

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT  
GENERAL COMMITTEES

Public Bill Committee

## ANIMAL (LOW-WELFARE ACTIVITIES ABROAD) BILL

*Wednesday 8 March 2023*

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CLAUSES 1 to 7 agreed to.  
SCHEDULE agreed to.  
Bill to be reported, without amendment.

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**Sunday 12 March 2023**

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**The Committee consisted of the following Members:**

*Chair:* GRAHAM STRINGER

† Baynes, Simon (*Clwyd South*) (Con)  
Blake, Olivia (*Sheffield, Hallam*) (Lab)  
Bradshaw, Mr Ben (*Exeter*) (Lab)  
Cameron, Dr Lisa (*East Kilbride, Strathaven and  
Lesmahagow*) (SNP)  
† Drummond, Mrs Flick (*Meon Valley*) (Con)  
† Fletcher, Katherine (*South Ribble*) (Con)  
Harman, Ms Harriet (*Camberwell and Peckham*)  
(Lab)  
† Howell, John (*Henley*) (Con)  
† Hunt, Jane (*Loughborough*) (Con)  
† Lewer, Andrew (*Northampton South*) (Con)

† Loder, Chris (*West Dorset*) (Con)  
† Pollard, Luke (*Plymouth, Sutton and Devonport*)  
(Lab/Co-op)  
† Pow, Rebecca (*Parliamentary Under-Secretary of  
State for Environment, Food and Rural Affairs*)  
† Richardson, Angela (*Guildford*) (Con)  
Russell, Dean (*Watford*) (Con)  
Smith, Alyn (*Stirling*) (SNP)  
† Twigg, Derek (*Halton*) (Lab)

Nicholas Taylor, Kevin Maddison, *Committee Clerks*

† **attended the Committee**

# Public Bill Committee

Wednesday 8 March 2023

[GRAHAM STRINGER *in the Chair*]

## Animals (Low-Welfare Activities Abroad) Bill

9.25 am

**The Chair:** I have a few preliminary reminders for the Committee. Please switch electronic devices to silent. No food or drink is permitted during sittings of the Committee, except the water provided. *Hansard* colleagues would be grateful if Members emailed their speaking notes to [hansardnotes@parliament.uk](mailto:hansardnotes@parliament.uk). My selection and grouping list for today's meeting is available online and in the room. No amendments have been tabled.

### Clause 1

#### PROHIBITION ON SALE OF LOW-WELFARE ANIMAL ACTIVITIES

*Question proposed,* That the clause stand part of the Bill.

**The Chair:** With this it will be convenient to consider the following:

Clauses 2 to 7 stand part.

That the schedule be the schedule to the Bill.

**Angela Richardson** (Guildford) (Con): It is a pleasure to serve under your chairmanship, Mr Stringer. I am grateful to you, and to everyone who has joined the Committee to consider this important Bill once again.

I thank officials at the Department for Environment, Food and Rural Affairs who have supported me throughout this process, and the Ministers at DEFRA, the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Copeland (Trudy Harrison), and my hon. Friend the Member for Taunton Deane, who is answering today, for speaking up for the Bill along its journey so far.

I welcome the Government's support for this legislation. Currently, there is no statutory provision in England or Northern Ireland to regulate the advertising or sale of animal activities abroad. This Government are well intentioned on the subject of animal welfare, and I know that this legislation has been a long time coming. The Government's ambitious "Action Plan for Animal Welfare" states:

"we also want to make sure that businesses do not benefit from selling attractions, activities or experiences to tourists involving the unacceptable treatment of animals",  
and the Bill will deliver just that.

I will not repeat everything I said in the Chamber on Second Reading a few weeks ago, but it is important to break down the clauses and their effect. Clauses 1 and 2 establish the framework of offences that would involve the sale and advertising of animal experiences abroad that are considered to be low welfare. One section of particular note is subsection (3) of clause 1, which sets out the test for assessing whether an activity would be considered low welfare under the Animal Welfare Act 2006 in England, and the Welfare of Animals Act (Northern Ireland) 2011 in Northern Ireland.

Clause 3 is about penalties, prosecution and liabilities under the legislation. The clause also disapplies section 127 of the Magistrates' Courts Act 1980 and article 19 of the Magistrates' Courts (Northern Ireland) Order 1981. That will ensure that the more complex cases that arise as a result of this legislation can be dealt with in a longer period than six months, which is the regular limit for a summary offence.

Clause 4 establishes the authority of the relevant departments in England and the Department for the Economy in Northern Ireland to investigate any allegations resulting from the offences created under the legislation. Clause 5 outlines the procedures for making regulations under the new legislation, both in this Parliament and in the devolved Administration in Northern Ireland. Clause 6 defines the terms commonly used throughout the Bill, including "activity regulations", "animal", "appropriate national authority", "appropriate national legislation", "offering" and "vertebrate".

Finally, clause 7 details the territorial extent of the Bill—it applies to England and Northern Ireland—the commencement of the Act, which is due to take effect two months following Royal Assent from His Majesty the King, and the short title of the Act.

Animals cannot speak up for themselves, but we can speak for them. Charities including Save The Asian Elephants and World Animal Protection have highlighted the plight of many animals, including elephants and dolphins, which suffer in appalling conditions behind the scenes before being paraded around for visiting tourists. World Animal Protection estimates that up to 550,000 wild animals are suffering in poor conditions for the entertainment of tourists worldwide.

While we cannot outlaw those practices overseas, the Bill goes a long way to ensuring that we do our bit. Once enacted, it will prohibit the advertisement in England and Northern Ireland of tourist activities abroad that infringe on animal welfare standards. By reducing the visibility and prevalence of advertisements for such activities on high streets across England and Northern Ireland, the Bill will lead to more welfare-conscious offers being made to tourists who wish to go abroad.

**Mrs Flick Drummond** (Meon Valley) (Con): I thank my hon. Friend for promoting this incredibly important Bill. Do those advertisements include those for swimming with dolphins?

**Angela Richardson:** It does. I will come on to talk about dolphins and other animals later in my speech.

A briefing note circulated by a number of animal welfare charities to members of the Committee highlighted 12 recurring themes in the keeping of animals in low-welfare attractions and facilities. It is prudent to bring them to the attention of the Committee to show the difference that the legislation could make. Animals are taken from the wild, which harms the animal, local wildlife populations and people. Mothers are killed, injured or harmed simply so that their infants can be captured. Breeding mothers are kept and forced to raise their young in low-welfare facilities, as opposed to in the wild. Infants are taken from their mothers far too young. There is a high mortality rate among animals that are in transit or traded.

Animals are kept in situations that are unnatural to them, including close captivity, which can be particularly harmful to long-lived species and to those accustomed to a large range in the wild. Animals are forced to perform unnatural behaviours. The use, or threat, of fear, pain, or drugs is used to control or train animals, and methods of domination are used to traumatise or subdue them. Animals are closely handled by several untrained people, and are often given no option to retreat. There is a risk of zoonotic disease transmission from animals, particularly when they are used as photo props and handled by large volumes of people. Finally, animals who are no longer used for exhibition are kept in cruel surroundings or killed before they have reach the natural end of their life. Those 12 themes paint a picture of a experiences that none of us would wish on an animal in the wild. This legislation will result in fewer animals being treated in that way by bringing about less consumer demand for experiences based on low-welfare treatment.

Let me mention some of the experiences that feature poor conditions for animals, as well as the species that the Bill could have an impact on. I will start with the Asian elephant, used as a tourist attraction for rides, particularly in south-east Asia. Animals from that precious species are brutally taken in the wild at a young age—sometimes their mothers are killed right in front of them—and then subjected to a breaking of their spirits by isolation, starvation, stabbings and beatings to make them submissive when engaged in activities with tourists.

Another experience used in tourist activities around the world is the use of animals as photo props. That can include primates, reptiles and avian life being used for selfies; and big cats, such as tigers, lions and leopards, being used in public interaction.

**Katherine Fletcher** (South Ribble) (Con): I would like to add to that list. I have worked as a field guide, a safari ranger, in Africa, and cheetahs are especially vulnerable. I have seen cheetahs in particularly shocking conditions—tigers, cheetahs and others. Does my hon. Friend agree that they need protecting as much as all the other big cats?

**Angela Richardson:** I thank my hon. Friend for her timely intervention. It is right to add to the list. In fact, if I went through a list, it would be a lot longer than I have time for this morning—I do not want to keep everyone in a cold Committee Room longer than is necessary. Yes, cheetahs are affected as well, as is marine life, including dolphins, which are used for feeding and swimming experiences, as was mentioned by my hon. Friend the Member for Meon Valley.

Many of us and our constituents will have seen such experiences advertised in the shop windows of travel agents or online, but were not aware of the animal welfare consequences. When we think about low-welfare activities abroad, we first think of the conditions of the animals, but it is important to note that there is a human impact, too. For example, research from Save the Asian Elephants has shown that at least 700 tourists and others have been killed, and more than 900 have suffered sustained injuries, such as crushed chests and internal organs, broken limbs and ribs, and serious head injuries. More widely, experiences involving big cats,

marine life and reptiles carry a risk to public safety through the threat of injury and of the zoonotic transmission of disease. The Bill will improve the safety of both the animals involved in tourism abroad and the tourists themselves.

I appreciate that some will be disappointed that the legislation will not cover the whole of the United Kingdom, notably Scotland and Wales. I hope that our colleagues in the Scottish and Welsh Parliaments will be able to introduce legislation in their devolved assemblies that provides a similar framework. Today, we must focus on the first step on that journey, and put the Bill through to the next stage.

Everyone on the Committee and in the House represents a constituency where animal welfare is valued and cherished, as it is in my constituency of Guildford. The Bill will be roundly supported by our constituents. I was pleased to see, both on Second Reading and in an Adjournment debate on the subject in the House in January, that the legislation had cross-party support. There were contributions from Conservative, Labour and SNP Members. I hope that we continue in that cross-party spirit. I look forward to hearing from the Minister and Members on their further views on the Bill.

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow):** It is a pleasure to have you in the Chair, Mr Stringer, for consideration of this incredibly positive Bill. It shows us working at our best. My hon. Friend the Member for Guildford has worked hard on it, and gathered cross-party support for it. I thank her for all that work, and the rest of the Committee and others for their useful input, including DEFRA. Responsibility has swapped between Ministers, but that has meant that we are fully aware of what is going on, and have got behind the Bill.

As we have heard, the Bill enables the introduction of a domestic ban on the advertising and offering for sale of low-welfare animal activities abroad. It provides a framework under which secondary legislation can apply bans to the advertising and offering for sale of specific activities. That is key; it means that different categories of creatures may be looked at individually when serious evidence is brought forward, so that we get the regulations right for each category. There will be parliamentary scrutiny of those regulations, which is welcome.

I will run through each clause of the Bill, although my hon. Friend just did that, just so that this is all on the record from the Minister. Clause 1 makes it an offence to sell any right to observe or participate in a low-welfare animal activity that takes place outside the United Kingdom and that is specified in activity regulations that apply in a relevant part of the United Kingdom.

Under the Bill, an animal activity is considered to be low welfare if the conditions in which the animal is kept or the treatment to which it is subject would be an offence under the Animal Welfare Act 2006 in England, or under the Welfare of Animals Act (Northern Ireland) 2011 in Northern Ireland. The power to make activity regulations is conferred on the appropriate national authority, which in England is the Secretary of State and in Northern Ireland is the Department of Agriculture, Environment and Rural Affairs, or the Secretary of State acting with the consent of the Department.

[Rebecca Pow]

The decision about which animals and activities the ban will apply to will be based on evidence, as I mentioned. A ban will be implemented only when compelling evidence of the need for it is submitted. As I say, all activity regulations will be subject to parliamentary scrutiny via the affirmative procedure.

Clause 2 sets out which advertisements would be prohibited under the Bill. If an advert has the purpose or effect of promoting the observation of or participation in a specified low-welfare animal activity that is to take place outside the United Kingdom, it will be prohibited. It also establishes the circumstances in which a person does and does not commit an offence by advertising a low-welfare activity.

An offence is committed if a person publishes a prohibited advert in a relevant part of the United Kingdom, or if they cause such an advert to be published. The key is the way in through such adverts. Similarly, a person commits an offence if they print or distribute a prohibited advert that has been published in a relevant part of the United Kingdom, or causes such an advertisement to be printed or distributed.

A person does not commit an offence if the advert is in a publication—excluding in-flight magazines, which could come into this country—that is printed outside a relevant part of the United Kingdom and whose principal market is not a relevant part of the United Kingdom. If an advert is distributed electronically and the person did not carry on business in a relevant part of the United Kingdom at the time of distribution, then that person does not commit an offence. Likewise, if a person sells a publication to a member of the public that contains a prohibited advert, then that person does not commit an offence.

The bans are important because, as my hon. Friend highlighted, no specific provisions in law regulate the domestic advertising and sale of animal activities that take place overseas. Domestic travel agents can currently advertise activities involving animals abroad that would not be permitted if they took place in England or Northern Ireland. The Association of British Travel Agents has guidelines, but they are not law and cannot be enforced. That is why the Bill will be so useful.

Clause 3 sets out information about the penalties, prosecution and liability for the offence. A person or business in England and Wales who commits an offence under the Bill is liable for a fine, which could be unlimited; in Northern Ireland, they are liable for a fine not exceeding level 5 on the standard scale, which equates to £5,000.

Section 127 of the Magistrates' Courts Act 1980 and article 19 of the Magistrates' Courts (Northern Ireland) Order 1981 do not apply in relation to offences under this Act. That means that the usual six-month time limit within which a prosecution for a summary offence must be brought will not apply. That will ensure that prosecutions are not time-barred in complex cases where data and evidence have to be gathered. That is clearly a helpful provision.

Clause 4 sets out the enforcement powers of local weights and measures authorities in England and the Department for the Economy in Northern Ireland. Clause 5 sets out what further provisions may be included

in activity regulations made under clause 1. Activity regulations must be made by statutory instrument and, as mentioned earlier, will be subject to the affirmative procedure.

Clause 6 sets out the definition of terms commonly used throughout the Bill, including that of low-welfare activity. Clause 7 sets out the extent, commencement and short title of the Bill.

The Bill extends to England, Wales and Northern Ireland. However, the provisions of the Bill apply to England and Northern Ireland only. This is a devolved matter, and it will be up to the relevant devolved Administrations to consider whether they would like to bring in a similar framework. We welcome Northern Ireland's joining in with the Bill. Its provisions will come into force two months after the day on which it is passed.

This Bill is one of many that have come through our Parliament in a few years that demonstrate that we are a caring nation and really mean business on animal welfare. The animal welfare action plan sets out our criteria. We have brought forward an enormous raft of legislation; that is worth noting, as there has been such a focus on this agenda recently. There is the Glue Traps (Offences) Act 2022; the Animal Welfare (Sentience) Act 2022; the Animal Welfare (Sentencing) Act 2021; the Animal Welfare (Services Animals) Act 2019; the private Member's Shark Fins Bill passing through Parliament, which I have been part of; and the Hunting Trophies (Import Prohibition) Bill, also going through Parliament. I know colleagues have spoken in debates on it. The Bill before us is another example of just how much we are doing on this agenda, and how necessary the work is.

My hon. Friend the Member for Guildford mentioned the real difference that the Bill will make. It probably comes too late for some of the thousands of poor creatures referred to. There have been ghastly examples given, including of young creatures being taken away from their mums and their mums being killed. Big cats were referenced in one intervention, and dolphins were mentioned by my hon. Friend the Member for Meon Valley.

9.45 am

We hope the legislation will be a message to the world about low-welfare activities, which have been going on far too frequently, and which affect not only the poor creatures we have discussed, but those who work with them. They also endanger tourists. As we set this example for the world to follow, we will start to see a real shrinking of this activity. I thank the Committee for its support, and for everything that it has done so far, and I particularly thank my hon. Friend the Member for Guildford. I wish the Bill well.

**Angela Richardson:** An enormous thank you to everybody who offered to serve on the Bill Committee. There are quite a lot of presentation Bills and private Members' Bills going through Parliament, and we are all in great demand to sit on their Committees. I am grateful to everyone from across the parties who agreed to be on this Committee.

My thanks again to DEFRA officials, who have worked incredibly hard; to Ministers; to Clerks in the Public Bill Office, who give enormous support; and to Adam Heilbron from my office, who has done a huge amount of work in supporting me.

I am delighted to see the Bill progress, and that we have managed to get through so many stages. There are a few more hurdles to go: there will be Report and Third Reading shortly, I hope, and then the Bill is off to the Lords. Hopefully, it will then finally go to His Majesty for his Royal Assent. My enormous thanks to you, Mr Stringer, for chairing the Committee.

*Question put and agreed to.*

*Clause 1 accordingly ordered to stand part of the Bill.*

*Clauses 2 to 7 ordered to stand part of the Bill.*

*Schedule agreed to.*

*Bill to be reported, without amendment.*

9.48 am

*Committee rose.*

