Horse Welfare

The Committee was pleased to discuss Horse Welfare with you and other witnesses on 3 September. While we do not at this stage intend to run a full inquiry into that topic or produce a Report, a number of matters arose during the session on which we should appreciate your further views.

We noted with interest your statement, at Q92 of the attached transcript, that “Legislation is a distinct possibility”, and your later comment that you would be interested to see how the new Welsh legislation works and whether something similar might be appropriate in an English context.

We were pleased to hear your confirmation, at Q97, that section 7 of the Animals Act 1971 is adequate for purpose in relation to fly-grazing. We note, too, your acceptance of the estimates made by animal welfare charities that there may be around 3,000 horses fly-grazing, albeit with the caveat, which we would also enter, that it is impossible to be certain of numbers without detailed analysis of the problem.

You will be aware, however, that a number of your fellow witnesses on 3 September made cases for some change in existing legislation.

Roly Owers, Chief Executive of World Horse Welfare, noted, at Q4, that the 1971 Act does not at present allow for seized animals to be re-homed or put down, but merely sold at
auction; this, of course, is among the provisions the 2014 Welsh legislation deals with. Several witnesses made the further suggestion that horses sold at auction may be repurchased by their original owners, and returned to fly-grazed pasture. Is the Government actively considering alterations enabling authorities to deal with seized animals other than by auction?

David Bowles, the RSPCA’s head of public affairs, (supported by Mr Owers) suggested that a change of emphasis was needed, placing the onus to prove ownership of a fly-grazing horse on the owner, and not, as at present, on the authority which seizes or otherwise deals with the horse. We can see that there are difficulties or risks in seeking to adopt such a change in presumption, but should appreciate an outline of the Government’s view on that idea.

Several witnesses (Steven Gale, Animal Health and Welfare Officer at Stockton on Tees, for example, at Q35) commented on the provision within existing legislation allowing an owner 14 days to remove a horse once fly-grazing has been identified. In effect, it is suggested, this allows unscrupulous owners 13 days free grazing before they move. Does the Government have a view on whether that provision requires alteration?

Witnesses were generally unconfident that ASBOs or CPNs might be useful tools: Mr Owers and Mr Bowles, at Q16, said respectively that one case involving an ASBO had taken two years to come to fruition and that an ASBO, even when obtained, would deal with a problem only within a given geographical area.

Finally, some witnesses suggest that fly-grazing should be a criminal rather than a civil offence, if only to encourage greater action by police forces. What is the Government’s view on that point?

Anne McIntosh MP
Chair of the Committee