

Response from National Secular Society to DEFRA Welfare of Animals at the Time of Killing consultation

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1. The National Secular Society is Britain's only organisation working exclusively towards a secular society. Founded in 1866, we campaign for the separation of religion and state and promote secularism as the best means to create a society in which people of all religions or none can live together fairly and cohesively. The NSS promotes the separation of religion and state, and seeks a society where law and the administration of justice are based on equality, respect for Human Rights and objective evidence without regard to religious doctrine or belief.
2. We welcome the opportunity to comment on proposals to implement Council Regulation (EC) 1099/2009 on the protection of animals at the time of killing, in England, with effect from 1 January 2013.
3. Our interest in this consultation is limited to matters arising from the exemption that permits animals to be slaughtered without stunning (through the Shechita method and some Halal methods). We will therefore limit our answers to this area of concern. Recommendations appear in bold.

National rules under Article 26(2) (Paragraphs 89 – 99)

4. Article 26(2) allows Member States to adopt new national rules in relation to religious slaughter. **In order to minimise pain, suffering and distress of animals at slaughter, we request that the Government adopts new stricter national rules to end the exemption in relation to religious slaughter and ensure all animals are stunned prior to slaughter.**
5. We welcome the fact that, in preparing its proposals in relation to religious slaughter, the Government has considered and noted the recommendations made by the EU Dialrel project¹ in relation to improving animal welfare during religious slaughter. We also welcome Government plans to continue discussions on possible further improvements in animal welfare with members of the Jewish and Muslim communities post-implementation of Regulation 1099/2009. **In the interest of balance, we also recommend dialogue with non-religious and secular organisations concerned with animal welfare in relation to religious slaughter.**

¹ <http://www.dialrel.eu/images/recom-light.pdf>

6. As the consultation document states, there are public good benefits, animal welfare and ethical considerations associated with the conduct of animal slaughter which provide a rationale for the Government's involvement.
7. Research shows that it is more humane to stun an animal prior to slaughter than not to do so. Slaughter of animals without pre-stunning is permitted in the UK despite a recommendation by the Government's own advisory body, the Farm Animal Welfare Council (FAWC), that the practice should be banned². A further report published by FAWC in 1985 concluded: "The up-to-date scientific evidence available and our own observations leave no doubt in our minds that religious methods of slaughter, even when carried out under ideal conditions, must result in a degree of pain, suffering and distress which does not occur in the properly stunned animal."³
8. The EU's Scientific Panel on Animal Health and Welfare (AHAW) has stated that: "Due to the serious animal welfare concerns associated with slaughter without stunning, pre-cut stunning should always be performed."⁴
9. The Federation of Veterinarians of Europe has stated: "FVE is of the opinion that the practice of slaughtering animals without prior stunning is unacceptable under any circumstances".⁵
10. The British Veterinary Association has stated: "The BVA believes that slaughter without pre-stunning unnecessarily compromises animal welfare and that animals should be effectively stunned before slaughter."⁶
11. Taking into consideration the prevailing scientific consensus that slaughter without pre-stunning causes avoidable pain and distress, **we do not regard the modified arrangements for approving equipment for use in relation to slaughter in accordance with religious rites sufficient to ensure appropriate welfare protection.**
12. We note that the Government has confirmed that it would prefer to see all animals stunned before slaughter but that it "recognises the right of members of religious communities to eat meat prepared in accordance with their religious beliefs".
13. Article 9 of the European Convention on Human Rights⁷ provides for a right to freedom of thought, conscience and religion which includes the freedom to manifest a religion or belief in, *inter alia*, practice and observance. This aspect of Article 9, however, is a qualified right, which means that an interference with the right can be justified if the restriction is in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others. We maintain that the welfare of animals provides such a justification.
14. Whilst we support the right to religious freedom, we do not believe this should extend to practices that inflict unnecessary suffering on animals. We do not therefore consider it acceptable that exemptions are permitted, on religious grounds, to animal welfare regulations aimed at minimising pain, suffering and distress.

² Recommendation 201 <http://www.fawc.org.uk/reports/pb8347.pdf>

³ <http://www.fawc.org.uk/pdf/old/livestock-report-1985.pdf>

⁴ <http://www.efsa.europa.eu/en/efsajournal/pub/45.htm>

⁵ http://www.fve.org/news/position_papers/animal_welfare/fve_02_104_slaughter_prior_stunning.pdf

⁶ http://www.bva.co.uk/public/documents/briefing_meps_slaughter_apr2012.pdf

⁷ http://en.wikipedia.org/wiki/European_Convention_on_Human_Rights

15. Such exemptions, which place doctrines of religious belief above UK Law, amount to religious privilege, which the National Secular Society opposes.
16. Food Standards Agency figures in 2012 show that more than 80% of animals are stunned before slaughter for Halal meat in the UK.⁸ It is clear therefore that many Muslims accept pre-stunning. Similarly, there are many non-Orthodox Jews who have no objection to stunning. In New Zealand, any animal slaughtered by the shechita method is stunned shortly after the cut has been made. These practices show some flexibility in religious interpretation. Stricter national rules that prohibit non-stun slaughter would, we hope, encourage the religious authorities that oppose pre-stunning to facilitate the adoption of more humane practices in religious slaughter. **Until the current exemption permitting slaughter without pre-stunning is repealed, we request that the new Welfare of Animals at the time of Killing (England) Regulations 2012 (WATOK) require that all animals who are not pre-stunned must at least receive an immediate post-cut stun as per the recommendation of the FAWC.**⁹

CCTV and monitoring (Paragraphs 126 – 131)

17. With regard to CCTV and monitoring, we do not agree that business operators are best placed to decide which monitoring tools are most appropriate for their individual circumstances. **We strongly recommend that there should be a legal obligation to install, use and monitor CCTV in all slaughterhouses.**

Labelling

18. As long as religious groups retain an exemption from legislation aimed at ensuring animals do not suffer avoidable distress or pain, **we request mandatory labelling of meat and meat products derived from animals killed by non-stun slaughter.**
19. The exemption for religious slaughter in schedule 12 of the Welfare of Animals (Slaughter or Killing) (WASK) Regulations 1995 clearly states that it applies to people of that religion, not to everybody¹⁰. It therefore restricts religious slaughter to slaughter by the Jewish method for the food of Jews and by the Muslim method for the food of Muslims. As part of their consultation on the implementation of Council Regulation (EC) 1099/2009, the Scottish Government has admitted that this targeting of supply has not previously been enforced¹¹. Permitting meat from religious slaughter methods to enter the general food chain is therefore not only ethically unacceptable, it is also unlawful. **If slaughter without stunning is still to be permitted, we believe no more animals should be slaughtered under the exemption than is absolutely necessary to meet religious demand. We therefore request that this WASK provision be retained and effectively enforced.**
20. One way of enforcing this provision would be through the mandatory labelling of non pre-stunned meat. House of Commons Library Standard Note: SN/SC/1314¹² states: “Much of the meat from animals slaughtered by religious methods is not sold as such, because it

⁸ <http://www.parliament.uk/briefing-papers/SN01314.pdf>

⁹ <http://www.fawc.org.uk/reports/slaughter/report.pdf>

¹⁰ Schedule 12.2 <http://www.legislation.gov.uk/uksi/1995/731/schedule/12/made>

¹¹ Page 24 - Targeting of non stunned meat to supply <http://www.scotland.gov.uk/Resource/0040/00400669.pdf>

¹² <http://www.parliament.uk/briefing-papers/SN01314.pdf>

comes from the wrong cut of meat. Many people believe that if such meat had to be labelled as coming from animals slaughtered without pre-stunning, they would not buy it.”

21. Some opponents of labelling argue that it would undermine the economics of Kosher meat. We note that the Jewish food lobby group Shechita UK have argued that if religiously slaughtered meat were to be labelled as ‘meat from slaughter without stunning’ the market value of the product would drop. They argue that this could in turn represent a large financial loss to the abattoirs that produce kosher meat.¹³
22. This reasoning implicitly accepts two powerful arguments for labelling. Firstly, that a significant proportion of those buying meat that is not pre-stunned would not do so if they knew its method of slaughter and secondly, that the quantities involved are substantial. It also makes two ethically dubious assumptions:
 - a) that it is acceptable to mislead the public in this way, and the legislative process should be complicit in this deceit;
 - b) the necessity to subsidise the religious slaughter industry is more important than informing customers that meat they buy has been slaughtered in a way that they would not approve of and might consider unnecessarily cruel.
23. We therefore urge the Government to consider the impact on consumers in this regard, a significant number of whom would be alarmed to find that simply not buying or eating labelled halal and kosher meat does not mean that they have avoided meat from non-stun slaughter.
24. The Government has been clear in its intention to recognise the right of members of “religious communities” to eat meat prepared in accordance with their religious beliefs. However, in the absence of labelling, this principle is being applied unfairly. Some Christians have argued that their rights under Article 9 are infringed by not being able to avoid meat which has been dedicated to another god. Many Sikhs also consider it against their religion to eat ritually slaughtered meat. The non-religious and ethically concerned should equally have the right to avoid such meat if they so wish.
25. Recital 50 of Regulation (EC) No 1169/2011 of the European Parliament and of the Council on the provision of food information to consumers (OJ L 304, 22.11.2011, p. 18) states that: "Union consumers show an increasing interest in the implementation of the Union animal welfare rules at the time of slaughter, including whether the animal was stunned before slaughter. In this respect, a study on the opportunity to provide consumers with the relevant information on the stunning of animals should be considered in the context of a future Union strategy for the protection and welfare of animals."
26. In a letter from the Rt Hon Jim Paice MP to the National Secular Society on 9 February 2012, we were told that the Government supports the approach of considering method of slaughter labelling as part of the EU Welfare strategy.
27. **We therefore urge the Government to take the lead in supporting the European Commission in its stated intention to provide consumers and the public with appropriate information.¹⁴ We strongly recommend that any EU-wide welfare label scheme should include whether the animal was stunned before slaughter or not.**

¹³ <http://www.shechitauk.org/act-now-to-shichita/faq-about-labelling.html>

¹⁴ Page 6, Communication From The Commission To The European Parliament, The Council And The European Economic And Social Committee On The European Union Strategy For The Protection And Welfare Of Animals 2012-2015 http://ec.europa.eu/food/animal/welfare/actionplan/docs/aw_strategy_19012012_en.pdf