing of the countryside throughout the UK and overseas. It actively promotes good firearms licensing practice, training, education, scientific research and practical habitat conservation.

Potential conflicts that may arise in requiring Ministers to have “regard to the welfare needs of animals as sentient beings in formulating and implementing government policy” and that Ministers of the Crown must “also have regard to matters affecting the public interest.”

2. These duties need to be balanced as per the EU Protocol on animal sentience set out in Article 13 of Title II of the Lisbon Treaty, paying full regard to the legislative, administrative provisions and customs of the UK relating in particular to religious rites, cultural traditions and regional heritage.

3. BASC is very concerned that a consequence of the draft Bill which enshrines these duties is that it will be used to tag amendments on all manner of fieldsports and animal rights issues which the government would not like to legislate on.

4. BASC believes that legislation is a dangerous way to address this issue and hopes that parliamentary draftsmen have advised that the long title of the Bill is sufficiently tight to avoid tagging amendments to the Bill.

Are definitions required for (a) “sentience” (b) “animal” (c) “welfare needs of animals”.....and if so, what definitions should be used?

5. Definitions are not required for ‘sentience’, ‘animal’ or ‘welfare needs of animals’.

6. The term sentience is subjective and the perception of sentience in animals by humans may differ markedly for different species and different human cultures. There is no single legal definition of sentience that meets all cases. The assessment of sentience in animals must be evidence-based rather than based on subjective anthropomorphic perceptions.

7. Explanatory notes to the Animal Welfare Act 2006 state that "The Act will apply only to vertebrate animals, as these are currently the only demonstrably sentient animals. However, section 1(3) makes provision for the appropriate national authority to extend the Act to cover invertebrates in the future if they are satisfied on the basis of scientific evidence that these too are capable of experiencing pain or suffering".
8. There is no ubiquitous definition of animal nor a definition of 'welfare needs of animals' that applies across all legislation. A common theme in considering animal welfare policy is that humans have a responsibility that animals do not suffer unnecessarily.

Do you agree with a proposed increase in the maximum penalty for specified animal welfare offences from six months to five years’ imprisonment under Section 7 of the Animal Welfare Act 2006?

9. BASC has no view on the proposed maximum sentence length for these specific circumstances, which is a matter for the judge in any particular case.

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