

# (TACKLING) ANIMAL HARM



Chartered Trading  
Standards Institute

[www.tradingstandards.uk](http://www.tradingstandards.uk)







# Key points

- ▶ While Trading Standards plays a role in enforcing animal health and welfare regulations, delays in court processes and gaps in current legislation are undermining enforcement efforts and allowing animal welfare to be compromised.
- ▶ The responsibility for farmed animal welfare enforcement is split between local authority Trading Standards services which enforces the legislation and the Animal and Plant Health Agency (APHA) under the umbrella of the Department for Environment, Food and Rural Affairs (Defra) and its devolved counterparts who regulate animal health and welfare. Trading Standards teams often work alongside Environmental Health colleagues and charities such as the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and World Horse Welfare as part of joint operations, sharing knowledge, skills and resources to better improve animal welfare.
- ▶ Significant backlogs in the court system are impacting the timely resolution of animal welfare cases, which poses challenges in promptly addressing these issues. This increases the risk of prolonged suffering for animals and places greater demands on available resources.
- ▶ CTSI's new survey of local authorities highlights that cost is a critical barrier to enforcement action, with 84% of respondents identifying it as a significant challenge. Over a third of respondents (39.4%) also reported that the prolonged duration of the court process is a substantial barrier, as severe delays significantly increase costs to local authorities, further straining resources and hindering effective enforcement.



## CTSI is calling for:

- ▷ The Animal Welfare Act 2006 to be reviewed and amended as a matter of priority to ensure that it is fit for purpose and animal welfare is protected. This includes the introduction of pre-conviction sanctions and an interim disqualification where animals are taken into possession.
- ▷ Devolved Governments to fund more complex animal welfare cases where animals are taken into possession. This could include contingency funding for taking animals into possession on a case-by-case basis.
- ▷ Government to reassess the current strategies for financial support given to farmers, particularly to small and medium-sized enterprises (SMEs) in the livestock farming community.
- ▷ Amendment to be made to the Animal Welfare Act 2006 and the Animal Health and Welfare (Scotland) Act 2006 (AHWSA) to place a duty on the courts to hold a Section 20 (s.20) hearing (England and Wales) or Section 32 (s.32) hearing (Scotland) within a maximum of 182 days. If there isn't parliamentary time in the current session to introduce another Act, secondary legislation could be introduced to set clear procedural frameworks and timelines to prevent undue delays in court proceedings.



**Maurice Golden MSP, Deputy Convener of the Cross-Party Group in the Scottish Parliament on Animal Welfare, has also given the paper his backing, demonstrating the paper's cross-nation approach:**



*"I welcome this report as an important step in helping strengthen animal welfare legislation and enforcement. Not only identifying where existing legislation needs strengthened, but also shining a light on how insufficient resources are creating extra costs for local government whilst risking increased animal suffering. The public is rightly concerned with ensuring the highest levels of animal welfare, and this paper offers policy makers an insight into where best to act."*

**Gill Furniss MP, Chair of the All-Party Parliamentary Group on Consumer Protection, strongly supports the calls made within this paper. She said:**



*"I strongly support the calls made within CTSI's (Tackling) Animal Harm paper. It clearly identifies the critical issues undermining effective animal welfare enforcement, particularly highlighting how delays in court proceedings are enabling enforcement costs to escalate significantly, placing further strain on already overstretched local authorities."*

*It's known that the vast majority of farmers and animal keepers in the UK maintain the highest standards of care and responsibility to their animals. Yet, there remains a small minority whose neglect, or cruelty, disproportionately burdens local authorities, exacerbated by lengthy court delays which allow costs to spiral. Additionally, current financial support mechanisms for farmers, particularly small and medium-sized enterprises, are inadequate, contributing to an environment where animal welfare can unintentionally become compromised.*

*Understanding this, I fully endorse CTSI's recommendations for legislative reform, improved financial assistance for enforcement action, and a review of existing support for the farming community to safeguard animal welfare, support farmers effectively, and ensure the sustainability and integrity of animal welfare enforcement across the UK."*



## Carolyn Thomas MS, Member of the Senedd for North Wales, and Chair of the Cross-Party Group for Animal Welfare



*"Urgent reform is essential if we are to protect our animals from the prolonged suffering caused by court delays and inadequate enforcement resources. I am grateful to CTSI for bringing this paper forward and for highlighting concerns that have been raised for many years. This legislation requires a comprehensive update to reflect the evolving needs of our society and to ensure robust protection for our animals. Court delays, although not a devolved responsibility, are causing significant challenges for devolved areas, undermining our priorities to safeguard animal welfare. The ramifications of these issues have a serious impact to rescue centres, local authorities, public trust and increased costs to all organisations involved. Wales has led the way in many areas, but we now need a combined approach to modernise our outdated laws, empowering our local authorities with pre-conviction measures and improved funding to prevent abuse and ensure every animal receives the care it deserves."*

## Peredur Owen Griffiths MS, Member of the Senedd for the South Wales East, said:



*"Comprehensive and urgent reform of animal welfare legislation is needed to address the prolonged suffering inflicted upon animals as a result of significant delays within the judicial system and critically under-resourced enforcement mechanisms. We commend the Chartered Trading Standards Institute (CTSI) for bringing forward this important report and for highlighting longstanding concerns that have yet to be adequately addressed. Crucially, the financial burden borne by Local Authorities has reached unsustainable levels. Costs associated with taking animals into possession routinely exceed £100,000. Prolonged court processes exacerbate these costs, often rendering enforcement actions financially prohibitive. Wales has historically led the way in advancing animal welfare policy, but the scale and complexity of the challenges now necessitate a coordinated and well-resourced approach across all administrations. Reforms can ensure that every animal receives the care, protection, and dignity they deserve, and that the rule of law in animal welfare is not undermined by procedural and fiscal inertia"*



# Growing concerns around animal cruelty

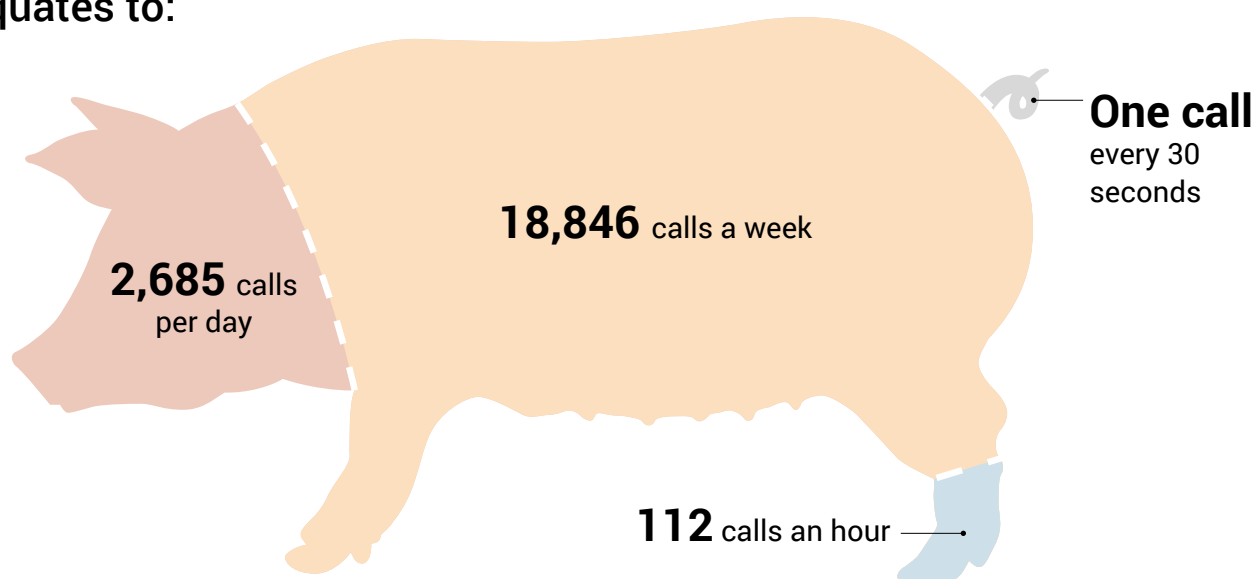
For almost two decades, the Animal Welfare Act 2006 (AWA) has remained largely unchanged in legislation. Presently, effective animal welfare enforcement faces several challenges, particularly around the use of the powers within section 18(5) regarding taking animals into possession. This includes difficulties finding suitable boarding premises, treatment for unwell animals, the lengthy waiting time for cases to be heard in court for a s.20 hearing to have ownership passed to the Local Authority, and a lack of funding to pay for all the associated costs which are borne by the Local Authority. Current backlogs in the court process are another substantial barrier to enforcement action – severe delays in the court process result in substantial costs to Local Authorities. Current legislation does not prevent individuals who have had animals removed from simply acquiring more while the case is processed in court. As a result, the act of removing animals can actually cause further harm, as individuals continue to acquire more animals and commit further abuse.

These barriers to action and lack of necessary resources are causing a reluctance among Local Authorities to take animals into possession and enforce animal welfare legislation. Where an animal has been taken into possession by Trading Standards, a s.20 order enables a Magistrates' Court to authorise treatment, transfer possession, or decide on the animal's sale or destruction.

Reports of animal welfare concerns have continued to rise in recent years, reflecting growing public awareness and demand for action. In 2023, one of the UK's largest animal welfare organisations received nearly 980,000 calls to their cruelty and advice line<sup>1</sup>. Similarly, tens of thousands of complaints of animal cruelty were investigated during that period. This surge in welfare reports has created increased pressure on local governments, including Trading Standards teams, highlighting a significant strain on resources and the need for more efficient case management systems. The increasing volume of reports underscores the urgency of addressing systemic challenges in enforcement and resourcing.

<https://committees.parliament.uk/writtenevidence/119667/html/>

## That equates to:



<sup>1</sup>[https://www.rspca.org.uk/documents/d/rspca/tra\\_2023\\_web](https://www.rspca.org.uk/documents/d/rspca/tra_2023_web)



The current economic climate has caused a perfect storm for welfare issues among farm animals to surge. Since 2022, there has been a substantial increase in the price of agricultural fertilisers and animal feed. These price escalations have primarily been propelled by global influences such as heightened demand, the ongoing conflict in Ukraine, and the rise in energy costs. The unprecedented price levels are exerting upward pressure on expenses for both farmers and consumers, affecting not only agricultural production costs, but also the prices of food products and animal-derived goods<sup>2</sup>.

These factors, coupled with the impact of the current cost-of-living crisis, have culminated in many farmers finding themselves unable to afford the necessary feed, fuel, living standards and veterinary treatment for the animals in their care. As a result of this, in some instances, animal welfare has been severely compromised on farms, resulting in Trading Standards intervention.

<sup>2</sup><https://lordslibrary.parliament.uk/rising-cost-of-agricultural-fertiliser-and-feed-causes-impacts-and-government-policy/>





# Concerns from Trading Standards

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Trading Standards Officers take animals into possession because they are suffering or are likely to suffer due to neglect and cruelty. There is a duty of care placed on all owners of animals to ensure that the welfare needs of their animals are met. When this does not happen, the law gives powers to inspectors (Local Authority or Police) to take steps to prevent unnecessary suffering. Trading Standards and Environmental Health teams across England, Wales, and Scotland handle a wide variety of animals, including livestock and companion animals, depending on the Local Authority's remit.

A particularly critical issue is that individuals under investigation for animal welfare offences can continue purchasing and keeping animals while their cases are delayed in court. This undermines the impact of enforcement actions, blunts the deterrent effect of the legislation, and allows potential abusers to perpetuate harm. Tackling court delays is essential to prevent further suffering and to ensure that animals are not returned to individuals who have demonstrated neglect or cruelty.





# Barriers which are increasing the suffering of animals

## ► Government policies for subsidising livestock farmers

With the departure from the EU, the subsidies that most farms rely on for financial support have been changed, reduced or withdrawn. The Government has introduced new environmental payments and grants; however, these are not accessible to some of the smaller-scale farmers, particularly where money needs to be paid upfront to be eligible for grant funding. Farms that are traditional SMEs, without Government subsidy, are struggling – this is being witnessed by Trading Standards Officers around the country who are having to deal with animal welfare issues.

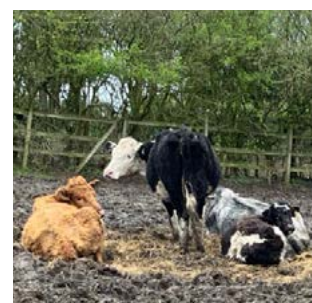
It is evident from intervention with these businesses, that where farmed animal welfare has been compromised, it is often because people are trying to either ride the storm to see if it will get better or take on jobs for a second income. These added pressures prevent businesses from being able to comply with animal health and welfare regulations, particularly where they are having to absorb additional costs, where previously there would have been some financial support available to assist them.

## ► Costs of taking legal action are a barrier to taking enforcement action

Enforcing animal welfare laws is becoming increasingly difficult due to the high cost of taking animals into possession. Local Authorities have disclosed that the expenses related to such actions are soaring and often exceed £100,000; this can render the law ineffective as it becomes too expensive to enforce. Moreover, court delays often make the costs ongoing and prohibitive. CTSI is aware of several cases where the expected costs have exceeded £200,000 and one case that has already cost the public purse over £1.5 million. The high costs associated with enforcing animal welfare laws are a significant barrier to effective enforcement, ultimately compromising the well-being of animals.

CTSI's survey of Local Authorities finds that cost is the most significant barrier (84% of respondents) to using section 18(5) of the AWA, which gives Trading Standards powers to take animals that are suffering, or likely to suffer if circumstances don't change, into possession.

Where animals are taken into possession, the Local Authority must apply to the Magistrates' Court within 6 months for a s.20 hearing for the ownership of the animals to be transferred. Whilst



the application must be made to the Magistrates' Court within six months, for contested matters it can take years for the case to be heard. Until the s.20 order is granted, there is very little that the Local Authority can do concerning the animals, other than ensure they are correctly cared for and their welfare needs are met. Without the s.20 court order the animals cannot be treated, have routine husbandry procedures undertaken or be sold. For contested matters, the cost of taking an animal into possession and obtaining court orders under s.20 of the AWA and s.32 of the AHWSA frequently far exceeds the value of the animals seized. If the s.20 court order is appealed, the matter is then heard by a Crown Court, which again, with court delays, can run into many months and years after the animals have been taken into possession before a court order is given. (Please note that the Magistrates' Court and the Crown Court are part of the court system in England and Wales; a different system exists in Scotland.)

Local Authorities have a fiscal duty to recover public money; however, if there is no money available to recover, it then means already overstretched budgets within local government are having to pick up the financial burden. Given the excessive costs, many Local Authorities are now unwilling to use the provisions within the Acts, resulting in animals being left to suffer.



The drafting of the AWA is that the Local Authority 'may' appoint inspectors, not that it must. As a result, there is no statutory obligation on the Local Authority to enforce the legislation. This is contradictory to the requirements of assimilated Regulation (EU) 2017/625 where animal welfare is part of the official controls and there is an expectation that the Local Authority (as a 'designated authority') should enforce and police the rules relating to animal welfare.

Where companion animals are taken into possession, the environment to which they are moved can again add additional stress as most are put into kennels rather than foster homes. This can be costly and negatively impact the socialisation and behaviourism of the animals. Delays in obtaining a s.20 court hearing compromise the well-being of companion animals, as extended stays in kennels hinder their socialisation and recovery. Legislative changes are needed to expedite these hearings. Whilst you can ensure that their needs are being met by law, in order to truly thrive a companion animal needs to be in a home environment, not in a kennel. Some local authorities that have responsibilities for companion animals have experienced significant difficulties in homing large numbers of dogs that have been taken into possession, and added delays in getting s.20 hearings exacerbate the problem.

## Examples of costs to Local Authorities:

- ▶ Vale of Glamorgan Council: 240 horses were seized. The cost to the Local Authority was over **£1.5 million**.
- ▶ Cheshire East Council: 130 cattle and 430 sheep taken into possession. The case was ongoing for 2 years and cost the Local Authority in excess of **£100,000**.
- ▶ Caerphilly County Borough Council: Case involving an unlicensed dog breeder. The cost to the Local Authority was **£72,000**, just for vet fees and the boarding of the animals. This cost does not include the prosecution costs for the case.
- ▶ Aberdeenshire Council: In prosecuting one farmer in 2017, Aberdeenshire Council incurred additional prosecution costs exceeding **£250,000**; the costs include housing, feed, and veterinary fees. The Council then had to seek civil cost recovery through the sale of the cattle, which resulted in a **£90,000** financial shortfall for the Local Authority.



Many examples have not been included because they are live cases going through the courts; however, the evidence shows that these cases are running to hundreds of thousands of pounds. It is now becoming the norm, not the exception.

There have been some recent developments in Scotland where the law concerning the seizure of animals in the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 has been updated. This includes taking relevant steps regarding the treatment or transfer of ownership of the animal to another person. With the Scottish law, the relevant step of transferring takes pressure off having to go into the courts for a s.32 hearing, it places responsibility on who owns or keeps the animals to take appropriate steps to get the matter of the decision notice appealed. This alleviates some pressure on the court system and avoids some of the lengthy delays that are being seen with getting matters heard. It also ensures that costs are kept to a minimum to protect any commercial value of animals taken.



## ► **People who mistreat animals can't be banned from acquiring more animals until they are convicted**

Legislative gaps allow individuals whose animals have been seized under s.18 (E&W) or s.32 (Scotland) to continue acquiring animals while their cases remain unresolved in court. While addressing this issue is crucial to prevent ongoing harm and strengthen enforcement efforts, any measures introduced must ensure they do not unduly impact compliant businesses within the sector. This underscores the importance of carefully designed pre-conviction disqualification powers.

## ► **Courts backlog is hampering the ability to prosecute offenders**

Over a third (39.4%) of respondents to CTSI's survey of local authorities reported the duration of the court process as a substantial barrier to using s.18 powers under the Animal Welfare Act 2006. The pressure on courts is leading to significant delays, mirroring challenges seen in the wider criminal justice system. Recent reports highlight that the criminal case backlog has exceeded 73,000 cases, with some trials scheduled as far out as 2028. The Government's extension of Nightingale courts – initially set up during the pandemic – has been criticised by barristers such as Mary Prior KC, who argue that funds could be better allocated to underutilised permanent courtrooms. These delays not only hinder justice but also strain resources, compromise animal welfare, and erode public trust in enforcement systems. Similarly, in animal welfare cases, the protracted court processes result in prolonged suffering for animals, ongoing financial burdens for local authorities, and diminished confidence in the justice system.

Source: [https://inews.co.uk/news/crime/covid-courts-hotels-extended-justice-crisis-3448028?srsId=AfmBOoplX\\_LLV5-TPsAil8Q2c\\_HLpNUBwTr\\_cfKPROLGua2n-OwB3kBJ](https://inews.co.uk/news/crime/covid-courts-hotels-extended-justice-crisis-3448028?srsId=AfmBOoplX_LLV5-TPsAil8Q2c_HLpNUBwTr_cfKPROLGua2n-OwB3kBJ)

## ► **Lack of protection for Local Authorities**

Currently, there is no provision for voluntary surrender of animals in the AWA or AHWSA. Should animals be voluntarily transferred into the ownership of the Local Authorities, as the provision is outside of the scope of the Acts, there is no protection afforded to either the Local Authority or the officer (as per section 51 and section 32 of the Acts respectively) should an individual choose to make a civil claim.







## Animal Welfare Act 2006 (England and Wales<sup>3</sup>)

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The Animal Welfare Act 2006 applies to England and Wales. The fundamental principle of the Act is that the welfare of animals should not be compromised before action is taken to safeguard them. Under the Act, owners and keepers have a duty of care to their animals and are responsible for ensuring the animals' needs are met<sup>4</sup>, by ensuring they:

- ▶ have a suitable living environment
- ▶ have a suitable diet
- ▶ can exhibit normal behaviour patterns
- ▶ are housed with, or apart from, other animals (if applicable)
- ▶ are protected from pain, injury, suffering and disease

## Animal Health and Welfare (Scotland) Act 2006

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The Animal Health and Welfare (Scotland) Act 2006 consolidates animal welfare laws in Scotland. Similarly to legislation in England and Wales, the Act aims to prevent harm and promote animal welfare through several measures, including placing a duty of care on all pet owners and others responsible for animals, which means that they are obligated to ensure that the welfare needs of their animal(s) are met.<sup>5</sup>

Additionally, the Act grants Scottish Ministers the authority to create regulations requiring the licensing or registration of certain animal businesses by Local Authorities and outlining duties for persons responsible for animals. Such proposals for regulations must undergo consultation before submission to the Scottish Parliament for approval.

<sup>3</sup> <https://www.gov.wales/animal-welfare>

<sup>4</sup> <https://www.gov.uk/guidance/animal-welfare>

<sup>5</sup> <https://www.gov.scot/policies/animal-health-welfare/animal-welfare/>



## Recent legislative opportunities – a glimmer of hope?

Introduced in June 2021, The Animal Welfare (Kept Animals) Bill aimed to modernise the AWA, covering England, Wales and extending to Scotland. However, in May 2023, as part of the Government's Animal Welfare Statement, the Bill was scrapped due to its scope extending beyond its original intent. This decision generated concern and disappointment among animal welfare organisations and key stakeholders, as expressed by the All-Party Group for Animal Welfare (APGAW):

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*APGAW undertook a piece of work on enforcement as we recognise it as one of the biggest animal welfare issues. From our increased research and understanding around the issue, we are very concerned about the increasing pressure on those like Trading Standards services to deal with animal welfare enforcement. The Kept Animals Bill included some measures to help relieve pressure including stopping importation of puppies. It was disappointing it did not get through Parliament, and we hope the current Private Members Bill to stop imports does make it through. It is hugely important that Government not only finds ways of delivering on the measures within the Bill but also that it tightens up the existing legislation around enforcement not only because of increasing welfare cases but also very concerningly the threat to biosecurity and disease outbreak. Welfare and health are inextricably linked and trading standards officers must be given the tools and resource to take appropriate action.”*

Marisa Heath, Director of the All-Party Group for Animal Welfare (APGAW)





# What are we calling for?

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## Financial Support

- **National government departments to reassess the current plans for financial support provided to livestock farmers.**

There needs to be a review of Government policies relating to financial support offered to livestock farmers. Trading Standards have witnessed that a lack of finance is the most significant factor causing poor farmed animal welfare. Climate change and the weather are having an impact, including affecting and reducing the availability of roughage and straw for livestock. The cost of feed and straw is exceptionally high, and Trading Standards are aware that feed companies are not extending credit to farmers; where it is offered, terms of payment are within 30 days. Farms are looking for alternative feed sources, including former foods like waste bread and biscuits. Vets are not being contacted, vermin control is not undertaken, and dead animals are not being collected and disposed of, all due to cost. This is a real concern for welfare and disease control. Energy and utility bills have increased, including fuel, rates and water. Smaller farms are struggling to absorb these costs, particularly with the changes to subsidy payments to the industry.

- **Devolved Governments need to fund more complex animal welfare cases where animals are taken into possession (England, Wales & Scotland).**

The cost of care and court delays for the possession orders is now becoming prohibitive and a barrier to swift enforcement. Article 78 of assimilated Regulation (EU) 2017/625 on the official control states: "The appropriate authority shall ensure that adequate financial resources are available to provide the staff and other resources necessary for the competent authorities to perform official controls and other official activities." However, no money has ever been given to fund animal welfare cases, either through the Revenue Support Grant (RSG) or any other mechanism. Local authorities cannot afford to absorb these costs, and the Secretary of State has a responsibility under Article 78 to ensure resources are available. They have delegated the work to local authorities; now they must fund it. This could include contingency funding for taking animals into possession on a case-by-case basis.



## Strengthening Legal Powers and Enforcement

- ▶ **The Ministry of Justice (MoJ) should adopt a pre-conviction approach for disqualification instead of waiting until after conviction (England, Wales & Scotland).**

There needs to be an interim ban on anyone who has had animals taken from them to prevent them from having and keeping further animals. At present, a person can only be prevented from having animals post-conviction. It is therefore recommended that consideration be given to bringing disqualification in as a sanction at the same time as the s.20 hearing and a pre-conviction sanction. There is the route for appeal for s.20 into the Crown Court, and this would allow a defendant the same safeguards they would have with a post-conviction disqualification order.

- ▶ **Amendment to strengthen disqualification**

An amendment should be made to s.34 of the Animal Welfare Act 2006 to strengthen disqualification. This follows the relevant case law *Patterson v RSPCA* [2013]. If it is the intention of Parliament that, where a case is so serious that it justifies disqualification, then following on from the aforementioned case law, it makes section 34(2)(c) and (d) of the AWA superfluous.

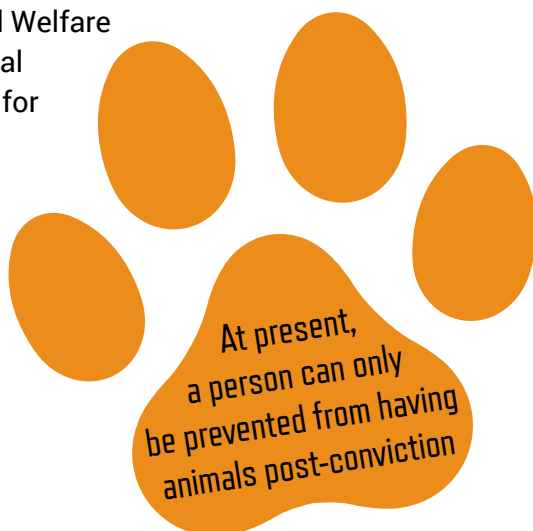
- ▶ **Clarification on powers of entry (Scotland).**

The powers of entry available to inspectors under the Animal Health and Welfare (Scotland) Act 2006 (Schedule 1, Parts 3 and 4) are difficult to interpret and use. This matter has been raised on a number of occasions and the issue has led to the failure of cases, rejection of cases by the Procurator Fiscal Service, and a reluctance to use the legislation by officers in favour of other legislation (by-product and ID legislation), which is clearer and easier to use. We would welcome the chance to discuss changes that might improve these issues.

## An Efficient and Fair Legal Process

- ▶ **Duty on the courts to hear s.20 / s.32 hearings within 21 days (England, Wales & Scotland).**

Presently, too many s.20 hearings are taking many months to be heard due to defence lawyers turning a civil matter into a pseudo-trial prior to any criminal case. This is expensive, is not good for animal welfare, and goes against the spirit of the legislation. An amendment should be made to the Animal Welfare Act 2006 and the Animal Health and Welfare (Scotland) Act 2006 to place a duty on the courts to hear an initial s.20 hearing within a maximum of 21 days from application and for the hearing to be concluded no later than 182 days.





► **Valuations of animals should be carried out by an independent third party (England, Wales & Scotland).**

The Acts do not specify the need for animal valuation or when it should occur. The owners often want their own valuation done, and there is often a significant difference between valuations from the owner's valuer and that of the local authority. If animals are signed over and voluntarily surrendered, there is a real concern that the farmer could take a civil case to sue for the difference in valuations. The tactic of civil action being taken against local authorities in other Trading Standards cases has been witnessed, and it is a genuine concern. To mitigate potential discrepancies between owners and the local authority, an amendment should be made to the Acts to place responsibility on the inspector taking charge of the animal to have an independent valuation at the point of possession and again at the point of sale.

## Improving Animal Welfare Legislation

► **Voluntary surrender – s.18 (England & Wales) and s.32 (Scotland) powers in relation to animals in distress**

There is no provision within s.18 or s.32 for the voluntary surrender of an animal. In many animal welfare cases, where there is consideration to take animals into possession, in the first instance, the owner or keeper of the animals is asked if they would wish to sign over their animals to the inspector. This offers several challenges of its own, particularly as it is not included within the provisions of the Animal Welfare Act 2006 or the Animal Health and Welfare (Scotland) Act 2006, and potentially, it exposes an officer to the liability of being sued for their actions.

► **England and Wales to Mirror Scottish Provisions**

Scotland has recently made changes to their law concerning the seizure of animals in the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020. This includes taking relevant steps regarding the treatment or transfer of ownership of the animal to another person. Under Scottish law, the relevant step of transferring ownership would take pressure off having to go into the courts for a s.20 hearing, placing responsibility on the person who owns or keeps the animals to take appropriate steps to get the matter of the decision notice appealed. This would take some pressure off the court system and avoid some of the lengthy delays that are being seen with getting matters heard. It would also ensure that costs are kept to a minimum to protect any commercial value of animals taken. It is therefore suggested that consideration also be given to including similar provisions in the Animal Welfare Act 2006, with a time period for any appeal to be heard by the courts within 21 days. Where an appeal is lodged, it is recommended that this is heard within a maximum of 182 days.

The success of any legislative improvements hinges on having a well-resourced workforce capable of implementing and enforcing the new provisions. Additional investment in training, recruitment, and retention of enforcement officers is necessary to ensure the effectiveness of these reforms. Without a sufficient workforce, enforcement will remain inconsistent, leading to continued gaps in animal welfare protection and ineffective deterrents for repeat offenders.





They have delegated  
the work to Local Authorities,  
now they must fund it





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