

Explanatory Memorandum to The Mandatory Use of Closed Circuit Television in Slaughterhouses (Wales) Regulations 2024

This Explanatory Memorandum has been prepared by the Department for Climate Change and Rural Affairs of the Welsh Government and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Mandatory Use of Closed Circuit Television in Slaughterhouses (Wales) Regulations 2024. I am satisfied that the benefits justify the likely costs.

Huw Irranca-Davies MS

Cabinet Secretary for Climate Change & Rural Affairs

30 April 2024

PART 1

1. Description

The Mandatory Use of Closed Circuit Television in Slaughterhouses (Wales) Regulations 2024 (“the 2024 Regulations”) require closed circuit television (CCTV) cameras to be installed in all slaughterhouses in areas where live animals are unloaded, kept, handled, stunned and killed. Recorded images must be retained by the slaughterhouse operator for a 90-day minimum period, and made available to authorised persons e.g. Official Veterinarians (OVs) of the Food Standards Agency (FSA), to view, copy or seize for the purpose of monitoring and verifying animal welfare standards in the slaughterhouse.

2. Matters of special interest to the Legislation, Justice and Constitution Committee

These Regulations address errors identified in those which were laid on 12 March 2024 and subsequently withdrawn.

3. Legislative background

The Welsh Ministers are making the 2024 Regulations in exercise of the powers conferred on them by section 12 of the Animal Welfare Act 2006, to promote animal welfare.

The Welfare of Animals at the Time of Killing (Wales) Regulations 2014 implement Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing in Wales, as well as maintaining stricter national rules aimed at ensuring more extensive protection of animals at the time of killing. The 2024 Regulations are complementary to that regime.

The 2024 Regulations are being made under the affirmative procedure.

4. Purpose and intended effect of the legislation

Animal welfare is a priority for the Welsh Government. Our Programme for Government includes ambitious commitments to improve animal welfare. One of these is a requirement for CCTV in all slaughterhouses.

The 2024 Regulations require:

- CCTV cameras to be installed in all approved slaughterhouses in areas where live animals are unloaded, kept, handled, stunned and killed.
- Recorded images to be kept by the slaughterhouse operator for a 90-day minimum period.
- Recorded images to be available to authorised persons to view, copy or seize.

CCTV cannot replace direct oversight by slaughterhouse staff, Animal Welfare Officers and OVs of the FSA, but it can improve the efficiency of monitoring and

enforcement activity with associated animal welfare benefits. CCTV provides OV's with the information they need to monitor compliance with regulations more readily and more conveniently, record individual events and support audits. This will support improved consumer confidence that welfare standards are being delivered.

CCTV footage can have authenticity and transparency as evidence and can be retained for long periods. It can also enable slaughterhouse staff, Animal Welfare Officers and OV's to observe animals in high welfare risk areas as well as those that are dangerous or inaccessible to people and identify animal behaviours that might be hidden from human observers.

The FSA monitors and enforces animal welfare regulations in slaughterhouses in line with a hierarchy of sanctions, ranging from verbal and written advice through to reporting offences for prosecution. The FSA will make use of CCTV as part of its existing enforcement role at slaughterhouses.

One of the primary benefits of CCTV is improved compliance with animal welfare at slaughter requirements, resulting from the deterrent effect of CCTV combined with increased information to aid enforcement by FSA.

5. Consultation

We consulted on proposals to require CCTV in all approved slaughterhouses in areas where live animals are present. The twelve-week public consultation was published in November 2022 and closed for responses in February 2023. A summary of the responses to the consultation was published in May 2023.

Respondents were asked to consider ten questions on our proposals, economic impacts on the industry, animal welfare benefits and the impact on the Welsh language.

There were 16,014 responses to the consultation. This included 15,955 via email and 59 via the online response form. There were 71 individual responses and 15,943 identical email responses received as part of a campaign by the RSPCA. The RSPCA also submitted a separate, substantive response.

The following analysis is based on the 71 non-campaign responses, which includes the substantive response from the RSPCA. The campaign responses are considered separately:

- 86% of respondents agreed CCTV cameras should be installed in all approved slaughterhouses in areas where live animals are present, including areas where animals are unloaded, kept, handled, stunned and killed.
- 84% of respondents agree with the benefits to animal welfare we have identified from requiring CCTV in all slaughterhouses.
- 74% of respondents agreed with the proposed requirement for slaughterhouse operators to retain CCTV footage for 90-days.

- 84% of respondents agreed there should be unrestricted access to authorised persons to view (in real time and stored), copy or seize recorded images.
- 38% of respondents agreed with our assessment of the cost of mandatory CCTV to individual slaughterhouses and the Welsh slaughter industry. 9% disagreed, with the remaining 53% not providing a yes/no answer or unsure.

There were 15,943 responses received as part of the RSPCA campaign. 100% of campaign respondents agreed CCTV cameras should be installed in all approved slaughterhouses in areas where live animals are present, including areas where animals are unloaded, kept, handled, stunned and killed. 100% of respondents agreed with the benefits to animal welfare we have identified from requiring CCTV in all slaughterhouses.

The consultation documents and a summary of the responses are available at:
[Closed-circuit television \(CCTV\) in slaughterhouses | GOV.WALES](#)

PART 2 – REGULATORY IMPACT ASSESSMENT

1. The Welsh Government has made a commitment to require closed-circuit television (CCTV) in all slaughterhouses. The policy objectives are to improve animal welfare in slaughterhouses and provide assurance that all slaughterhouses are operating to high welfare standards. This will be achieved by the mandatory installation of CCTV in all approved slaughterhouses in areas where live animals are unloaded, kept, handled, stunned and killed, with the Food Standards Agency (FSA) having access to footage, the slaughterhouse operator being required to store footage for a specified period, and footage being available for auditing purposes and having evidential status.
2. Our larger slaughterhouses, which process the vast majority of animals, already have CCTV. In January 2022 the FSA carried out a survey on behalf of Welsh Government to assess the current CCTV facilities in every slaughterhouse in Wales. 23 slaughterhouses were surveyed (one of the premises surveyed had been non-operational since July 2021). The survey found:
 - 17 slaughterhouses had some form of CCTV in place (including all poultry slaughterhouses).
 - Six slaughterhouses had no CCTV (all red meat).
 - Of the 17 slaughterhouses that had CCTV, ten had setups that would comply with the existing requirements in England and Scotland, and our proposals.^{1 2}
3. Some of our larger slaughterhouses adhere to a voluntary protocol jointly developed and agreed between the FSA and industry bodies to enable Official Veterinarians (OVs) of the FSA to access recorded footage. Whilst CCTV cannot replace direct oversight by slaughterhouse management or OVs, particularly in very small premises, it can provide objective supporting evidence of the work in each establishment. For this reason, we will require all slaughterhouses to install and operate CCTV in all areas where live animals are present.
4. CCTV in areas where live animals are present will improve the efficiency of monitoring and enforcement activity, by providing OVs with information they need more readily and more conveniently. FSA enforcement data for 2022/23 indicates that at least 15% of slaughterhouse non-compliances are identified either by live or retrospective CCTV viewing and CCTV is routinely used as evidence to support enforcement action.³ CCTV also plays an active role in suspension and revocation of Certificates of Competence.⁴ Fifty certificates were suspended or revoked in 2022/23 of which 42 utilised CCTV to support determination of the outcome, this equates to 84% of all suspensions and revocations (FSA data).⁵

¹ [CCTV in slaughterhouses: rules for operators - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

² [Animal slaughter: guidance on the use of mandatory CCTV - gov.scot \(www.gov.scot\)](https://www.gov.scot)

³ Food Standard Agency – Business Committee Meeting Animal Welfare Update: [Board Paper Template 2023 inc checklist \(food.gov.uk\)](#)

⁴ [Slaughter licensing | Food Standards Agency](#)

⁵ [Board Paper Template 2023 inc checklist \(food.gov.uk\)](#)

5. We consulted on proposals to require CCTV in all approved slaughterhouses in areas where live animals are present. The twelve-week public consultation was published in November 2022 and closed for responses in February 2023.⁶
6. There will be implications for those involved in and concerned with the slaughter of animals for human consumption. We prepared a Regulatory Impact Assessment (RIA) for consultation.⁷ The RIA assessed the financial and practical impacts of our proposals for affected parties including industry and the public sector.
7. The RIA considered the costs of installation and maintenance of CCTV systems as well as the cost of storage of CCTV footage. The assessment was based on limited information on costs, and we welcomed more information on this. Respondents to the consultation were asked to consider three questions on costs:

Question 5: Do you agree with our assessment of the cost of mandatory CCTV to (a) individual slaughterhouses and (b) to the Welsh slaughter industry as a whole? Please provide evidence to support your response.

Question 6: Do you consider that the costs of introducing mandatory CCTV in slaughterhouses are reasonable and proportionate for individual businesses, irrespective of size? Please provide evidence to support your response.

Question 7: Are there any other economic benefits or costs not mentioned in the consultation document or Regulatory Impact Assessment? Please explain what these might be and provide evidence to support your response.

8. A summary of the responses to the consultation was published in May 2023.⁸

Options

9. We have a Programme for Government commitment to require CCTV in all slaughterhouses during this Government's term.⁹

Option 1. Business as usual – under this option, there would be no requirement for slaughterhouse operators to have CCTV installed on their premises.

Option 2. Mandatory installation of CCTV in all approved slaughterhouses in areas where live animals are unloaded, kept, handled, stunned and killed.

⁶ [Closed-circuit television \(CCTV\) in slaughterhouses | GOV.WALES](#)

⁷ [Mandatory Closed-Circuit Television \(CCTV\) in Slaughterhouses: regulatory impact assessment \[HTML\] | GOV.WALES](#)

⁸ [Consultation Template \(gov.wales\)](#)

⁹ [Programme for government: update | GOV.WALES](#)

Costs and benefits

Option 1. Business as usual

10. This is the baseline option and there would be no additional costs or benefits associated with this option. We have a Programme for Government commitment to require CCTV in all slaughterhouses during this Government's term. 'Business as usual' is not an option.

Option 2. Mandatory installation of CCTV in all approved slaughterhouses in areas where live animals are unloaded, kept, handled, stunned and killed.

Cost to slaughterhouses

11. In 2017, the Department for Environment, Food and Rural Affairs (Defra) published an Impact Assessment to support a consultation on mandatory CCTV in slaughterhouses. The Impact Assessment provided an estimate of the direct costs that may fall to the slaughterhouse industry in England.¹⁰

12. The Mandatory Use of Closed Circuit Television in Slaughterhouses (England) Regulations 2018 includes a requirement to review the legislation within five-years of it coming into force.¹¹ Defra assessed the effectiveness of the legislation, considered its impact and suggested refinements, and published the findings in June 2023.¹² The review assessed the realised costs and benefits of the CCTV regulations based on the evidence gathered from stakeholders and compares them with the estimates in the original Impact Assessment.

13. We used our own consultation exercise to obtain more evidence on these costs.

One-off direct costs

14. The total costs are not easily quantifiable and will depend on the size and layout of each slaughterhouse.

15. We estimate the total capital cost of new CCTV installation to be in the region of £40,000 across the sector. For slaughterhouses with no CCTV we have assumed an estimated one-off cost of between £3,000 and £10,000.

16. For slaughterhouses with partial CCTV coverage we have assumed an estimated one-off cost of between £50 and £1,000 per additional area without coverage now. We may assume that CCTV equipment has a 5-year life span and so replacement costs are not considered as part of this assessment.

¹⁰ [CCTV internal impact assessment final.pdf \(defra.gov.uk\)](#)

¹¹ [The Mandatory Use of Closed Circuit Television in Slaughterhouses \(England\) Regulations 2018 \(legislation.gov.uk\)](#)

¹² [The Mandatory Use of Closed Circuit Television in Slaughterhouses \(England\) Regulations 2018 \(legislation.gov.uk\)](#) – Post Implementation Review

Ongoing direct costs

17. We estimate the cost of daily oversight and maintenance of CCTV across slaughterhouses in Wales to be around £6,000 per annum. This is based on: An assumption that it takes on average 30 mins/day to check CCTV cameras and that they are positioned and operating correctly; FSA data on the operating hours of slaughterhouses; hourly pay data for those involved in the processing and preparation of food (Annual Survey of Hours and Earnings 2021).¹³ 30% is added to cover costs like employer NI contribution, pension contribution, holiday pay etc.
18. In addition, annual maintenance costs to the slaughterhouses are estimated to be between £2,000 and £4,000 based on assumed annual service charge of between 5% and 10% of the initial capital value of the additional CCTV equipment.
19. We estimate that storage costs for CCTV footage may be around £500. This is based on a maximum estimated annual cost of £50 per year/slaughterhouse for those without any CCTV in place currently and an additional £20 per year/area for those slaughterhouses where current CCTV coverage is partial. This is calculated on the basis that 90 days of CCTV footage from five cameras would require approximately 2TB of storage.
20. We estimate that other ongoing operating costs to slaughterhouses, such as electricity are likely to be minimal, for example between £500 and £1,000 per year.
21. In summary we estimate that the total direct ongoing costs to slaughterhouses may be between £2,000 and £10,000 per year.

Public Sector costs

22. The implementation and enforcement of these regulations will not constitute additional costs for Local Authorities. There has been a small implementation cost to the Welsh Government in developing guidance for the slaughter industry which we have done in collaboration with the FSA. Costs to communicate the policy has also fallen to Welsh Government. The overall expenditure is not expected to exceed £5,000. There are unlikely to be any cost-savings of significance. Members of the public and third sector organisations have lobbied the Welsh Government for the introduction of mandatory CCTV for a number of years. Responding to regular correspondence on this subject is time consuming. Correspondence is expected to reduce significantly once installation of CCTV in approved slaughterhouses becomes mandatory.
23. There will be an increase in the Welsh Government's funding to the FSA to carry out monitoring and enforcement activities, with the total unlikely to exceed £22,000 per annum. There is unlikely to be any perceptible additional costs to Police Forces in Wales and minimal or no impact on the justice system.

¹³ [Earnings and hours worked, region by occupation by four-digit SOC: ASHE Table 15 - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/employment-and-hours-worked)

Benefits

24. As a result of more comprehensive and more accessible CCTV coverage, we expect there to be behavioural change on the part of slaughterhouses which may not be currently fully compliant with existing requirements. We do not expect this to apply in relation to slaughterhouses which are currently fully compliant. In particular we consider that there should be an improvement in slaughterhouse practices, leading to better compliance, i.e. that these CCTV reforms should have a preventive and deterrent effect. The policy should therefore have a positive impact on animal welfare.
25. The policy has the potential to benefit those businesses which do not currently have CCTV installed by providing them with evidence to improve operating processes and inform efficiency reviews. The recordings may also be a useful tool for training new and existing staff members.
26. CCTV in areas where live animals are present will improve the efficiency of monitoring and enforcement activity, by providing OV's with information they need more readily and more conveniently. Whether there is an overall increase in enforcement notices and in prosecutions will depend upon how this balances out relative to improved slaughterhouse compliance resulting from the preventive and deterrent effect of CCTV.
27. Slaughterhouses create a negative externality on other slaughterhouses when they abuse animal welfare and when this generates wider adverse reputational costs applying to the whole sector, including the compliant majority.

Competition Assessment

28. A Competition Assessment has been undertaken to assess the potential impact of this policy. This policy is not expected to have a significant detrimental effect on competition within the industry. The policy does not discriminate between premises, applying equally to all. The results of a filter test (consisting of nine yes/no questions) which support this conclusion are below, followed by evidence to support the answers.

The competition filter test	
Question	Answer yes or no
Q1: In the market(s) affected by the new regulation, does any firm have more than 10% market share?	YES
Q2: In the market(s) affected by the new regulation, does any firm have more than 20% market share?	YES
Q3: In the market(s) affected by the new regulation, do the largest three firms together have at least 50% market share?	YES
Q4: Would the costs of the regulation affect some firms substantially more than others?	NO
Q5: Is the regulation likely to affect the market structure, changing the number or size of firms?	NO

The competition filter test	
Question	Answer yes or no
Q6: Would the regulation lead to higher set-up costs for new or potential suppliers that existing suppliers do not have to meet?	NO
Q7: Would the regulation lead to higher ongoing costs for new or potential suppliers that existing suppliers do not have to meet?	NO
Q8: Is the sector characterised by rapid technological change?	NO
Q9: Would the regulation restrict the ability of suppliers to choose the price, quality, range or location of their products?	NO

Post implementation review

Implementation, compliance, and enforcement of The Mandatory Use of Closed Circuit Television in Slaughterhouses (Wales) Regulations 2024 will be monitored through an annual Service Level Agreement and regular dialogue with the FSA.