

Response from the British Humanist Association to the Defra consultation on ‘the proposal for a Council regulation on the protection of animals at the time of killing’. April 2009.

1 About the British Humanist Association

- 1.1 The British Humanist Association (BHA) is the national charity representing the interests of the large and growing population of ethically concerned non-religious people living in the UK. It exists to promote Humanism and support and represent people who seek to live good lives without religious or superstitious beliefs. The BHA is deeply committed to human rights, equality, democracy, and an end to irrelevant discrimination, and has a long history of active engagement in work for an open and inclusive society. In such a society people of all beliefs would have equal treatment before the law, and the rights of those with all beliefs to hold and live by them would be reasonably accommodated within a legal framework setting minimum common legal standards.
- 1.2 The BHA’s policies are informed by its members, who include eminent authorities in many fields, and by other specialists and experts who share humanist values and concerns. These include a Humanist Philosophers’ Group, a body composed of academic philosophers whose purpose is to promote a critical, rational and humanist approach to public and ethical issues.

2 Introduction

- 2.1 We welcome the opportunity to respond to this Defra consultation on the ‘Welfare of animals at slaughter/killing’, which seeks views on ‘the Commission proposal to replace Directive 93/119 with a Regulation on the protection of animals at the time of killing’. As a general principle, we would encourage and welcome, wherever practicable, laws and regulations which seek to promote welfare of animals before and reduce suffering of animals at slaughter/killing¹. Within that principle would be support for the method of slaughter which reduced as far as possible any pain suffered by an animal at time of slaughter, as far as scientific evidence is able to show. In particular, we are concerned with the exemptions in law for religious ritual slaughter methods, where animals are not pre-stunned before they are killed, which we understand causes considerable suffering, pain and distress to animals at time of slaughter.
- 2.2 In 2004, we responded to the consultation on the Farm Animal Welfare Council report on the ‘Welfare of farmed animals at slaughter or killing’. We were disappointed by the Government’s response (2005) to that report, where it did not accept Recommendations 197, 201 and 203².
- 2.3 In this response, we do not make specific comments on the consultation questions. However, in light of the possibility of the Government retaining exemptions in the law to allow for Jewish and Muslim slaughter methods, we do make extensive comment on improving animal welfare and reducing animal suffering at slaughter.

¹ Referred to as ‘slaughter’ from herein

² Recommendations from the Farm Animal Welfare Council, 2005

- Recommendation 197: Where an animal has not been stunned, the OVS (Official Veterinary Surgeon) must ensure that nothing is inserted into the neck wound post-cut
- Recommendation 201: Council considers that slaughter without pre-stunning is unacceptable and that the Government should repeal the current exemption
- Recommendation 203: Until the current exemption which permits religious slaughter without pre-stunning is repealed, Council recommends that any animal not stunned before slaughter should receive an immediate post-cut stun

- 2.4 The Rt Hon Hilary Benn MP, Secretary of State, Defra, wrote to the BHA on 19th March 2009 in response to our concerns put to him regarding ritual slaughter without pre-stunning (discussed in more detail later) and about labelling meat in ways to show that it comes (or not) from animals which have been slaughtered without pre-stunning. We look forward to responding to a future consultation about food labelling specifically but we have taken the opportunity in this consultation briefly to draw attention to our position on labelling of meat that is derived from animals slaughtered without pre-stunning.

3 Exception in law

- 3.1 The present law in the UK implements EC legislation, Directive 93/119, and requires that animals be stunned before slaughter. This is a humane regulation which seeks to ensure that slaughter is pain-free. However, the Directive provides to allow Member States to exempt religious methods of slaughter from the requirement to pre-stun animals and the UK exempts Jewish and Muslim methods of slaughter from that requirement. We understand that the new Regulation which might replace the current Directive has a proposed derogation which 'will allow slaughter carried out in accordance with religious rites (e.g. Halal or Kosher) to take place without prior stunning'³. It is up to Member States to decide whether or not to apply that derogation. In the context of this consultation, we urge Defra to look again at the exemption afforded to religious groups to allow inhumane methods of slaughter, and recommend that if the Regulation is brought in to replace the current Directive, that the UK does not apply the derogation.
- 3.2 We believe that the case against allowing religious methods of slaughter without pre-stunning is overwhelming.

The evidence shows that slaughter without pre-stunning undoubtedly means a far greater 'degree of pain, suffering and distress which does not occur in the properly stunned animal'⁴.

- 3.3 We do not consider that the Government's rationale for exempting Muslim and Jewish methods of slaughter without pre-stunning carries weight – that the 'rights of religious communities to slaughter animals in accordance with the requirements of their religion'⁵ should exempt them from a law aimed at making slaughter as humane and as painless as possible.

First, it is not a requirement of either the Jewish or the Muslim religion that believers eat kosher or halal meat – only that they do not eat other meat. Religious belief no less than adherence to any other principle is likely to carry a cost: common morality means that one should not cheat, commitment to the rule of law that one should not take advantage of inside intelligence on the stock market. Many who enjoy eating meat give up the pleasure and become vegetarians on principle. Sabbatarians willingly adopt a restricted code of behaviour on the sabbath. There is nothing to prevent any Jew or Muslim deeply committed to the ancient commandments of their religion from abstaining entirely from meat if the meat of animals slaughtered in 'very significant pain and distress'⁶ is not available.

³ Consultation document, s3.4

⁴ Farm Animal Welfare Council (1985) *Report on the Welfare of Livestock when Slaughtered by Religious Methods*. London: HMSO

⁵ Letter from Rt Hon Hilary Benn MP, Secretary of State, Defra, to British Humanist Association, 19th March 2009

⁶ Farm Animal Welfare Council (2003) *Report on the Welfare of Farmed Animals at Slaughter or Killing Part 1: Red Meat Animals*. London: Farm Animal Welfare Council

Moreover, within the Jewish and Muslim communities, the laws on religious slaughter are interpreted differently, such that within both communities there are many who do not consider that pre-stunning before slaughter contravenes religious laws⁷. In addition, modern technological advances have developed stunning technology which is considered by some as compatible with religious requirements – and these methods should certainly be explored by the Government in any reform of the law on ritual slaughter in the UK.

Second, bans on slaughter without pre-stunning in Norway, Sweden and New Zealand have been in place for over five years without harming religious freedom or community relations in those countries. Religious authorities in those countries have declared that the traditional precepts do not have to be followed. The history of religion is littered with similar rules that have over time been neglected and abandoned⁸.

4 Human Rights Act 1998

- 4.1 We do not consider that the Human Rights Act 1998 bears on the case to allow religious slaughter without pre-stunning. The right to practise one's religion is not absolute but is 'subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of [among other things] the protection of public . . . morals'. The ban on cruel methods of slaughter is a moral issue and the Human Rights Act 1998 permits a limitation of the right to practise one's religion (if it were in fact such – which we contend it may not be) on such grounds.

Moreover, we believe that the Government's position in relation to protecting the 'rights' of religious groups in relation to slaughter methods without pre-stunning is unmatched by comparable sensitivity towards the interests of those with non-religious beliefs that the welfare of food animals should be maximised: such discrepant treatment itself runs contrary to the Human Rights Act 1998.

We recommend that the Government works with Muslim and Jewish communities, to explore ways in which animals can be slaughtered in accordance with religious methods but which include stunning animals (before slaughter rather than after cutting) to minimise harm and suffering.

We recommend that the Government bases its policy in this area on scientific evidence of the pain and suffering caused to animals which are not pre-stunned, and does not exempt Muslim and Jewish slaughter methods from this or any future law regarding the welfare of animals at the time of slaughter.

5 Food labelling

As mentioned above, we will respond fully on the issue of food labelling in relation to meat derived from animals ritually slaughtered without pre-stunning in the forthcoming consultation on this issue.

- 5.1 It has been suggested that⁹, since the ritual butchering of kosher and halal meat after slaughter is so time-consuming and expensive – forbidden tissues, such as veins, lymph nodes, and the sciatic nerve and its branches have to be removed – only the easiest cuts of meat are so prepared and the remainder, as much as two-thirds of the meat, is sold on the

⁷ RSPCA *Information Sheet: Religious Slaughter*, February 2009

⁸ Barry, B. (2001) *Culture and Equality*. London: Polity Press

⁹ Barry, B. (2001) *Culture and Equality*. London: Polity Press

general market. The number of animals slaughtered in pain and distress is therefore up to three times the number needed to provide the market for kosher and halal meat, but to minimise the cost of their religious observance the religious communities pass the additional cost to the extra animals, who pay in their pain and distress, and to the general public, who contrary to their wishes (but in the main unknown to them) support a practice most of them deplore by buying the excess ritually slaughtered meat that the Jewish and Muslim devout choose not to eat.

- 5.2 This is a dishonest system that should be ended immediately. If meat were labelled as ritually slaughtered, sales of it would assuredly go into steep decline. Recently, consumers have shown a growing interest in the origins of products and the welfare standards involved (e.g. free range eggs, RSPCA freedom foods, etc). All meat which has been slaughtered without stunning should be clearly labelled, whether it is intended for religious or general consumption also by restaurants and caterers, so that consumers can make informed choices regarding the welfare of their meat. The cost of adhering to their religious scruples would be passed back where it belongs: to the believers, who would be forced either to process and consume or else to discard the excess of ritually slaughtered meat.

We recommend that, if ritual slaughter is not banned, a mandatory labelling scheme should be introduced without delay.

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