

Impact case study (REF3)

Institution: University of Winchester		
Unit of Assessment: UoA20		
Title of case study: Animal welfare impact assessment, Brexit and sentience policy		
Period when the underpinning research was undertaken: 2015-2020		
Details of staff conducting the underpinning research from the submitting unit:		
Name(s): Steven McCulloch	Role(s) (e.g. job title): Senior Lecturer in Human-Animal Studies	Period(s) employed by submitting HEI: January 2017-2021
Period when the claimed impact occurred: 2017-2020		
Is this case study continued from a case study submitted in 2014? N		
<p>1. Summary of the impact (indicative maximum 100 words)</p> <p>Dr McCulloch's research (i) investigates how UK Government accounts for the interests of sentient species, (ii) proposes animal welfare impact assessment and an independent Animal Welfare Commission, and (iii) applies these reforms to sentience policy, Brexit, and badger culling. McCulloch's research has significantly influenced post-Brexit sentience policy in the UK, principally through expert input into the 'Better Deal for Animals' coalition, which comprises >40 national and international UK-based NGOs.</p> <p>Based on McCulloch's research, the Better Deal for Animals coalition has lobbied the UK Government for animal welfare impact assessment and an Animal Welfare Commission. A 2018 UK Government and Parliament Petition calling for these reforms received >100,000 signatories. The petition led to a debate in Parliament in March 2020, when the Labour Party Official Opposition supported animal welfare impact assessment and an Animal Welfare Commission. As of July 2020, the UK Government continues to consider how to implement sentience policy, influenced by McCulloch's research.</p>		
<p>2. Underpinning research (indicative maximum 500 words)</p> <p>A. Animal welfare impact assessment and an Animal Welfare Commission</p> <p>Dr McCulloch's research critiquing Government policy-making and proposing animal welfare impact assessment was first published in articles applying the reforms to bovine tuberculosis (TB) and badger culling in the UK.</p> <p>On the question of whether the UK Government should cull badgers to control bovine TB in cattle, McCulloch argued that the UK Government does not have a robust process to assess animal welfare impacts of policy options, or a mechanism to weigh interests of humans, badgers, and cattle.</p> <p>Furthermore, beyond any specific policy question, Dr McCulloch argues that the bovine TB issue demonstrates the general approach of excluding animals contributes to the highly controversial nature of animal policy evidenced by BSE, foot and mouth disease, importing chlorinated chicken and the culling of wild animals [3.2].</p> <p>To counter this broader issue, McCulloch recommended that the UK Government makes the following reforms to account for sentient species:</p>		

1. Animal welfare impact assessment is a tool to estimate the impact of policy options on sentient species [3.1], and
2. An independent Animal Welfare Commission to weigh the impacts of policy options on humans, nonhuman sentient species, and the environment [3.2].

B. Brexit and animal protection: Animal welfare impact assessment

Brexit represents a major political change with threats and opportunities for animal protection in the UK, EU and internationally. McCulloch has published three peer-reviewed journal articles on Brexit and animal protection, which provides the most comprehensive analysis in the academic literature [3.3-3.5]. He has published further articles in the HuffPost, LSE British Politics and Policy Blog and YaleGlobal Online. McCulloch has also developed www.chlorinatedchickenbrexit.com: a website on Brexit, trade deals and sentient beings.

Dr McCulloch applies animal welfare impact assessment to Brexit and animal protection. His research demonstrates that the threats to animal welfare are substantial, with a high risk they will materialise [3.4]. The major threat is the import of lower welfare products, such as chlorinated chicken. Importing just one per cent of chicken consumed in the UK would mean lower welfare for 10 million sentient birds each year. Brexit also means the UK loses political influence on animal protection within the EU and, ultimately, internationally.

Brexit provides the opportunity to reform UK agricultural policy to reward high animal welfare outside the EU Common Agricultural Policy. Leaving the EU means the UK can ban live exports outside of the single market [3.5]. McCulloch's research concludes that Brexit poses greater threats to sentient animals, with a higher risk they will materialise, compared to the opportunities.

C. Bovine TB and badger culling: Animal welfare impact assessment and ethical analysis

Bovine TB and badger control is a highly controversial policy issue in the UK. Dr McCulloch and Professor Reiss (University College London, UK) have published five papers in a unique special edition of the *Journal of Agricultural and Environmental Ethics* (JAGE) entitled 'Animal Welfare Impact Assessment and the Ethics of the Great British Badger Cull' [3.1,3.6].

The application of animal welfare impact assessment finds the Government badger culling policy means killing five badgers to prevent the slaughter of one cow over a nine-year timeframe [3.1]. Badger culling causes further substantial negative welfare impacts, such as from sub-optimal shooting. McCulloch and Reiss apply established moral frameworks and conclude that non-culling approaches, such as badger vaccination, are superior to badger culling [3.6].

3. References to the research (indicative maximum of six references)

- 3.1 McCulloch, S. P., & Reiss, M. J. (2017). The Development of an Animal Welfare Impact Assessment (AWIA) Tool and Its Application to Bovine Tuberculosis and Badger Control in England. *Journal of Agricultural and Environmental Ethics*. doi:10.1007/s10806-017-9684-5 Submitted in REF2
- 3.2 McCulloch, S. P., & Reiss, M. J. (2018). A Proposal for a UK Ethics Council for Animal Policy: The Case for Putting Ethics Back into Policy Making. *Animals*, 8(6), 88. doi:10.3390/ani8060088
- 3.3 McCulloch, S. P. (2018). Brexit and Animal Protection: Legal and Political Context and a Framework to Assess Impacts on Animal Welfare. *Animals*, 8(11), 213. doi:10.3390/ani8110213 Submitted in REF2
- 3.4 McCulloch, S. P. (2019). Brexit and Animal Welfare Impact Assessment: Analysis of the Threats Brexit Poses to Animal Protection in the UK, EU and Internationally. *Animals*, 9(3), 117. doi:10.3390/ani9030117

- 3.5 McCulloch, S. P. (2019). Brexit and Animal Welfare Impact Assessment: Analysis of the Opportunities Brexit Presents for Animal Protection in the UK, EU, and Internationally. *Animals*, 9(11), 877. doi:10.3390/ani9110877
- 3.6 McCulloch, S. P., & Reiss, M. J. (2017). Bovine Tuberculosis and Badger Culling in England: A Utilitarian Analysis of Policy Options. *Journal of Agricultural and Environmental Ethics*. doi:10.1007/s10806-017-9680-9. Submitted in REF2

McCulloch's research is published in quality international peer-reviewed journals. These include the *Journal of Agricultural and Environmental Ethics* (IF 1.883) and *Animals* (IF 2.323). The journal articles cited above have undergone further external review and scored 2* and above by two recognised experts in the fields of animal welfare and social policy.

4. Details of the impact (indicative maximum 750 words)

Dr McCulloch has provided expert input, based on his research, to provide a solid evidence base to the Better Deal for Animals campaign coordinated by over 40 leading NGOs. McCulloch's proposed animal welfare impact assessment has been supported by HMG Official Opposition Labour Party in Parliament and the UK Government has stated in official correspondence that it is considering how to implement post-Brexit sentience policy in response to coordinated lobbying strongly underpinned by McCulloch's research.

A. Impact on Better Deal for Animals campaign and leading national NGOs

McCulloch's research has provided a solid foundation to key asks in the Better Deal for Animals campaign. For instance, the coalition has lobbied for animal welfare impact assessment in a letter to DEFRA Secretary of State Michael Gove (January 2018):

The [Sentience] Bill should include... a duty, for all those subject to the new statutory duty in relation to animal welfare, to carry out an **animal welfare impact assessment** before deciding upon, or when reviewing, any policy that may have an impact on animals (Bold emphasis added here and in quotations below) [5.1]

McCulloch has met with Government ministers and senior DEFRA policy officials. At these meetings McCulloch has advised how animal welfare impact assessment, as a policy tool based on his research, can be used to implement sentience legislation.

B. Impact on All-Party Parliamentary Group for Animal Welfare (APGAW)

McCulloch was invited to speak as an expert panellist at the APGAW 'Implementing Sentience Policy' meeting in London (March 2018). The published APGAW report [5.2] for the event included recommendations based on Dr McCulloch's research: 'Animal Welfare Impact Assessment would be a good way of measuring implementation of policy' and 'Accountability to Parliament is important' [3.1-3.6].

C. Impact on UK Government and Parliament via petition with >100,000 signatories

In 2018 the Better Deal for Animals coalition coordinated a UK Government and Parliament petition [5.3]. The 'Recognise animal sentience & require that animal welfare has full regard in law' petition was substantially influenced by Dr McCulloch's research:

Diminishing their legal protection would make animals vulnerable to new laws, policies and trade deals that don't take into account their welfare needs. We call for a new independent **Animal Welfare Advisory Council** to provide advice to all Government ministers at the UK and devolved level, including through **animal welfare impact assessments**.

The petition reached over 103,918 signatories, leading to a Government response and debate in Parliament. The UK Government published the following response in 2019 [5.3]:

The Government will ensure that animal sentience is not only recognised in domestic law, but that we will have an **effective and proportionate means of taking animal sentience into account in policy making**.

D. Impact on HMG Official Opposition Labour Party and Parliamentary debate

The UK Government and Parliament petition led to the 'Sentience and Animal Welfare' debate in Parliament on 16 March 2020 [5.3]. Prior to the Parliamentary event, the Better Deal for Animals coalition circulated a briefing to 650 Member of Parliament (MPs). The briefing included key recommendations for new sentience legislation to establish an Animal Welfare Advisory Commission and prospective animal welfare impact assessments [5.4].

Introducing the debate, Kerry McCarthy MP supported these policy tools based on Dr McCulloch's research [5.5]:

The Bill should provide for **animal welfare assessments** to be prospective, not retrospective: any report to Parliament involving the Environment, Food and Rural Affairs Committee should be done before policy is made, not afterwards... There also needs to be a power in the Bill to create an animal welfare advisory commission.

Luke Pollard MP, the Labour Environment spokesperson, also supported animal welfare impact assessment [5.5]:

The legislation should require the Government to publish an annual report detailing how the duty has been acted on, including the policy options considered and what **animal welfare impact assessments** have been undertaken.

The support of Luke Pollard MP, speaking as Labour shadow Environment Secretary, evidences HMG Official Opposition support for animal welfare impact assessment, based on Dr McCulloch's research, as a result of strategic lobbying by the Better Deal for Animals coalition.

Significance

The impact of Dr McCulloch's research is highlighted by the following quotations from leaders and senior officials in Humane Society International UK, the Royal Society for the Prevention of Cruelty to Animals, Compassion in World Farming and the UK Centre for Animal Law:

Having understood and adopted Dr McCulloch's proposed approach around **AWIA** [animal welfare impact assessment] we have translated this into advocacy directed at government... The notion of **AWIA** now seems to have been **recognized by civil servants** and **Ministers** as a legitimate and progressive management tool that should be employed within the new **AWC**, [Animal Welfare Commission] and I very much hope that this will come to fruition in the formation of the new body within the next year. (Senior representative of Humane Society International UK) [5.6]

The RSPCA led the lobby to map out this proposal to Government and, working with 50 other animal welfare organisations, submitted ideas including an **animal welfare impact assessment**. This was based on Dr McCulloch's proposals and thinking in his 2018 papers on developing an **Ethics Council** and an **Impact Assessment for animal welfare**....The Government is still considering the optimal method of translating A13 [Article 13] into UK legislation but the **papers developed by Dr McCulloch** have assisted in showing Government a workable system to **assess animal welfare** when making legislative decisions **balancing human and animal needs**. (Senior representative of Royal Society for the Prevention of Cruelty to Animals) [5.7]

In particular, Steven's work on **assessing Brexit threats and opportunities** has been decidedly insightful and has **informed our lobbying work**... It was hugely valuable to work alongside Steven in giving presentations to **Members of the European Parliament** in Brussels. Having Steven's research credibility and knowledge on the expert panel helped to deliver key messages to a highly important audience of opinion-formers and decision-makers. (Senior representative of Compassion in World Farming) [5.8]

Dr McCulloch's work... around prospective **animal welfare impact assessments** has been very instructive. His papers have been considered by the groups [national NGOs] leading the work and the groups have called for these impact assessments to be **enshrined in legislation** as a means by which public bodies can discharge their post-Brexit obligation to have regard to animal welfare when formulating and implementing policies... We envisage continuing to work alongside Dr McCulloch to benefit from his analysis of the policy dimension to animal protection. (Senior representative of UK Centre for Animal Law) [5.9]

5. Sources to corroborate the impact (indicative maximum of 10 references)

Documentary sources

- 5.1. Better Deal for Animals. (2018). Letter to Michael Gove, Secretary of State for the Environment, Food and Rural Affairs. Available from University of Winchester.
- 5.2. All-Party Group for Animal Welfare. (2018). Report on 'Implementing Sentience Policy' event. Retrieved from <https://apgaw.org/animal-sentience-discussion-panel/>.
- 5.3. UK Government and Parliament. (2019). *Recognise animal sentience & require that animal welfare has full regard in law*. London, UK: HMG Retrieved from <https://petition.parliament.uk/petitions/242239>.
- 5.4. Better Deal for Animals. (2018). Ensuring that the UK continues to recognise animal sentience in law now it has left the EU. Available from University of Winchester.
- 5.5. HC Deb. (2020). Sentience and Welfare of Animals. *Hansard*, 673(col 216WH). <https://hansard.parliament.uk/commons/2020-03-16/debates/034943BF-81AC-45EB-806A-E166F0AF291B/SentienceAndWelfareOfAnimals>.
- 5.6. Senior representative of Humane Society International UK (2020). Testimonial available on request (held by University of Winchester).
- 5.7. Senior representative of Royal Society for the Prevention of Cruelty to Animals (2020). Testimonial available on request (held by University of Winchester).
- 5.8. Senior representative of Compassion in World Farming (2020). Testimonial available on request (held by University of Winchester).
- 5.9. Senior representative of UK Centre for Animal Law (2020). Testimonial available on request (held by University of Winchester).