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10 February 2026

Dear Secretary of State

**RE: The 20th Anniversary of the Animal Welfare Act 2006: it is time to put animals back into the Animal Welfare Act**

1. We are writing on behalf of The Animal Law Foundation, a charity focused on the proper application of animal protection legislation throughout the UK, The League Against Cruel Sports, a charity with a 100 year history of pushing for improvements to legislation, and the list of signatories below.
2. This year, 2026, marks the 20th anniversary of the Animal Welfare Act 2006, which received Royal Assent on 8th November 2006. At the time of its introduction, the Act represented a landmark achievement: a clear and principled statement that animals are entitled to legal protection and that the causing of unnecessary suffering is unacceptable.
3. Over the past two decades, the Act has undoubtedly improved the lives of many animals. However, experience has shown that its full potential has not

yet been realised. In particular, three significant weaknesses have become apparent:

- a. The overly permissive interpretation of what constitutes “unnecessary suffering”;
  - b. The inconsistent and inadequate application of animals’ welfare needs; and
  - c. The exclusion of certain animals from protection.
4. Firstly, the correct interpretation of existing law is both necessary and capable of delivering meaningful and immediate improvements for animal welfare.

#### *Unnecessary Suffering*

5. The Act clearly prohibits the causing of unnecessary suffering under section 4. However, the term “necessary” has too often been interpreted far too loosely. Harmful practices continue not because they are genuinely required, but because they are traditional, convenient, or commercially profitable. For example, chickens are selectively bred to grow at unnaturally fast rates, while dogs and cats are bred to meet aesthetic standards that cause chronic pain and serious health problems. Animals used in sport and entertainment are frequently subjected to conditions that compromise their welfare. Yet the law is clear: financial gain can never justify cruelty. Routine practices do not become lawful simply because they are widespread. On the contrary, the Animal Welfare Act exists precisely to prevent avoidable and entrenched forms of suffering.

#### *Welfare Needs*

6. A second weakness lies in the way animals’ welfare needs are interpreted and enforced. Under section 9 of the Act animals are entitled to a suitable environment, an appropriate diet, the ability to express normal behaviour,

appropriate social contact, and protection from pain, suffering, injury, and disease. Despite this, many millions of animals continue to live in conditions that plainly fail to meet these minimum legal standards. For example, laying hens are still routinely confined in cages that severely restrict movement and prevent the expression of even the most basic natural behaviours, such as wing-stretching. Pigs are similarly confined in restrictive systems, snakes and birds are unable to stretch or fly, and highly social companion animals such as rabbits and guinea pigs are often kept in isolation. The suffering caused by these failures is real and ongoing. The ban on foie gras production in the UK, secured through the requirement to provide a suitable diet under the Animal Welfare Act 2006, demonstrates that robust interpretation of the law is both possible and effective. At the same time, it highlights the arbitrary nature of how provisions are currently applied across different species and sectors.

7. The Animal Law Foundation's previous work has shown that correcting the interpretation of animal welfare legislation can deliver tangible change without waiting for new primary legislation. For example, we were successful in ending the practice of boiling lobsters and crabs alive by demonstrating that it is illegal under existing law, namely the Welfare of Animals at the Time of Killing Regulations 2015, which already prohibits avoidable suffering at the point of killing. The pain of which was evidenced through the official recognition of sentience in the Animal Welfare (Sentience) Act 2022. This example demonstrates a critical point: common practice is not the same as lawful practice. It is entirely possible, and necessary, to reset interpretations of the law so that they reflect both its wording and its purpose.

### *Exclusion of animals*

8. An additional weakness of the Animal Welfare Act 2006 is that it excludes whole categories of animals from its protection, most notably wild animals not deemed to be "under the control of man" and invertebrates, like crabs and lobsters. This creates a two-tier system of welfare protection in which legal responsibility for suffering can be abandoned precisely when animals

are most vulnerable. For example, gamebirds such as pheasants are protected while bred and reared, but lose that protection upon release, despite facing predictable harms including starvation, exposure, road traffic collisions and non-fatal shooting injuries. Similarly, cruelty towards a wild animal may attract far weaker penalties than identical abuse inflicted on a companion animal, not because the suffering is any less severe, but because of an arbitrary legal distinction.

9. Excluding animals from protection also sends a damaging message about whose lives matter, rather than recognising them as sentient beings capable of suffering. This position is increasingly at odds with scientific evidence, which consistently demonstrates sentience across a wide range of species. Notably, Northern Ireland already prohibits causing unnecessary suffering to all vertebrate animals, including those living in the wild, showing that broader and more consistent protection is both feasible and effective. If the Animal Welfare Act is to remain credible and fit for purpose, it must reflect suffering itself as the trigger for protection, rather than an artificial test of ownership, domestication, or control.

### *Animal Welfare Strategy*

10. This approach complements and strengthens the UK Government's Animal Welfare Strategy. The Strategy sets the direction of travel, but it is the Animal Welfare Act that provides the legal tools to deliver outcomes. Many of the Strategy's core commitments, such as the removal of cages for laying hens and restrictive confinement for pigs, can be achieved through a proper and consistent interpretation of what constitutes a "suitable environment" under the Act. Housing systems that prevent animals from moving freely or expressing basic, species-specific behaviours cannot reasonably meet this legal threshold. Once this interpretation is clearly established, regulations made under the powers contained within the Act can then be used to give full and effective practical effect to these commitments.

11. The Animal Welfare Strategy recognises the poor treatment of wild animals and invertebrates, which is why it plans to close loopholes around hunting and stop decapod crustaceans from being boiled alive. It is therefore consistent with this approach to include these animals within the scope of the Act to achieve the better treatment the government intends.

#### *Next steps*

12. As we mark the Act's 20th anniversary, there is a clear opportunity and responsibility to reset its interpretation, ensure consistency, and confirm the principle that all animals deserve adequate protection. Animals cannot wait another 20 years for the protections they are already legally entitled to receive.

13. Now is the time to put animals back at the heart of the Animal Welfare Act, to ensure that unnecessary suffering is genuinely eliminated and that all animals can live lives that meet their needs.

14. We ask to meet with you to discuss this further with the aim of securing a commitment to review these key elements of the Animal Welfare Act in due course.

Yours sincerely

#### **Organisations**

The Animal Law Foundation

The League Against Cruel Sports

Animal Aid

Animal Equality UK

Animal Justice Project

Animal Protection Agency

Badger Trust

Born Free Foundation

Conservative Animal Welfare Foundation

Compassion in World Farming UK  
Communities Against Factory Farming  
Catholic Concern for Animals  
Christian Vegetarian Association  
Crustacean Compassion  
Ethical Seafood Research  
Freedom for Animals  
FOAL  
Four Paws  
Humane World for Animals  
Ifaw  
Legal Vegan Network  
Law Pod  
Lawyers for Animals  
Naturewatch Foundation  
OneKind  
Oxford Centre for Animal Ethics  
PETA UK  
Pigs Protection  
Rabbit Welfare  
Save The Asian Elephants  
Shellfish Network  
The Humane League UK  
UK Human Rights Blog  
Universities Federation for Animal Welfare  
VIVA!  
Wildlife and Countryside Link  
Woodgreen  
World Animal Protection

## **Experts**

Dr Andrew Crump, Lecturer in Animal Cognition & Welfare, Royal Veterinary College

Dr Caroline Allen FRCVS, Director, Pet Lighthouse

Professor Jonathan Birch, Director of the Jeremy Coller Centre for Animal Sentience, London School of Economics and Political Science  
Rosalind English, Law Pod UK, UK Human Rights Blog, Cambridge University  
PACE tutor  
Dr Heather Browning, University of Southampton  
Dr Rachel Dunn, Law Lecturer, Leeds Law School  
Dr Jessica Horton, Law Lecturer, Leeds Law School  
Dr Joe Wills, Law Lecturer, University of Leicester  
Dr Marc Abraham, OBE, BVM&S MRCVS  
Acland Bryant, Barrister, Garden Court Chambers  
Amy Taylor, Barrister, 6 Pump Court Chambers  
Charlotte Morrish, Barrister, 1 Crown Office Row Chambers  
David Lewis-Hall, Barrister, 1 Crown Office Row Chambers  
Kuljeet Singh Dobe, Barrister, 187 Chambers  
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Michael Elders, Barrister, Cobden House Chambers  
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Mikhail Popov, Solicitor  
Riley Forson, Solicitor