

# BEF Workshop 2026





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## Please introduce yourself:

- Who do you work for
- What does your role involve?
- What would you like to get out of this workshop?



# Objectives

- Gain knowledge of the Animal Welfare Act and how it protects equines
- Understand how the Animal Welfare Act applies to your role as Equine Welfare Officers

## Equine Welfare and the law



# Animal Welfare Act 2006



# Animal Welfare Act 2006 came into force:

Wales  
28<sup>th</sup> March  
2007

England  
6<sup>th</sup> April  
2007

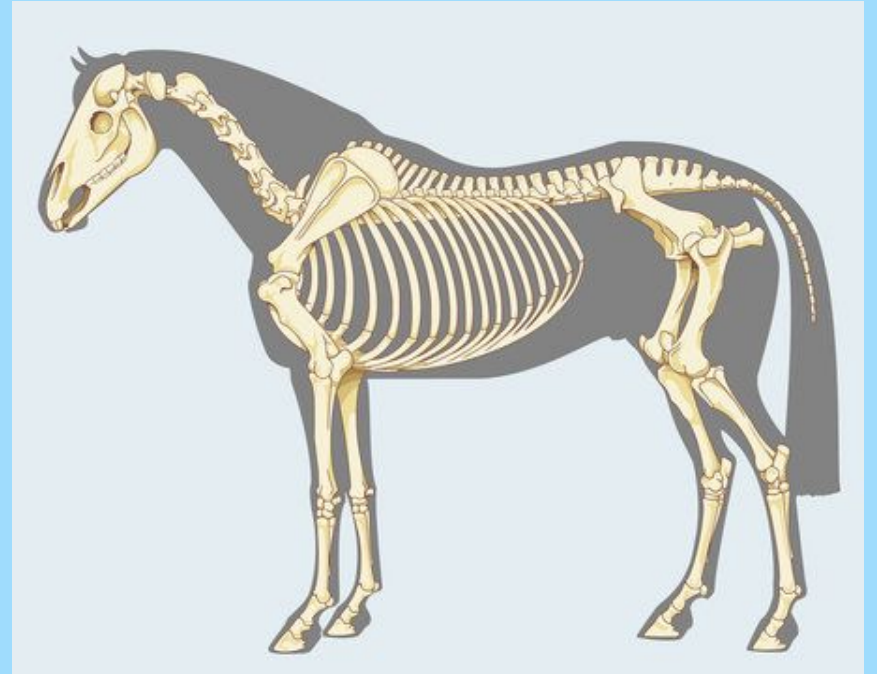
# Section

1-3	<b>Introductory</b>
4-8	<b>Prevention of harm</b>
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# Section 1: Animals to which the Act applies

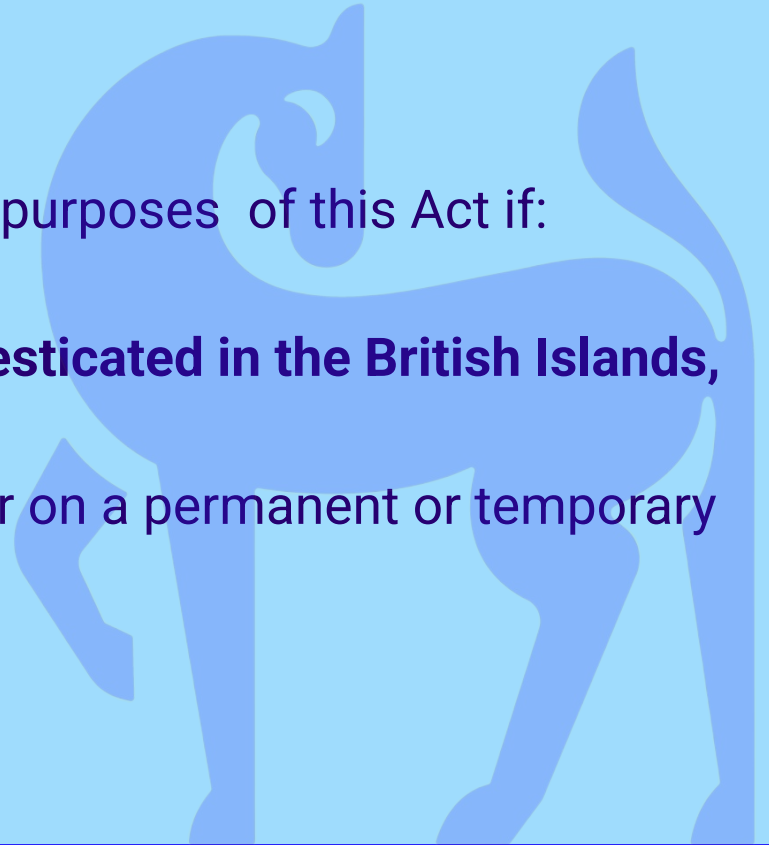
Defines “animal” as  
a **vertebrate other than man**



# Section 2: Protected Animals

An animal is a “protected animal” for the purposes of this Act if:

- a) **it is of a kind that is commonly domesticated in the British Islands,**
- b) **it is under the control of man whether on a permanent or temporary basis, or**
- c) **it is not living in a wild state**



“A kind that is commonly domesticated in the British Islands”





**RSPCA**  **FOR EVERY KIND.**

# Section 3: Responsibility for Animals

- 1) **Person responsible** for an animal whether on a **permanent or temporary basis**
- 2) Responsible for an animal include **being in charge of it**
- 3) Person who **owns** an animal shall **always be regarded as being a person responsible for it**
- 4) **A person shall be treated as responsible** for any animal for which a person **under the age of 16 years** of whom he has actual **care and control is responsible**

# Section 4: Unnecessary Suffering

## Subsection 1

1) A person commits an offence if:

- an act of his,
- or a failure of his to act,
- **causes**
- an animal to suffer,



# Section 4: Unnecessary Suffering

- he knew,
- or ought reasonably to have known,
- that the act,
- or failure to act,
- would have that effect
- or be likely to do so,



# Section 4: Unnecessary Suffering

- the animal is a protected animal,  
and
- the suffering is unnecessary



## Section 4: Subsection 2

2. A **person** commits an offence if:

- a) he is **responsible** for an animal
- b) **an act, or failure to act**, of another person **causes** the animal to suffer
- c) he **permitted** that to happen or **failed to take such steps** as were reasonable in all the circumstances to prevent that happening, **and**
- d) the **suffering** is unnecessary



# Section 4: Subsection 3

Considerations to whether suffering is unnecessary include:

- Could the suffering reasonably have been avoided or reduced
- Compliance with any relevant enactment or provisions of a licence
- Legitimate purpose e.g. benefiting the animal or protecting a person, property or another animal
- Suffering was proportionate to the purpose of the conduct concerned
- **Whether the conduct concerned was in all the circumstances that of a reasonably competent and humane person**

## Section 4: Subsection 3

Focus on the necessity, proportionality, humanity and competence of the conduct

Examples of legitimate suffering:

- Police horses
- Veterinary treatment
- Castration
- Self defence



## Section 4: Subsection 4

Nothing in this section applies to the destruction of an animal in an appropriate and humane manner.







CornwallLive

# Bude hotel owner starved ponies she left without rugs for warmth in cold field

The ponies would have died if they weren't taken away

Chris Matthews

14:50, 17 Nov 2023



A hotel owner starved her ponies and left them without rugs to help keep them warm out in the cold. ██████ 47, ignored repeated warnings that the ponies needed to be fed properly over the course of two months. She appeared at Truro Crown Court for sentence having pleaded guilty to five animal welfare offences.

The court heard how ██████ kept the ponies in a field in the Bude area. Four of the five ponies found to have suffered were emaciated and a fifth was very thin. The prosecution said it was "a simple lack of suitable food and the ponies being left in a wet and cold environment". Some of them had untreated medical needs such as parasites and during visits RSPCA investigators told ██████ she had to do something. ██████ was visited by a man from World Horse Welfare who also issued advice. The ponies were badly underweight and not rugged and there wasn't sufficient food or grazing. The ground was heavily waterlogged and inspectors noticed a clear deterioration in the ponies over the two months between October and December last year. A total of nine ponies were signed over to the RSPCA in the end. ██████ was given a four month prison sentence, suspended for two years. She was banned from keeping equines for ten years. Also, given that ██████ and her husband own hotels, Judge Carr said there was no reason she couldn't pay RSPCA court costs of £9,173.78.



## Trio sentenced for cruelty at Cornwall horse therapy centre

Published 29 February 2024

██████████, and ██████████ from Par, admitted six counts of causing unnecessary suffering to horses, ponies, a donkey and a goat. The ██████████ ran a community interest company called Family Nest Equine Therapy, now dissolved, which ran pony parties, riding lessons and therapy for veterans.

Concerns were raised by a member of the public when some animals were seen malnourished and in a poor state, the court heard.

Sentencing, Judge Simon Carr said it was one of the worst cases of animal neglect he had seen. "They would have been in agony, not only from wounds but also malnutrition," he said. "There is no excuse for what you both did."

The ██████████ were jailed for nine months for each count, suspended for two years, and disqualified from owning any animal.



More Videos



00:01 / 00:10



## Farrier caught on CCTV carrying out 'violent' attack on horse 31 August, 2019

A farrier who was captured on CCTV carrying out an “inexcusably violent” attack on a horse has been banned from keeping equines for three years – he can continue to work as a farrier, but he must be supervised by an adult at all times..

██████████, 40, of ██████████ Saltash, Cornwall, pleaded guilty to one offence of animal cruelty following a prosecution by the RSPCA when he appeared at Bodmin Magistrates Court on 22 August. He was ordered to pay £300 costs and an £85 victim surcharge. He was also ordered to wear an electronic tag, and was made subject to a 26-week curfew meaning he must stay in his home from 7pm until 5am.

The Farriers Registration Council (FRC) met virtually to discuss the conduct of ██████████ of Saltash, Cornwall, on 8 October. “The disciplinary committee was satisfied that ██████████ conduct fell well below the standards expected of a registered farrier and constituted serious misconduct in a professional respect. The committee set a time of two and a half years before ██████████ can apply to be restored to the register, and that he would need to “persuade a disciplinary committee that it is safe and appropriate to restore him to the register”.

# Section 5: Mutilations

A person commits an offence if he:

- carries out, causes or permits
- a prohibited procedure
- on a protected animal



# Section 5: Mutilations

Carrying out a prohibited procedure' refers to carrying out a procedure which involves:

“interference with the **sensitive tissues** or **bone structure** of the animal, otherwise than for its **medical treatment**”



# Permitted Procedures - Horses

## Identification Procedures:

- Freeze branding
- Hot branding
- Micro-chipping
- Tattooing
- Other methods of identification involving a mutilation required by law

## Procedures for the Control of Reproduction:

- Castration (an anaesthetic must be administered)
- Vasectomy (an anaesthetic must be administered)



# Section 7: Administration of Poisons

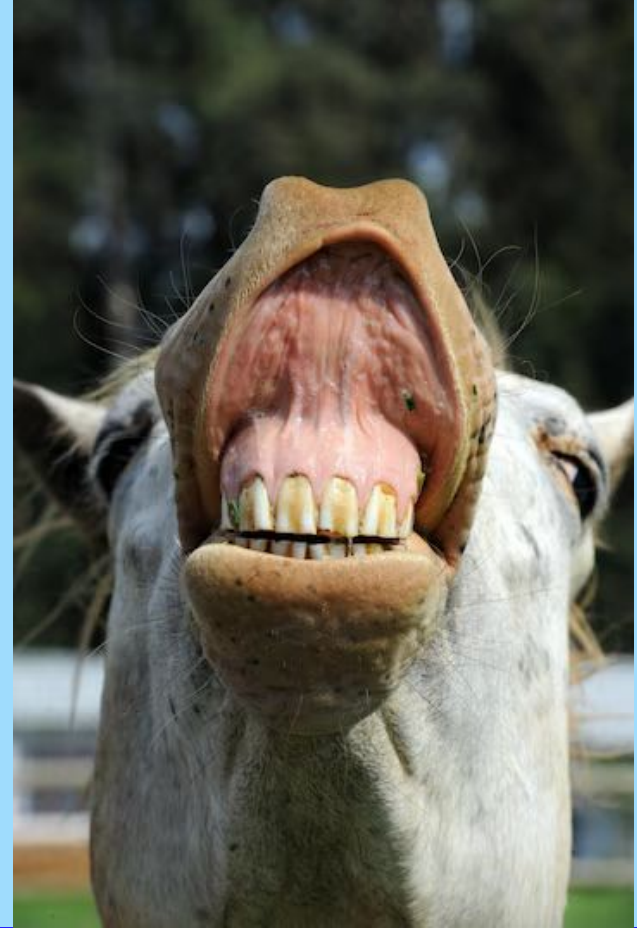
A person commits an offence if, without lawful authority or excuse he:

- administers, causes or permits
- any poisonous or injurious drug or substance
- to a protected animal
- knowing it to be poisonous or injurious



## Section 7: Subsection 3

References to a poisonous or injurious drug or substance include a drug or substance which, by virtue of the **quantity or manner** in which it is administered or taken, **has the effect** of a poisonous or injurious drug or substance.



# Section 11: Transfer of animals by way of sale or prize to persons under 16

A person commits an offence if he:

- sells an animal to a person whom he has reasonable cause to believe is under the age of 16
- arranges that a person under the age of 16 has the chance to win an animal as a prize



# Section 9: Welfare Offence

- Preventative tool to enable action before suffering
- Duty of care on those responsible
- Offence of failing to ensure the needs of an animal
- Enforcement of minimum welfare standards
- Encompasses abandonment of animals



## Section 9:

1. A **person** commits an offence if he does not take such **steps as are reasonable** in all the circumstances **to ensure the needs of an animal** for which he is responsible are met to the extent required by **good practice**.



# Section 9:

## 2. Animal's needs shall **include**:

- Suitable environment
- Suitable diet
- Exhibit normal behaviour patterns
- Need to be with/without other animals
- Protection from pain, suffering, injury and disease



# The 3 F's

## Friends



Having the opportunity to see, smell, interact and display species appropriate behaviours with other equines

## Freedom

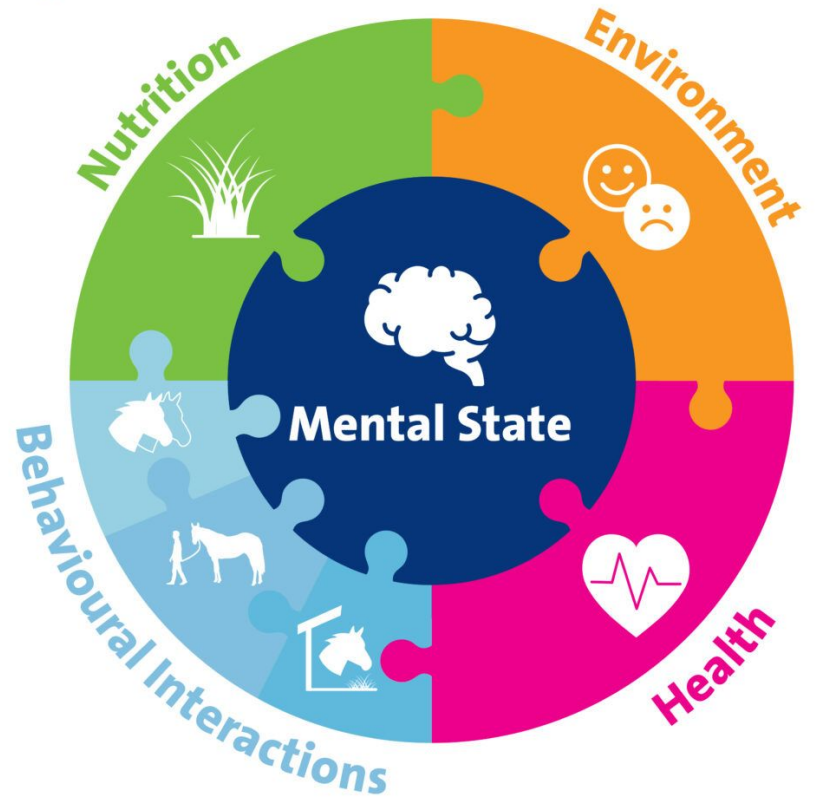
The ability to move, exercise and play while choosing their own speed and direction without physical or mental restraints.



## Forage



Having unlimited 24/7 access to forage without having to compete for it.

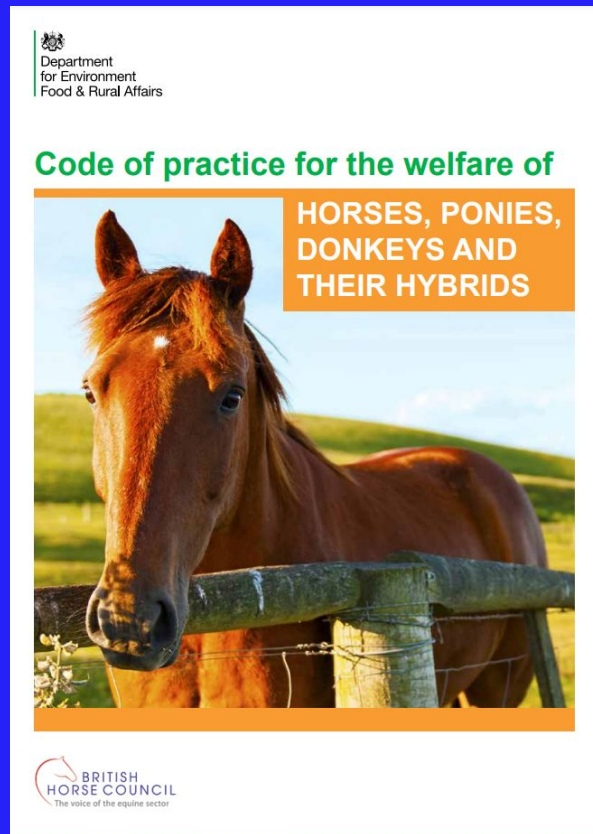


## Section 9:

When a person transfers responsibility for an animal to another temporarily he must ensure it will be cared for appropriately.

What steps did he take to ascertain competency. Were they “reasonable in all circumstances”.

# Codes of Practice

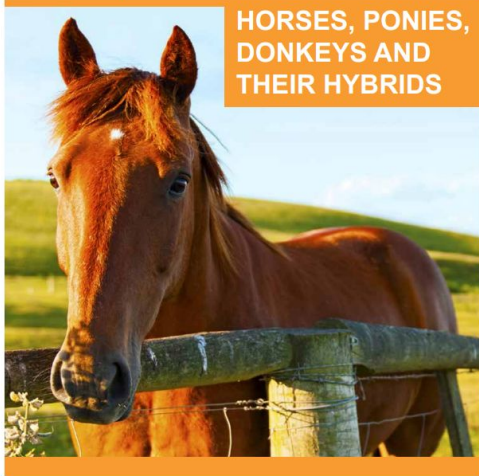


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# Codes of Practice

 Department  
for Environment  
Food & Rural Affairs

## Code of practice for the welfare of



 BRITISH  
HORSE COUNCIL  
The voice of the equine sector

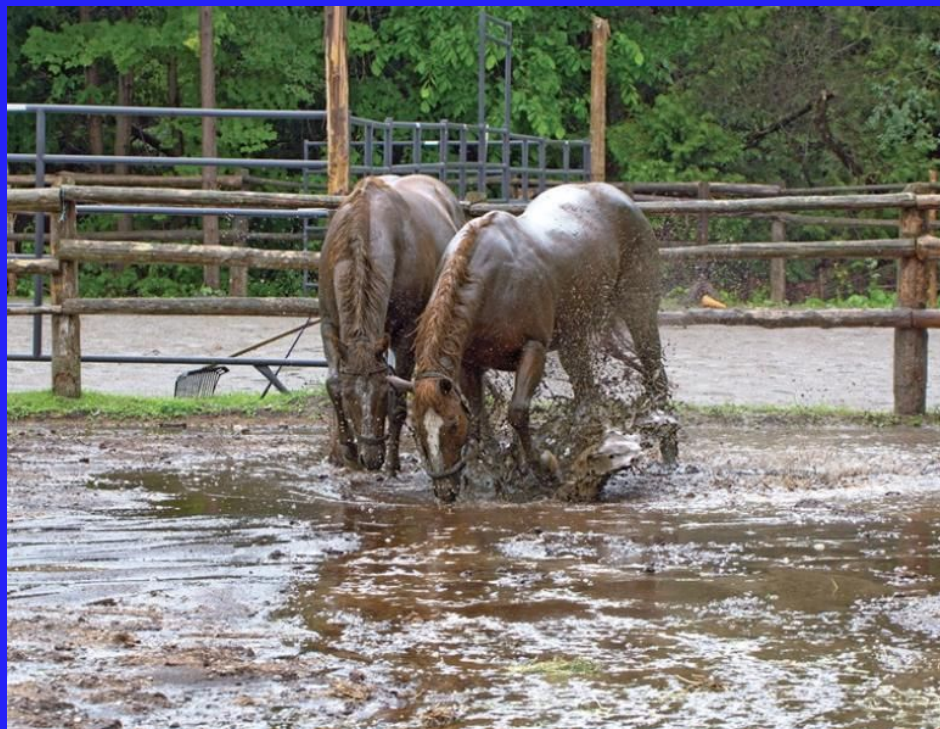
## How to provide a suitable environment for your horse

“Not all horses will need a stable/housing. Some horses, particularly native breeds, are capable of living outdoors throughout the year, provided they can obtain shelter from the prevailing winds, summer sun and flies. Shelter can be natural (for example trees or hedges) or man-made (such as a field shelter) depending on the field environment and type of horse.”

“In muddy conditions it is important that a horse has an adequately sized, well drained area in the pasture on which to stand and lie down, and on which to be fed and watered.”

# Minimum Welfare Standards











# RSPCA Notices

- **IS77** - Animal Welfare Assessment Form
- **IS87** - Animal Welfare Assessment Warning Notice
- Not statutory notices, no offence for not complying with the notice itself
- In general we do not prosecute for Section 9 offences until a warning notice has been issued and not complied with within the given timescale

# Scenario

2 horses in a muddy field with no grazing and no dry resting areas. There is natural shelter available & clean, drinking water provided.

You issue an IS87.  
What would it say and what would the compliance period be?



# Scenario

***- Provide an adequately sized, well drained area for the both of the horses to stand or lie down on out of the mud at the same time and on which to be fed and watered.***

***- Provide your horses with constant access to good quality, palatable forage e.g. grass, hay, haylage***

**It is the view of the RSPCA officer that the needs of the animal(s) are not being met in the following areas to the extent required by good practice as outlined in the Animal Welfare Act 2006.**

Its need for a suitable environment	✗
Its need for a suitable diet	✗
Its need to be able to exhibit normal behaviour patterns	
Any need it has to be housed with, or apart from, other animals	
Its need to be protected from pain, suffering, injury and disease	✗
Other (specify)	

**You must take the following action(s) by the specified date(s).**

Action required:	Date by:

**An RSPCA officer will visit to reassess the welfare of the animal(s) on or soon after the above date.**

**RSPCA officer's name:** \_\_\_\_\_

**Number:** \_\_\_\_\_

**RSPCA contact number:** 0300 1234 999







# Section 18: Powers in relation to animals in distress

- Police Officers or Appointed Inspectors
- In own interests should be destroyed
- Taken into possession if suffering or likely to suffer if circumstances do not change
- Certified by Vet unless “not reasonably practicable to wait”



# Section 18 Certificates

“If a veterinary surgeon certifies .....”

## Veterinary certificate pursuant to section 18 of the Animal Welfare Act 2006

I .....Qualifications .....  
of .....(Practice)  
being a member of the Royal College of Veterinary Surgeons certify that in my opinion:

Ref. no.	Description
	<div style="border: 1px solid black; padding: 2px;">1.The condition of the animal is such that it should in its own interest be destroyed *</div> <div style="border: 1px solid black; padding: 2px;">2.The animal is suffering *</div> <div style="border: 1px solid black; padding: 2px;">3.The animal is likely to suffer if circumstances do not change *</div>
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\* Delete as appropriate

Signed ..... Date .....

WF Number ..... Time ..... Reference Number .....

## Section 18 (7 – 13): Powers in relation to animals in distress

- May take into possession dependant offspring
- Remove animal or care for it on premises
- Mark it for identification
- Veterinary surgeon may examine and take samples to determine (3) **destruction** or (5) prove **suffering**



# Section 19: Power of entry for Section 18 purposes

- Police Officers or Appointed Inspectors
- Enter any premises
- Search for a protected animal that he reasonably believes is suffering or likely to suffer if circumstances do not change
- Does not authorise entry to any part of premises which is used as a private dwelling



## Section 20: Orders in relation to animals taken under section 18(5)

Magistrate may order:

- Possession of the animal to be given to a specified person
- Animal may be sold
- **Disposed of otherwise than by sale**
- Animal may be destroyed
- Power exercisable to offspring born while in possession



# Section 32: Penalties

## Offences Section 4 - Section 8

- imprisonment for a term not exceeding 12 months (Magistrates Court)
- imprisonment for a term not exceeding 5 years (Crown Court)
- or to a fine
- or to both

## Offences under Section 9 or Section 34(9)

- Imprisonment for a term not exceeding 51 weeks or
- a fine not exceeding level 5
- or both

# Other Court Orders upon Conviction

- Deprivation
- Disqualification
  - Owning, keeping, participating, arranging to control/influence
  - Dealing in animals
  - Transporting, arranging the transport of animals
- Seizure
- Costs



Questions?



**How does this affect you  
in your role as  
Equine Welfare Officers?**



## Scenario 1: Underweight horse

Samir, a volunteer at Sunny Day show, has sent you an email to say that they observed a 14.3hh Welsh Section D competing called 'Rosie and Thyme'. Samir describes the horse as severely underweight. A photo is provided which shows a body condition score of one (scale one-five). In addition, the email states that the rider was 'far too heavy' for the horse. There is no further information provided about the rider.

**Q: What would you do next?**

## Scenario 2: Horse left in lorry on a hot day

You receive a phone call from a concerned fence judge, Elias. He is at a show currently where it is 28 degrees celsius and sunny. Elias has observed a professional horse producer, Barney, close the ramp of his lorry with a horse standing inside. Barney was shouting that the horse was being “riggy and stupid”. The horse was calling loudly from within the lorry. A nearby young rider, Jade, challenged Barney to say it was too hot to shut the horse in like that but Barney got aggressive in response saying that Jade should mind her own business. Elias is worried for the horse but doesn't know what to do next.

**Q: What would you do next?**

## Scenario 3: In-competition behaviour

You receive an anonymous email entitled “This needs to stop”. The video attached to the email reveals professional rider Anita near the warm-up at a low-level affiliated competition on a 16.2hh grey horse. Anita appears to be holding the horse's head tightly at the same time as kicking the horse very hard with her left leg, turning the horse in a small circle. She is wearing spurs. The email states that this incident took place over the course of approximately ten minutes. The reporter also states that the noseband of the horse appeared to be “far too tight”.

**Q: What would you do next?**

## Scenario 4: Horse at riding school appears lame

You are forwarded a Facebook post by a concerned member of the public, Sharon. The post is a video entitled “Someone do something about this terrible rider”. The post contains video footage of a lesson taking place at a riding school. The young people who posted the video can be heard laughing and criticising a new rider’s experience and physical appearance. The pony that features in the video appears Grade two lame (scale to five) off fore on a soft surface, apparent when circling in both directions.

**Q: What would you do next?**

Thank  
You!

