

challenging religious privilege

national  
**secular**  
society

25 Red Lion Square

London WC1R 4RL

TEL: 020 7404 3126

FAX: 0870 762 8971

EMAIL: [enquiries@secularism.org.uk](mailto:enquiries@secularism.org.uk)

WEB: [www.secularism.org.uk](http://www.secularism.org.uk)

Submission to Defra Animal Welfare Core Team

[animalwelfareconsultations@defra.gsi.gov.uk](mailto:animalwelfareconsultations@defra.gsi.gov.uk)

## **Consultation on the proposal for a Council regulation on the protection of animals at the time of killing**

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*Honorary Associates:* Graham Allen MP • Prof. Peter Atkins • Iain Banks • Lorraine Barrett AM • Edward Bond • Michael Cashman MEP • Colin Challen MP • Nick Cohen • Prof. Richard Dawkins • Lord Desai • Angela Eagle MP • Baroness Flather • Rt. Hon. Michael Foot • Ricky Gervais • Ian Gibson MP • Prof. A C Grayling • Johann Hari • Dr. Evan Harris MP • Patrick Harvie MSP • Christopher Hitchens • Paul Holmes MP • Prof. Ted Honderich • Mary Honeyball MEP • Kelvin Hopkins MP • Sir Ludovic Kennedy • Glenys Kinnock MEP • Stewart Lee • Graham Linehan • Baroness Massey of Darwen • Lord McIntosh of Haringey • Jonathan Meades • Robert Marshall-Andrews QC MP • Sir Jonathan Miller • Maryam Namazie • Taslima Nasrin • Lord O'Neill of Clackmannan • Lord Peston • Philip Pullman • Lord Raglan • Claire Rayner • Martin Rowson • Joan Ruddock MP • Joan Smith • Dr. David Starkey • Lord Taverne QC • Polly Toynbee • Baroness Turner of Camden • Sophie in't Veld MEP • Gore Vidal • Prof. Lord Wedderburn of Charlton QC •

The NSS makes this submission in response to the Defra Consultation<sup>1</sup> on the Welfare of Animals at Slaughter/Killing, the context of which is the EU Commission proposal to replace Directive 93/119 with a Regulation on the protection of animals at the time of killing.

We note that Article 4 of the proposed Regulation to replace the Directive provides a derogation for Member States for ritual slaughter and recognises that “member States may decide not to apply that derogation”. The NSS strongly opposes the inclusion of this derogation in the Regulation. Moreover, if a Regulation including this derogation were to come into force, the NSS would oppose any decision to use it by the UK Government.

Our interest in this Consultation is limited to matters arising from ritual slaughter and issues relating to meat produced without pre-stunning. We therefore do not propose to address the specific questions raised in this Consultation but to address the content of proposed Article 4 for the reasons set out below.

We also set out our opposition to any future decision by the UK Government to use any such derogation, and matters consequent to use of such a derogation. We urge the Government to take the opportunity afforded by negotiations on the proposed Regulation to remove current exemptions for ritual slaughter so that legislation is based on animal welfare not on religious privilege.

The issues raised in this submission relate to the Consultation’s purpose as set out at para.1.1 “to inform the approach the UK takes in ongoing negotiations in relation to the proposed Regulation”. In our view, the Government should use the negotiation process to seek the removal of the derogation in Article 4.

## **NSS RECOMMENDATIONS**

The NSS strongly recommends that the proposed Regulation does not contain a derogation for religious slaughter, regardless of whether Member States may decide not to use the derogation.

The NSS strongly recommends that all meat or meat products produced by slaughter without pre-stunning should be clearly and explicitly labelled at the point of sale or consumption, including food in restaurants and canteens. The NSS requests that the Government institute a comparative study of the numbers of stunned and non-stunned animals before it makes any decision to use a derogation to permit religious slaughter.

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<sup>1</sup> <http://www.defra.gov.uk/corporate/consult/slaughter/>

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## Statistics

The most recent statistics show that 890 million animals are slaughtered for meat in the UK every year.<sup>2</sup> The most recent figures for animals killed for kosher/halal meat come from 2003 where it was found that 120,594,968 animals were slaughtered by these methods. This would be 13.5% of the total of today's animals slaughtered, or nearly one in every seven animals slaughtered for meat.<sup>3</sup>

However, as the percentage of people who identify as belonging to the Muslim and Jewish population has grown 15% from 2001-2006<sup>4</sup> (most recent figures), it is not unreasonable to assume that the number of animals slaughtered by halal/kosher methods has grown since 2003.

## Legal exemptions

It is claimed that pre-stunned meat is not acceptable to the kosher/halal market. However in Sweden, Lithuania, Latvia, Norway, Switzerland<sup>5</sup>, New Zealand<sup>6</sup> and some regions of Austria, pre-stunning is compulsory and this has been accepted by Jewish and/or Muslim communities without compromising the status of their ritually-slaughtered meat.

Other organisations and bodies opposing religious exemption from UK law pertaining to animal slaughter on the grounds of animal welfare include the following. Their websites (footnoted) document their reasons and provide information on the effect an exemption granted to religious groups has on animal welfare.

RSPCA<sup>7</sup>  
Farm Animal Welfare Council<sup>8</sup>  
British Veterinary Association<sup>9</sup>  
Federation of Veterinarians of Europe<sup>10</sup>  
Compassion in World Farming<sup>11</sup>  
Eurogroup for Animals<sup>12</sup>

<sup>2</sup><http://www.rspca.org.uk/servlet/Satellite?blobcol=urlblob&blobheader=application%2Fpdf&blobkey=id&blobtable=RSPCABlob&blobwhere=1109267162636&ssbinary=true>

<sup>3</sup><http://www.rspca.org.uk/servlet/Satellite?blobcol=urlblob&blobheader=application%2Fpdf&blobkey=id&blobtable=RSPCABlob&blobwhere=1109267162636&ssbinary=true> Our underlining.

<sup>4</sup> Social Trends 38 Table 13.18 <http://www.statistics.gov.uk/socialtrends38/>. In 2006 the percentage of the population identifying as Muslim was 3.3% and as Jewish 0.5% whereas in the 2001 Census the figures were 2.8% and 0.5% respectively.

<sup>5</sup> Council of Europe 22/9/08 AGRILEG 155 Impact Assessment Report

<sup>6</sup><http://www.rspca.org.uk/servlet/Satellite?blobcol=urlblob&blobheader=application%2Fpdf&blobkey=id&blobtable=RSPCABlob&blobwhere=1109267162636&ssbinary=true>

<sup>7</sup><http://www.rspca.org.uk/servlet/Satellite?blobcol=urlblob&blobheader=application%2Fpdf&blobkey=id&blobtable=RSPCABlob&blobwhere=1109267162636&ssbinary=true>

<sup>8</sup> <http://www.fawc.org.uk/reports/pb8347.pdf>

<sup>9</sup> <http://www.bva.co.uk/newsroom/1486.aspx>

<sup>10</sup> [http://www.fve.org/news/position\\_papers/animal\\_welfare/fve\\_08\\_085\\_slaughterwelfareamendments.pdf](http://www.fve.org/news/position_papers/animal_welfare/fve_08_085_slaughterwelfareamendments.pdf) and [http://www.fve.org/news/position\\_papers/animal\\_welfare/fve\\_06\\_033\\_aw\\_slaughter.pdf](http://www.fve.org/news/position_papers/animal_welfare/fve_06_033_aw_slaughter.pdf)

<sup>11</sup> [http://www.ciwf.org.uk/includes/documents/cm\\_docs/2008/a/animal\\_welfare\\_problems\\_in\\_uk\\_slaughterhouses\\_2001.pdf](http://www.ciwf.org.uk/includes/documents/cm_docs/2008/a/animal_welfare_problems_in_uk_slaughterhouses_2001.pdf) Section 5-6

<sup>12</sup> <http://www.eurogroupanimalwelfare.org/pdf/slaughterposition.pdf>

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## Labelling

Meat produced without pre-stunning is finding its way into the market for the general public, often without labelling. Meat that is served in schools, canteens, hospitals, prisons - and restaurants - should be clearly indicated in menus or in other appropriate ways so that it is easy for consumers to make an informed choice. Proper alternatives must be offered. In the case of schools, parents should be informed. Labels must make clear if meat is from an un-stunned animal.

Government (i.e. public) money should not subsidise ritual slaughter, nor should it finance this meat being sold to the general public without labelling.

According to a Council of Europe report<sup>13</sup>, *Part of the carcass from animals slaughtered without stunning is normally going to the non-religious meat market. NGOs consider that non-Jewish/non-Muslim consumers need to be informed and they should be given the right to choose meat obtained from animals that have been stunned.*

The Farm Animal Welfare Council report reiterates these concerns: *During our consultations concern was expressed to us about meat from animals slaughtered without pre-stunning (including meat from the hindquarters of some animals and meat from rejected animals) being placed, unidentified, on the open market rather than being consumed by the Jewish community.*<sup>14</sup> (See also Appendix 1)

In some EU countries<sup>15</sup>, the majority of animals are killed without stunning, largely for convenience. For example, in Belgium in 2006, 92% of sheep and 21% of calves were slaughtered without being stunned - while the proportion of consumers of kosher/halal of meat is only around 3.5% of the whole population<sup>16</sup>.

However, in the UK, the majority of animals are stunned and consumers assume that all meat comes from stunned animals unless they are labelled kosher/halal. The NSS's proposal of a requirement for non pre-stunned meat to be compulsorily labelled fits with current trends to inform consumers about the content and provenance of the food they buy.

Lord Rooker has drawn attention to the importance of labelling, as reported in *The Independent*.<sup>17</sup>

## Counter-arguments

An argument put forward by religious groups against labelling is that this proposal would be discriminatory and would cause prejudice. However, to uphold their objection is to discriminate against

<sup>13</sup> Council of Europe 22/9/08 AGRILEG 155 Impact Assessment Report point 2.3.4

<sup>14</sup> <http://www.fawc.org.uk/reports/pb8347.pdf> Point 183

<sup>15</sup> [http://www.bva.co.uk/public/documents/FVE\\_position\\_proposed\\_slaughter\\_regulation.pdf](http://www.bva.co.uk/public/documents/FVE_position_proposed_slaughter_regulation.pdf)

In France, figures differ according to the source. According to the COPERCI report, 20% of bovines, 80% of sheep, and 20% of poultry are slaughtered without prior stunning. According to OABA, Oeuvre d'Assistance aux Bêtes d'Abattoire, 40% of calves, 25% of cattle and 55% of sheep and lambs are slaughtered without prior stunning. According to the French Ministry of Agriculture (DGAL) (2008) 13% of calves, 12% of cattle and 49% of sheep/goats are slaughtered without prior stunning. The Muslim population in France is around 7%.

<sup>16</sup> [http://www.paardendierenarts.nl/articles/2573/AMGATE\\_7364\\_1\\_TICH\\_R854188335745/&org\\_id=1and](http://www.paardendierenarts.nl/articles/2573/AMGATE_7364_1_TICH_R854188335745/&org_id=1and)

[http://www.fve.org/news/press\\_releases/2009\\_03\\_11\\_slaughter\\_without\\_prior\\_stunning](http://www.fve.org/news/press_releases/2009_03_11_slaughter_without_prior_stunning)

<sup>17</sup> <http://www.independent.co.uk/news/uk/home-news/halal-and-kosher-meat-should-not-be-slipped-in-to-food-chain-says-minister-805396.html>

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the majority of consumers, denying them any right of choice and deliberately misleading them about the source of their meat. Halal/ kosher meat is already labelled in supermarkets so that those who need to buy it can identify it, and is often located in a separate section, but we are not aware of any objection to this as a source of discrimination.

Moreover, meat produced without pre-stunning which is technically not halal or kosher (because it has been rejected) does not need to be specifically identified as such, simply as non-stunned. Potential loss of income in this area is likely to inform arguments to retain religious slaughter but financial considerations should not unduly influence the debate. The debate should, however, consider the impact of any religious privilege in this regard on the whole population who should be free to make informed decisions on slaughter methods of the meat they buy. We suspect that a significant proportion of the population would be horrified to find that simply not buying or eating labelled halal and kosher meat does not mean that they have avoided non-pre-stunned meat.

## APPENDIX 1

In kosher meat production, the meat from the hindquarters and any deemed unfit is rejected. As a result, to get sufficient meat to satisfy the demand, *a larger numbers of animals are slaughtered without pre-stunning than would be necessary if all carcasses, and the entire carcass were acceptable.*<sup>18</sup> ... *The consumption of certain parts of the animals' hindquarters such as veins, lymphatic and sciatic nerve and its branches, is forbidden under Jewish law. To remove them is a specialised task and one which has not been practised in the UK since the 1930's. Consequently, all hindquarters are rejected as not Kosher, as are any carcasses which cannot be consumed as Kosher meat for other reasons (for example, damage to the carcass). A high proportion of the meat which is declared non-Kosher is therefore sold on the open market but is not labelled as meat from animals that have been slaughtered without pre-stunning.*<sup>19</sup>

## About the NSS

The National Secular Society campaigns for a society in which everyone is free to practise their faith, change it or not have one, according to their conscience. Our beliefs or lack of them should not put us at an advantage or a disadvantage. Religion should be a matter of private conscience, for the home and place of worship; it must not have privileged input into politics, legislation, education or healthcare.

We fight to protect freedom of expression from attacks by religious groups, which often try to restrict debate or scrutiny of their activities.

We want to ensure that Human Rights always come before religious rights, and to fight the exemptions religious bodies are granted or try to demand from discrimination laws.

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<sup>18</sup> <http://www.fawc.org.uk/reports/pb8347.pdf> Point 183

<sup>19</sup> <http://www.rspca.org.uk/servlet/Satellite?blobcol=urlblob&blobheader=application%2Fpdf&blobkey=id&blobtable=RSPCABlob&blobwhere=1109267162636&ssbinary=true>

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