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ANNEX B

UK ANNUAL REPORT ON THE PROTECTION OF ANIMALS DURING TRANSPORT 2008

Breakdown of Enforcement Action Taken by the United Kingdom in 2008

	Total
Oral Warnings	1048
Written Warnings	633
Statutory Notices Issued	459
Home Office Cautions	7
Prosecutions	44

Figures regarding enforcement action taken may relate to more than one infringement discovered during the same inspection.

COUNCIL REGULATION (EC) No. 1/2005

ANALYSIS AND ACTION PLAN ON UNITED KINGDOM'S 2008 REPORT ON ENFORCEMENT ACTIVITY

Along with this Return of Enforcement Activity, Article 27 requires Member States to identify the major deficiencies found and an action plan to address them.

We do not have a United Kingdom wide database that identifies the specific deficiencies found in all compliance checks, although we are able to produce the annual report with some qualifications.

The enforcement data in our annual report is produced by the Animal Health Agency collating information from their Divisional Offices, who in turn manually collect the information from Local Authorities in their area to add to their own enforcement activity and produce the total enforcement figures for that Animal Health Divisional Office's area. This is a time consuming exercise. Defra Animal Welfare Team completes the remainder of the report from a variety of sources.

An analysis of Annex A shows that, excluding 594 documentary infringements, there were 3160 (2.75%) welfare non compliances out of 114,912 inspections. Looking at the reported enforcement actions taken, Annex B, and comparing with reported non-compliances in Annex A, no action was considered necessary in only 969 (30%) of the reported infringements. Of the remaining 2,191 infringements where some form of action was taken, 1,048 (33% of all infringements) were fairly minor cases requiring only oral warnings to be given, leaving 1,143 infringements warranting more formal action ranging from written warnings to (44) prosecutions. This more formal action represents just 1% of all inspections carried out.

Annex D is a breakdown of the reported numbers of compliance checks and non compliances for each Animal Health Divisional Office in Great Britain and for Northern Ireland. This shows that whilst the overall United Kingdom non compliance rate is low, the non-compliance rates are relatively high (taken as being 5% or over) in the areas covered by the Animal Health Divisional Offices at Ayr, Bury St Edmunds, Carlisle, Chelmsford, Galashiels, Newcastle, Preston and Taunton.

As enforcement activities are coordinated at a local level, Animal Health have arranged for the offices named above to liaise with the Local Authorities in the area covered by those offices to identify the main areas of concern and to draw up and implement local action to address the problems.

Animal Health has confirmed that for 2008 the action taken was appropriate, risk based and followed better regulation principles.

The action taken was as follows:

Where the office had a significant failure rate the DVM was asked to discuss this with the LA and investigate whether certain transporters were involved and if so to monitor their activities more closely. If the non compliances were more general then the LA and Animal Health did not target transporters but took appropriate action when infringements were identified.

- In many cases the non compliances were documentary and the animals did not suffer as a result.
- Where the LA identified a serious welfare issue they took a prosecution.
- In slightly less serious cases an improvement notice was served.
- For minor non compliances an oral warning was given.

Where an area had a drop in non compliance rates this was usually found to be because the LA and Animal Health had provided advice and guidance to certain transporters who became more compliant as a result.

Where the local arrangements appear to have been less successful the DVM has been asked to contact the LAs involved and take action to coordinate improved enforcement of the legislation. They have also been asked to check that the Framework agreement activities are being properly monitored.

Where an area continues to have a significant (>5%) non compliance rate the Animal Health office and relevant Local Authorities are monitoring the transporters involved and encouraging them to comply. Where guidance and education is not proving successful improvement notices, oral warnings and where necessary prosecutions are taking place.

Overall the enforcement actions taken under WATO in the UK resulted in 7 Home Office Cautions issued; 44 prosecutions initiated and 30 convictions achieved. The nature of the offences included animals being unfit to be transported, transporters not holding a proper authorisation from the competent authorities, vehicles not licensed or approved to carry animals, means of transport e.g. containers not being adequate or too small to transport animals, and, in some cases, the way animals were transported caused or was likely to cause injury or unnecessary suffering.

Defra Animal Welfare Division
June 2009