

# On animal welfare, the UK should lead not fall behind

*The UK has historically been a leader on the protection of animals but efforts have weakened over recent years. **Jonathan Birch** argues that the animal welfare impact of all policy decisions must be taken into consideration if the country is to continue to be a force for raising standards in this area.*

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In 1822, the UK passed the world's first ever animal welfare law: the Cruel Treatment of Cattle Act, or "Martin's Act", which protected a small number of animals from extreme abuses. Two hundred years later, we passed one of the world's newest: the Animal Welfare (Sentience) Act 2022, often known simply as the Sentience Act. The new act creates a duty on ministers to pay all due regard to animals as sentient beings. I advised the government on the wording of the new act, [recommending the inclusion of some invertebrates](#), such as octopuses.

This was a good moment in the history of UK animal welfare law but it is fair to say there has been a loss of momentum since then. The Sentience Act was intended to be the foundation stone in an ambitious action plan. Yet in May, the Animal Welfare (Kept Animals) Bill, a core piece of the programme, was dropped by the government after having been stalled for over a year. When I talk to policymakers in this area, I no longer get a clear sense of a shared agenda. All political parties should make the drive towards higher standards a key priority – not only for the sake of animals, but also for the sake of their own electoral chances. There are a number of areas where policies could be brought in that would benefit consumers, producers and animals.

## Food labelling

Animal welfare is not a zero-sum game in which human interests are pitted against the interests of other animals. Nor is it about pitting urban interests against rural interests. It is about promoting our common interest. There is a deep human need to relate to other animals in a positive way and to treat them with care and respect. Good law and regulation form part of how we can achieve this.

In the case of farming, animal welfare improvements are “win-win-win”: animals benefit, consumers benefit and frontline producers benefit. British farmers who are working with animals on a day-to-day basis want to be supported in maintaining high welfare standards. They don’t want a global race to the bottom in which they are forced to compromise on welfare in the name of efficiency. They want a stable livelihood but don’t want to put profit before welfare.

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Yet to make a system based on high welfare standards work in practice, it needs to be combined with clear, reliable, prominent and mandatory labelling, so that consumers can see when they are buying a low-welfare or high-welfare product and are able to reward those farmers who maintain high standards. The RSPCA has been [calling for this](#) for a long time, and Defra launched a consultation on it in 2021, but it still hasn’t happened, and Defra recently announced it was [dropping the whole idea](#) in response to aggressive industry lobbying. Another win-win-win turned into a lose-lose-lose.

## Genome editing and selective breeding

Traditional selective breeding has been a mixed blessing, leading to great efficiency gains but also to terrible welfare problems. Over the past 60 years, we have bred chickens to grow at three times their natural speed to more than three times their natural weight, leading to [serious health problems](#) in the last few weeks of life.

Frontline farmers do not benefit from this – and yet these breeds have quietly become normalised. Some [major supermarkets](#) have committed to phasing out these breeds in favour of slower growing ones but we need the government to take the lead in creating incentives for supermarkets to do the right thing.

The picture is complicated further by genome editing: directly changing the genetics of breeds. This has the potential to turbocharge selective breeding, so proper regulation is crucial to ensure the technology is used responsibly. The [Nuffield Council on Bioethics](#) has called for a traffic light system in which independent experts classify breeds as red, amber, or green, where “red” implies severe inherent welfare problems. Without something like this, we risk sleepwalking into an animal welfare disaster.

## Artificial intelligence

The AI revolution will not leave farming unchanged. We are already seeing many start-ups around the world (especially in the US and UK) aiming to harness the potential of combining machine learning with continuous data-logging. For example, welfare risk sensors are being developed to detect emerging health and welfare problems such as [lameness and mastitis in dairy cows](#), and to catch avian influenza outbreaks at an early stage.

I can see a case for incentivising these developments, if done well. At the same time, we also urgently need a *code of practice* to ensure AI technologies are used responsibly, transparently and without eroding welfare standards. The [risks are significant](#). There is also a real risk that, without regulation, economic incentives will drive companies to dial down the sensitivity of their welfare risk sensors, only responding to the most serious and costly problems to reduce the number of false alarms. AI can be a valuable *supplement* to human oversight but cannot *substitute* for it.

## Replacing animal research

The UK is strongly committed to the principle of “replacing, reducing and refining” animal experimentation – the so-called “3Rs”. Emerging technologies such as organoids and “organs on chips” are turning the dream of replacement into a reality – biomedical research that might in the past have been done on live animals can now be done on tissues grown from human stem cells. Yet these technologies have not yet been widely adopted in biomedical research. Large numbers of animals (mostly rats and mice, but sometimes monkeys) are still used unnecessarily, and are unlikely to model human organs as accurately at the molecular level as models created from human cells. We need a step change, and the government can drive this change by investing in replacement technologies.

## Normalising consideration of animal welfare

The motivation for the Sentience Act was the concern that other animals often get overlooked in policymaking. Consider the Treasury’s Green Book, a 148-page guide to policy evaluation intended for use throughout the civil service. It does not contain the

word “animal” (there are, by contrast, about 100 mentions of the environment). Policies receive environmental impact assessments but never animal welfare impact assessments.

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And yet there are countless ways in which policies can affect animal welfare. Take trade deals: a rushed trade deal can allow cheaper, lower-welfare products to flood the market. Not what the public wants, and not the right thing to do. We need ways of systematically assessing the impact on animals of our policy decisions.

## **Invertebrates**

My team’s [2021 report](#) did not just recommend recognising octopuses, crabs and lobsters as sentient beings – it also made specific recommendations, such as prohibiting egregiously inhumane slaughter methods like dropping animals into pans of boiling water without prior stunning.

It’s clear that now these animals have been recognised as sentient, other relevant laws need to be brought into line with this. Through simple ministerial actions, the Animal Welfare Act 2006 and Animals (Scientific Procedures) Act 1986 can be quickly extended to cover these animals.

## **The UK should continue be a pioneer on animal welfare standards**

The current government has, in the past, mooted banning imports of foie gras and fur, but the plans appear to have been dropped. All parties, when writing their 2024 manifestos, should think about how to exert control over the welfare standards of the products that flow across our borders. We have the ability to prevent the sale of products such as white veal and farmed octopus and the power to stop live animals from being exported from the UK for fattening or slaughter. We should use the power we have.

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As things stand, we can still count ourselves leaders on animal welfare. The excellent [Animal Protection Index](#), which reviews animal law around the world, ranks the UK in its top category, along with five other countries. Yet our ambitions should go beyond just keeping up with the leading group. This is an area in which we can be pioneers, developing new models of regulation that other countries want to emulate. The issues here – food labelling, selective breeding, genome editing, policy evaluation, regulating imports and exports, protecting sentient invertebrates, and regulating the use of AI – are all areas in which we are well placed to clear new paths.

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*The text of this article overlaps partially with a companion piece by the same author in the [Fabian Review, Summer 2023](#), reused with permission.*

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