

Graham Smith B.Sc. BV.Sc. MRCVS.

**St Mary's Cottage,
Llanvair Kilgeddin,
Abergavenny,
Monmouthshire,
NP7 9DY**

Tel/Fax: 01873 880577

Animal Welfare Act.

For many years the satisfactory Welfare of Farmed Livestock i.e. Cattle, Sheep, Pigs Poultry etc., has been controlled by a series of rules, regulations and strictly enforced by regular inspections of farm premises to ensure compliance. These conditions, however, did not apply to 'Pet' animals including Dogs, Cats, Birds, Exotic Species and Horses and Ponies. Despite the huge numbers of these species kept as pets and the extensive commercial trading involved, the Welfare of these 'Pets' species was not formally regulated. Neglect, cruelty and simply inadequate care and management were only remedied by the actions of various welfare orientated charities and local authorities. This situation left vast numbers of 'Pet' animals at potential risk of having unsatisfactory care and management. Estimates of these in the U.K. are 750,000 Horses/Ponies, 17 million Dogs and Cats, 2 million Ferrets, 17 plus million Reptiles, together with countless small mammals, (Guinea Pigs, Rabbits, etc,) Birds and Fishes.

This unsatisfactory situation has now changed with passing into law of the Animal Welfare Act 2006 ("The Act"). Under this Act if you own or are responsible for an animal you have a legal duty to take reasonable steps to ensure its Welfare needs are met. This law requires therefore, that you must take reasonable steps to ensure that it:

- Has a suitable environment to live in.
- Has a healthy diet.
- Is able to behave normally.
- Has appropriate company.
- Is protected from pain, suffering, injury and diseases.

Under Section 14 of the Act Codes of Practice has been issued which explains what you need to do to meet the standard of care the law requires There are separate Codes of Practice for different species. The Code of Practice for the Welfare of Equines came into force on 28th November 2008, and covers all equines for which a person is responsible. Similar Codes have been issued or are in preparation e.g. for Dogs, Cats, Rabbits etc.

The Code for Equines, applies to all domestic Horses, Ponies, Donkeys and Hybrids, including Mules. It therefore includes feral and semi-feral Ponies.

Under the Welfare Act Horse Owners and Keepers have a legal duty of care for the Equines they are responsible for, whether on a permanent or temporary basis.

A person may be responsible for a Horse/Pony if they own it or are in charge of it. An owner has also an ongoing responsibility for their Horse even if another person is in charge of it. A parent or guardian of a child under 16 years old is also held responsible for any Horses owned or cared for by the child. Furthermore it is a Horse Owner's duty to ensure any appointed Keeper is competent and has the necessary authority to act in emergencies.

It is therefore absolutely essential that anyone involved with Owning, Keeping or Caring for Equines should obtain a copy of the Code of Practice and comply with its requirements. Breach of a provision of the Code is not an offence in itself but if proceedings are brought against you for a Welfare Offence under the Act, the Court may take into account the extent to which you have complied with the Code, in deciding whether you have committed an offence or have met the required standard of care.

You may already have read reports of actions/prosecutions taken against owners for having very obese Dogs and grossly overweight Ponies, the latter often also affected with laminitis. Results include removal of the animals, banned from keeping animals and fines. Often in the past Equine Welfare cases have involved neglect, inadequate diets (starvation), cruelty etc., but now this Code of Practice, with its requirement for a suitable diet, can be invoked to deal with excessive feeding. I have seen more severe pain and

suffering in obese laminitic 'Pet' Riding Ponies than I have ever experienced when inspecting semi-feral Mountain Ponies on extensive Commons grazing.

The Code is far too long to be reproduced here but I will give a brief outline to show how comprehensive it is. Under the Animal Welfare Act/Code of Practice for the Welfare of Equines the law requires that you must take reasonable steps to ensure that your Equine:

- Has a suitable environment to live in. This includes Shelter, Stabling, sizes and type of construction, lighting, ventilation, bedding, fire precautions, pasture management, fencing, dangerous weeds, rugs and supervision.
- Has a healthy diet. Types of grazing, feeding, foodstuffs, storage, quantities fed in relation to work type, regular monitoring of body conditions to avoid Welfare problems i.e. not too fat or too thin.
- Is able to behave normally – must be able to exhibit normal behaviour patterns. Code advises amount of free exercise etc., needed.
- Has appropriate company – This section gives guidance on providing your equine with suitable company i.e. group sizes, types (group of mares or geldings). Use of other animals for company if only one equine is kept etc.
- Health and Welfare, its need to be protected from pain, suffering, injury and disease. This includes discipline and restraint, illness, routine health care, saddlery and harness, transport and the care of Older or ill Horses.

The Code of Practice for the Welfare of Equines is therefore very comprehensive and its contents/requirements wide ranging! It is obtainable free of charge from local authorities, and Horse Owners are advised to become thoroughly conversant with its contents.

If there are any who question whether this Act and in particular the Code for Equines was necessary, particularly when there is relatively easy access via the internet, training/teaching centres etc., to vast amounts of information on horse care and management, it would be

appropriate to note the frequent incidence of preventable painful situations we see re horses. An all too frequent cause of colic, often severe, often life threatening was red worms. Advances in worm treatment (advanced medication and worm control procedures) have virtually eliminated these problems only for them to be replaced by unsatisfactory feeding of equines resulting in a considerable increase in the cases of colic due sub-acute impaction (constipation!) Prolonged periods of feeding dry foods and reduced exercise e.g. Winter, or long holiday 'weekends'. Simple dietary management easily prevents this totally unnecessary pain and suffering – please remember the Code requires a suitable healthy diet.

Equally important is routine health care. There really is now no need for Horses to suffer severe distress pain and death due to tetanus infection but these cases still occur and despite intensive treatment most horses affected with tetanus die. I have seen and treated several horses with Tetanus, often following very insignificant wounds such as a thorn prick, and the suffering from rigid muscles, locked jaws etc has to be seen to be believed.

The Code includes a requirement for satisfactory routine Health Care. Tetanus Vaccination would come under this heading to prevent unacceptable pain, distress and suffering.

Finally, please remember that you, the Horse Owner can also become infected with Tetanus, with severe distressing results – A Farmer friend of mine suffered a relatively small wound to his hand recently and having not had a Tetanus vaccination, died.

G.G.A. Smith. B Sc. B V Sc. MRCVS.

Graham Smith is a practicing Veterinary Surgeon with 40 years experience in mixed practice. He also inspects Licensed Animal premises for several Local Authorities. Including Pet shops, Boarding and Breeding Kennels, Riding and Trekking Centres. He also inspects Animal Rescue Centres and Free Ranging Ponies on Common Grazing.