

Rt. Hon. Robert Halfon MP
Member of Parliament for Harlow and the Villages



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Rt Hon George Eustice MP
Secretary of State for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
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9 February 2021

Dear George,

I am writing to raise my concern regarding the *Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids* and the current state of legislation regarding the tethering of horses.

I have been in contact with many Harlow residents about the safety and welfare of tethered horses around our town.

When I have previously contacted Essex County Council about a specific horse welfare issue, they often directed me to the RSPCA. Similarly, when I have previously contacted the RSPCA, their response spelled out that if they consider there to be no welfare concerns significant enough to intervene, it would be the responsibility of the local authority.

However, I understand that Essex County Council's protocol is not to regulate grazing on the public highway. This is extremely disappointing as it puts a strain on other agencies, particularly when horses become loose. As such, I share Harlow residents' frustration caused by the lack of response to this situation.

I understand that the *Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids* contains specific rules that apply to the tethering of horses to ensure their safety but it is clear that this Code of Practice is neither properly enforced, nor fit for purpose.

The University of Bristol's investigation in 2014 in South Wales highlighted a number of inefficiencies in the Code, as shown in the table below:

<i>The code states:</i>	<i>The investigation shows:</i>
As a minimum horses should have "Shelter from the prevailing winds, summer sun and flies" and have access to a "Well drained area in	No shelter was provided in over 80% of animal tethering cases.

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the pasture on which to stand and lie down”	
“Water should be made available to them on a frequent and regular basis”	Up to 90% of the animals were not given water regularly.
“Animals must be given freedom to exercise off the tether for a reasonable period at least once a day”	Less than 3% of tethered horses in the study spent more than five minutes a day off the tether.
“The site should not have anything on it which might injure an animal”	Sites contained potential hazards in 50% of cases.
“Tethered horses should be inspected no less frequently than every six hours”	Only a third of horses were visited that regularly.

The Code further informs us that tethering is not a suitable long-term method of managing horses - as do the recommended standards of the RSPCA, the British Horse Society, World Horse Welfare and Redwings - but, at present, there are no means at law to prevent someone from tethering a horse for its whole life.

Additionally, whilst a Code of Practice exists, it is clearly not being adhered to. For example, a person can avoid prosecution simply by periodically moving the tethered horse to another location, rendering the code redundant.

Therefore, I am asking for widespread change to the Code of Practice so that it clarifies what constitutes unlawful tethering and clearly sets out the powers and duties that local authorities have to uphold animal welfare standards.

Moreover, there are a number of issues with the *Animal Welfare Act 2006*. Long-term tethering of horses directly infringes the five freedoms set out in the Act:

1. The need for a suitable environment
2. The need for a suitable diet
3. The need to be able to exhibit normal behaviour patterns
4. The need to be housed with, or apart from, other animals
5. The need to be protected from pain, suffering, injury and disease

In many cases, local authorities have chosen not to intervene and rescue tethered horses under the argument that the Act does not provide strong enough grounds to do so, despite the obvious suffering of the animals. Similarly, charities may not have the basis to intervene because tethering is not deemed significant enough a breach of the Act.

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It is, thus, my belief (supported by a number of charities that have initiated very well supported campaigns) that the Act needs to be amended to state explicitly what constitutes inappropriate tethering.

There are important resources-based reasons for my recommendations. As you will be aware, only appointed Animal Welfare Officers or police constables have the authority to seize an animal. But with no mandatory rule that Councils must employ such an officer, combined with the cost pressures faced by local authorities, as many as 40% of Councils do not employ an Animal Welfare Officer.

Where this is the case, it becomes the responsibility of the police to remove a horse. I am sure you can agree that valuable police time would be much better spent addressing crime and keeping our communities safe.

Our understanding of animal welfare has developed, we now recognise what constitutes poor welfare, but it is apparent that our laws have not caught up with that deeper understanding. Consequently, I am calling for extensive reformation to the 2006 Act.

1. A complete ban on tethering horses on the roadside or in dangerous locations, matched with a legal limit on how long horses can be tethered for
2. Measures to ensure that if a tether is someone's only method of keeping an animal, they should not be permitted to keep that animal
3. A mandatory duty for local councils to employ an Animal Welfare Officer.
4. A clear set of responsibilities for the relevant agencies.

The welfare of our horses should be paramount and the code of practice and relevant legislation need to be clear-cut, allowing no room for interpretation and giving the relevant authorities the means and confidence to deal with this issue.

I would urge you to consider these measures. They would ensure that no longer can authorities pass the buck and instead take responsibility for ensuring that no animals can be tethered in such a barbaric way.

Best wishes,

A handwritten signature in blue ink that reads "Robert Halfon".

Robert Halfon MP