



12th January 2026

Deputy Hilary Jeune
Chair, Environment, Housing and Infrastructure Panel
Scrutiny Office
States Greffe
Morier House
St Helier
JE1 1DD

Dear Deputy Jeune

Thank you for inviting the Jersey Farmers' Union to comment on your review of the draft Animal Welfare Law.

Please find comments sent to us highlighted in yellow from JFU member Aaron Le Couteur. Due to a lack of consultation in the drafting/preparatory stage there appears to be an awful lot to consider.

Aaron has petitioned the States Vet a number of times regarding the increasing incidence of dog attacks on his sheep and explained how it is such a significant problem that if left unaddressed it could well be the end of his agricultural business, but he was unfortunately been directed to the Comité de Connétables as they were reviewing some aspects of the draft Dogs Law.

We both feel that this legislation is being pushed through with a very poor consultation and very limited justification. We wrote to the States Vet in July 2025 to express our concerns that the draft Animal Welfare Law will give the Minister power to make Orders, which will not be subject to overview by the States Assembly or by Scrutiny. These Orders could be wide ranging and we are concerned about what they may contain and how they could have a big impact on farmers.

For added information I also attach Aarons Briefing Paper on:
Tackling the Increasing Incidence of Livestock Worrying in Jersey
and his
Abridged Consultation Response

Aaron Le Couteur's concerns and suggestions.

- *The new provisions on 'straying animals will make having an old fence a criminal liability and so may stop us grazing some sites. I think this is a SERIOUS overstep*

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and stretch of animal welfare legislation and is criminalising an inherent reality of farming.

- *There's been no attempt to deal with dogs, which as stated is our biggest welfare concern by a huge margin.*

Both things considered it feels like we're doing our best and being persecuted while the States Vet ignores our welfare concerns.

Consultation:

- *Very short (3 weeks) and in peak busy season for farmers giving too short a period to form an appropriate review or response.*
- *Restricted circulation (not circulated to keepers)*

Request extension and wider consultation (including keepers and local vet practices)

Generality

- *Being 'consulted' on far wider order making powers without being told what they will be.*

The orders must be drafted first and presented together with the primary legislation to allow for any kind of reasonable consultation

- *Nothing in here about the minimum standards for officers and relevant experience.*

Needs to include that all appointed officers will be appropriately trained and competent for the tasks they undertake

- *Serious issue of an animal welfare offence for dog owners who permit their animal to chase, injure, stress or harm livestock is completely missing from this draft despite much petitioning on this which is the largest single welfare concern for our livestock by a considerable margin.*

This draft cannot be allowed to progress until both it and any revisions to the dog's law have been drafted to ensure the effective protection of livestock welfare from dogs. Both need to be done in unison to ensure any relevant overlaps are managed appropriately.

Article 2:

- *2(4) should include provisions to specify the articles to be applied to any wider definition of 'animal' to prevent unintended consequences*

Article 5:

- *5(1) should clarify that it ALSO applies to domesticated animals*
- *3(1(b)) places a new and significant burden on farmers to prevent suffering from third parties. The definition of 'reasonable steps' is far too loose and open to interpretation.*

Can the SVO give examples of what she considers these reasonable steps are, and to what 'reasonable' lengths farmers will be permitted to go to protect livestock?

Article 8:

- *8(2) does not allow for licenses to be issued to control invasive or non-native species.*
- *8(2) does not allow for licenses to be granted for agricultural purposes (such as establishing breeding values or genetic testing)*

Suggest the criteria for granting licenses are expanded

Article 11

- 11(1) No definition of 'good practice'

This needs to be defined, and cannot be a "Code of Practice" as COPs are guidance relied on for a defence and cannot by their nature be made mandatory.

Article 12

- Further concern regarding officer competency as there is no mechanism provided to resolve cases where the inspector is incorrect

There needs to be an independent and objective mechanism to challenge an inspector's 'opinion' otherwise this is far too open to abuse.

Article 13

- 13(1) As per Art. 12, same concerns as to reliance on an individuals 'opinion' for a lawful
- 13(7) should not allow expenses to be recovered unless the owner was at fault.

Needs to include an objective mechanism to question 'opinions' and the recovery of costs needs to be limited to cases where an act or omission caused the suffering.

Article 15/17

- Where a service is provided to the landowner, the person responsible for the livestock may not be responsible for the fencing and so cannot be legally made liable
- Article wrongly makes the assumption that animals straying onto a road is a welfare concern.
- Article prevents any future re-wilding attempts in the island.

Both articles need to stipulate that the improvement notice can only be served on the owner if he/she is also responsible for the boundaries.

In addition, due to ongoing ambitions to 're-wild' specific sites on the island and the relatively small parcels of land, this article will prevent any such parcels being joined (as would have been done historically by cattle grids) and so must be removed/re-worded to make it only an offence on certain roads.

Farmers do their best with what they've got and making fencing on a small island like this with a 40mph limit such a big deal is a crazy overstepping of this legislation. Anyone that thinks farmers neglect fence lines purposefully does not understand most farming realities and will only aid in persecuting and marginalizing farmers who already have a hard enough time and may cause us to stop grazing certain sites due to the legislative risk, meaning land will become unmanaged leading to massive biodiversity loss.

Article 24

- 24(1) No liability at all for officers

Indemnity should be limited only to cases where the officer acted 'reasonably'

Article 31

- *6 months imprisonment for straying livestock*

It is incredibly excessive

Article 33

- *Permits the forfeiture of animals 'of the same kind'*

Surely if someone commits a serious welfare offence they should be prevented from keeping ALL kinds of animals.

Article 34

- *34(2) Orders can be made for any 'animal welfare' purpose*

Because orders don't have to go through the Assembly this reduces the oversight and scrutiny available in the law-making process. That considered, these new order making powers are by far too wide, and effectively give the Minister the power to make whole new provisions and laws without going through the proper channels (Consultation, The Assembly, Scrutiny Panels).

Article 35

- *There are provisions that mandate stakeholder consultation for COPs but not for orders (Art. 34)*

Orders will have far more wide-ranging powers than the existing COPs and so much more specificity is needed in the order making powers.

I hope our concerns and Mr Le Couteur's suggestions are fully taken on board.

I also understand that the RJA&HS have raised certain issues and concerns directly with Environment Department and are yet to receive a response.

Yours sincerely



Douglas A Richardson
President