

24 Oct 2011 : Column 146

Live Animal Exports (Port of Ramsgate)

Motion made, and Question proposed, That this House do now adjourn.—
(Angela Watkinson.)

10.20 pm

Laura Sandys (South Thanet) (Con): Thank you very much, Mr Speaker.

First, I should like to make a great apology to the Minister, whom I seem to keep up regularly at this time of night—on matters DEFRA.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): And his Parliamentary Private Secretary!

Laura Sandys: Great apologies to his PPS as well.

Given the theme of the motion on which we have just voted—the European Union and the barriers that it sometimes puts up to our cultural and historical norms—I want to raise the issue of live animal exports leaving the port of Ramsgate.

We are a nation of animal lovers, and we maintain and have always maintained the highest standards of animal welfare. Indeed, as I am sure the Minister knows, we passed our first piece of animal welfare legislation almost 400 years ago, so is it not rather surprising that sheep and two-week-old calves are driven from as far away as southern Ireland, across the Irish sea to Ramsgate, across the channel and then as far as Greece? Should we in this country endorse such transport and trade?

Tens of thousands of animals have arrived at Ramsgate this year to be put on a Soviet ship—a roll-on/roll-off ferry that was designed for river and inland water transport. On to the boat they go in their trucks, with water spraying and in gales of up to force 6. The longest estimated channel crossing is five hours due to very adverse weather conditions. Those journeys are inhumane.

The Minister knows that the trade is deeply undesirable, but on these issues we are not in control of our destiny, because we are controlled by the EU, which views animals as goods rather than as sentient beings. This is not a new issue, however, because the stalemate was experienced under

the previous Government. For 13 years, we had little or no progress on ensuring that we improved animal welfare and, in particular, transportation.

I should like to draw the Minister's attention to the fact that residents from all over Kent, including the Thanet Against Live Exports and Kent Against Live Exports groups and many individuals have written to me. I have received four times as much correspondence on this issue as I have on the EU referendum.

This debate is particularly important given the timely review of the EU's regulation on the transportation of live exports so I should like the Minister to outline what the Government will submit in response to the review, and I urge him also to take the evidence that my residents have gathered and to include it in our submission in order to show what really happens at the coal face of this trade.

We must revisit the number of hours an animal can be transported without lairage. Fourteen hours for sheep is too long, and a one-hour stopover is not long enough. Calves that are only 14 days old are taken half way across Europe on land and sea. That is an ordeal.

24 Oct 2011 : Column 147

I commend the Government for aggressively pressing for revised labelling of meat products. Meat will have to show the country of origin, not just the country of slaughter, which in previous years has allowed much of our British beef to be designated as French, Spanish or Greek when the animals were born and bred in the UK or Ireland. Greater transparency will give European consumers the choice of whether to endorse live exports.

There is additional good news. The live export trade has diminished significantly over the past 20 years from more than 300,000 animals a year to around 50,000. But that tells its own story. Reputable meat wholesalers transport animals to Europe not on the hoof, but as carcasses. Today we have abattoirs in the UK that butcher meat to meet the unique tastes of any part of Europe, and that poses a question. Who are the small number of people who transport live animals, and exploit EU single market legislation? Who are the individuals who believe that transporting live animals is humane and financially viable?

DEFRA has responsibility for issuing export health certificates, and is the competent authority that licenses those who transport animals.

Enforcement, even of the existing regulations, is crucial, and I ask the Minister to take further action. As the licensing authority, DEFRA must do more investigations as soon as possible into whether the wholesaler or the owner of the Ramsgate ship, Joline, have any connections with business men who have already been convicted of animal cruelty? Has the Department made the necessary inquiries to find out whether someone who was prosecuted in Folkestone for six offences against animal welfare has any connection with the current trade out of Ramsgate?

Jim Shannon (Strangford) (DUP): The hon. Lady referred to the fact that sheep, cattle and young calves come from Ireland to the UK mainland and then cross over to Europe. Does she believe that DEFRA should contact the Irish Republic's Agriculture Minister to ensure that what the hon. Lady wants to be stopped in England is also stopped in the Republic of Ireland?

Laura Sandys: I welcome that intervention, and I totally agree. There should be an EU-wide regulation on the transport of animals, but it is incumbent on us to enforce our existing domestic regulations. I urge the Minister to examine the matter.

It is understood that a former trader who has had several prosecutions is located in the same offices in Amsterdam as the company that holds the licence to operate the Joline for animal transport from Ramsgate. Coincidences may occur, but that feels a bit too close for comfort. More worrying are several reports of the operator not complying with the regulations. For example, it has sailed in a force 7 gale when the boat is licensed only for force 6. It has not provided adequate protection for the animals, and there have been discrepancies in the time spent in transport.

This weekend, I was horrified to hear that at 9 pm on Friday, eight lorries turned up, but the ship is licensed for and can accommodate only seven lorries. The lorry drivers dismantled their cabs and drove to Dover to cross by ferry. The animals were loaded on to the ship without their drivers, who are responsible for their

24 Oct 2011 : Column 148

welfare. The ship did not leave the port until after 4 am. The animals then faced a four-hour trip across the channel taking them over the 11 hour regulated transport period. I understand that in addition, the ship was unable to dock at Calais for several hours because of the tides. The animals would then have had to be unloaded, and to leave Calais for a resting place.

The report indicated that the transporters of the animals—those with the lorry licences and the operators of the ship—contravened animal welfare regulations. I urge the Minister to ensure that the Department investigates such reports and that action is taken to revoke licences immediately while further evidence is gathered. We believe that these operators are, at best, cavalier with the regulations and, at worst, have little interest in animal welfare.

Action needs to be taken, and I hope for the Minister's commitment on these matters. I know that he and his Department, like me and the residents of Thanet, would like to end this trade. Yes, we might have to wait a while for it to be banned altogether, but we must stop any cruelty that is happening under the current regulations and ensure that our animal welfare enforcement is robust, including in the port of Ramsgate.

10.30 pm

The Minister of State, Department for Environment, Food and Rural Affairs (Mr James Paice): Let me start by thanking and congratulating my hon. Friend the Member for South Thanet (Laura Sandys) on seeking this debate to raise an issue that is of great concern not only to her constituents and residents in the wider area of Thanet but to me and to my Department, and to many hon. Members on both sides of the House, some of whom I am pleased to see have stayed for the debate.

I emphasise that, as stated in the coalition agreement, this Government are committed to the highest standards of animal welfare, including their transport—how it is done and where it is done. Clearly, the Government would prefer animals to be slaughtered as near as possible to their point of production; and as far as breeding stock is concerned, we would like the trade to be only in meat or in germ plasm, because that is preferable to one based on live animals. That also has advantages in terms of animal welfare because it helps with our own domestic slaughter and in developing our own enterprise, business and industry. Moreover, as my hon. Friend rightly said, we now have all the butchery expertise to cater for whatever particular specifications overseas customers demand.

As my hon. Friend said, the previous Government recognised that such a trade in live animals is lawful provided that the safeguards laid down in the European Union and in our own national welfare-in-transport legislation are observed. Whatever we may think about this, the Government have to comply with our international obligations.

Naomi Long (Belfast East) (Alliance): Will the Minister give way?

Mr Paice: Very briefly.

Naomi Long: Would the Minister advocate the tightening of the international rules to allow for cross-border trade in the case of operators who neighbour a border—for

24 Oct 2011 : Column 149

example, between the Republic of Ireland and Northern Ireland—with another slaughterhouse on the other side in order to avoid long, arduous journeys such as those described by the hon. Member for South Thanet (Laura Sandys)?

Mr Paice: I am grateful to the hon. Lady, and I will come to some of those points. Yes, there is a distinction between cases where there happens to be a border, but it is a few miles to an abattoir, and the sort of journey to which my hon. Friend has referred.

The safeguards that I mentioned include the need for all commercial transporters of animals to be authorised and for drivers to pass a competency test. Indeed, I passed one myself. For long journeys, vehicles must be inspected and approved by qualified engineers working for authorised private vehicle inspection bodies. Also, for long journeys, transporters must apply for a journey log for each journey that provides the details of the proposed route, and these applications are checked by the Animal Health and Veterinary Agency before they are approved. More importantly, the journey logs have to be updated by the transporter as the journey progresses and returned once the journey is completed, and we then check whether the actual journey was in line with the original application. If there were any variations, they need to be investigated to see whether they were consistent with the legislation.

There are many other safeguards in the transport legislation, such as the fitness-to-travel rules in terms of the animal itself and technical requirements on space allowances, ventilation, water, and so on. I want to emphasise that the commercial transport of animals on journeys of more than eight hours is highly regulated. On top of all the checks before and after a long journey, inspectors undertake risk-based checks on consignments, either when the animals are loaded at the point of departure or on arrival at the port of Ramsgate. They have powers on discovery of any infringement by individual transporters—that has happened a number of times—and that can lead to suspension or revocation of the transporter's authorisation to transport animals or the withdrawal of their vehicle approval certificate. I emphasise and, in

effect, give a warning that all those engaged in this trade must ensure that they are fully in compliance with all the regulations, because we will continue to be as tough as possible on this trade. It has been the subject of a number of legal challenges over the years by local authorities and port authorities.

The trade in live animals to the continent for slaughter has fluctuated markedly, as my hon. Friend said. There have been periods, such as during the outbreaks of BSE, foot and mouth and, more recently, tuberculosis, when the trade has been halted or interrupted. As she rightly said, the scale has dramatically reduced, so its impact on the economics of the UK livestock sector is now minimal, if anything at all. The present trade is tiny at just a few tens of thousands of animals and certainly fewer than 50,000 so far this year.

The concept of free trade is enshrined in national legislation in the Harbours, Docks and Piers Clauses Act 1847, and more recently in article 34 of the treaty of Rome. The latter states:

“Quantitative restrictions on exports, and all measures having equivalent effect, shall be prohibited between Member States.”

24 Oct 2011 : Column 150

Some welfare lobbyists have suggested that changing the 1847 Act is the way forward. However, such a move would clearly be illegal as it would be contrary to article 34 of the treaty.

On the subject of EU treaties, I would like to lay to rest the idea that member states might deal with this issue through article 13 of the Lisbon treaty, which states:

“Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals”

Some suggest that that is a new requirement and that, therefore, long journeys can no longer be considered legal. That is not the case. The corresponding text of article 13 was previously set out in the binding protocol to the treaty of Amsterdam, which was agreed in 1997. It was therefore already a requirement to treat animals as sentient beings when the European Council agreed the terms of Council Regulation 1/2005. I am afraid that that is not a legal option open to us.

My hon. Friend raised a number of specific points. She rightly referred to the recent changes at European level to make labelling fresh meat with the country of origin mandatory. We are awaiting the detail of that, but I sincerely hope that it will have the effect that she and I want it to have. We have always supported the need for country-of-origin labelling to ensure that British consumers are properly informed. However, that same legislation must not deceive consumers overseas into believing that sheep—it is mainly sheep—born and reared in the UK are native to France, Spain or wherever they are bought.

My hon. Friend referred to the licensing of the ship and the lorries. She referred obliquely to a Mr Onderwater. There is no doubt that he is closely involved in this trade and she is right that he has been prosecuted for cruelty. I cannot comment on the authenticity of her comment about where his office is, but he is not the authorised holder of the shipping licence, which was issued in Latvia. We have asked the Latvian authorities for details of it and they say that his name is not on the licence.

My hon. Friend referred to what happened on Friday. I was not aware of the eight lorries that she referred to. However, there is no legal specification about the number of lorries allowed on the ship. The specification is about the number of people who travel. We believe that that is why some of the lorry drivers decamped and travelled via Dover. I am aware of the six-hour delay in loading to which she referred, which is clearly unacceptable. Whether it was illegal is questionable, because it could count as part of the rest period. The Animal Health and Veterinary Laboratories Agency issued a notice to sail to stop any further delay. I admit that I did not know until today that such a power existed. The AHVLA is considering the best course of regulatory action. We are seriously inclined to introduce a maximum period of two hours to load and sail, to prevent that from happening again.

John McDonnell (Hayes and Harlington) (Lab): Many of us have constituents who have expressed concerns over the years, and who specifically want swift action on preventing the sail. I think that would help greatly.

Mr Paice: I think that preventing the sail might be counter-productive, because then the animals might face a longer journey back to where they came from if

24 Oct 2011 : Column 151

they had come from, say, the Republic of Ireland. However, we are taking measures to ensure that the ship sails quickly after loading, so that loading and sailing take place within two hours. I should also emphasise that it is a requirement of European legislation that all the necessary arrangements are made in advance, so that welfare is not compromised by insufficient co-ordination between the parts of the journey.

The motor vessel Joline, to which my hon. Friend referred, is licensed to sail in up to force 6 gales. We have recently had concern that she was sailing at what was considered to be the margin of that safety level. The captain was warned, but I emphasise that that is a maritime safety issue and not directly related to animal welfare, although clearly the welfare of the animals may be affected. There is no evidence that the captain has sailed in winds higher than force 6, but if I may use this phrase, he has sailed close to the wind.

There have been a large number of investigations by the AHVLA, but I need to emphasise that virtually all of them are about the vehicles rather than the ship. That is rather an important point, because it brings us to the enforcement of the existing legislation. That is an important consideration, particularly when we are discussing long journeys. The European Commission has spent nearly two years gathering data on the impact of the legislation and is due to report very shortly. It is too late for us to make any further submissions, as my hon. Friend suggested, but as soon as the report is published we will study it very carefully. We understand that it will have something to say about the level of enforcement across the Community, but will not make any recommendations of changes to the existing legislation. If that is the case, I can assure her that we will make further representations.

Whatever the report concludes, I will press the European Commission to come forward with proposals on both tightening the current enforcement of the existing rules

24 Oct 2011 : Column 152

and reviewing the existing long journey requirements to encourage shorter, more sustainable journeys linked to available slaughter capacity. Whatever the eventual outcome, I am sure my hon. Friend will agree that it must be based on the available scientific evidence, not subjective opinion or belief. I have to say to her that many member states will be opposed to any such tightening of those rules, and because the European Commission appears reluctant to take any action, any changes to the current rules on long journeys are unlikely to be achieved in the

immediate future. That brings the matter back to this country and to my Department.

I believe that a more sustainable approach to the transport of livestock on long journeys must be found, and I will push for that at every available opportunity in the framework of future EU discussions on animal welfare during transport. I can say to my hon. Friend that, as I implied earlier, we will use every measure available to us within the bounds of legislation to be as robust as we can in ensuring that the highest welfare standards that can be achieved are achieved. As I said, we want to ensure that all those involved in the trade, whether they be shipping people or those running the lorries that transport cattle and sheep, are under no illusion that we will deal with them as robustly as we possibly can and take whatever measures are possible whenever there is an infringement.

I am grateful to my hon. Friend for raising the issue. Although I have not been able to do what I know she and other Members would like me to do, which is to declare that we will ban the trade—I am not able to do that—I hope she will rest assured that we will take every measure we can within the legislative arrangements that we have.

Question put and agreed to.

10.43 pm