

# **Consultation on introduction of compulsory closed circuit TV recording of slaughter at abattoirs in Scotland**

## **Consultation Documents**

**Consultation Open - 28 March 2018 to 20 June 2018**

**March 2018**



**Scottish Government**  
Riaghaltas na h-Alba  
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## **PART 1 – ABOUT THIS CONSULTATION**

### **Topic of this consultation**

This consultation is seeking views on the introduction of compulsory closed circuit TV recording of slaughter at abattoirs in Scotland.

‘Slaughter at abattoirs’ is defined for the purposes of this consultation as covering live animals throughout the entire slaughter process from arrival at the abattoir until the time that life expires.

‘CCTV’ is defined for the purposes of this consultation as system for recording, accessing and storing visual images in real-time (where the length of time of the recorded event is exactly the same as the time of the event itself) within a closed network (i.e. one that does not broadcast or transmit images beyond the pre-determined network of users and access points) that offers the possibility both of immediate access and playback and of storage and later retrieval. This is taken to include the use of action or Go-Pro type cameras.

### **Scope of this consultation**

The Scottish Government committed to consult, in its Programme for Government 2017-2018<sup>1</sup>, on the introduction of compulsory video recording of slaughter at abattoirs in Scotland to aid enforcement of welfare requirements by abattoir management and Food Standards Scotland.

The proposals outlined in this consultation relate to the compulsory installation and operation of CCTV equipment in all areas of approved slaughterhouses where live animals are present, e.g. where they are unloaded, kept, handled, stunned or killed. The proposals in relation to the output of CCTV recording is for all output to be kept for a statutory minimum of 90 days and for authorised officers, e.g. Official Veterinarians from Food Standards Scotland and staff from organisations approved by the Scottish Ministers, to have unrestricted access to output for the purpose of monitoring and verifying animal welfare standards in the slaughterhouse. No other persons other than authorised officers and those employed by the slaughterhouse would be entitled to access these records.

### **Geographical extent**

Animal welfare is a devolved matter and this consultation applies to the potential introduction of compulsory CCTV recording at approved slaughterhouses in Scotland only. The appropriate administration should be approached for further information on the requirements for slaughterhouses in other parts of the UK.

### **Business and regulatory impact assessment**

If legislation is introduced to require compulsory CCTV monitoring in approved slaughterhouses in Scotland there may be business implications for those involved in

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<sup>1</sup> <http://www.gov.scot/Publications/2017/09/8468>

and concerned with the slaughter of animals for human consumption. This consultation asks questions in relation to this to help prepare the necessary regulatory impact assessment if any change to the legislation is to be made.

### **Audience**

Anyone may reply to this consultation. The Scottish Government would particularly like to hear from organisations and individuals involved in and concerned with the slaughter of animals for human consumption. Campaigns resulting in stock responses will be recorded but may not be individually acknowledged.

Those who have an interest include: food business operators; other trade representatives in the livestock and meat industries; the veterinary profession; animal welfare organisations; animal welfare enforcement bodies; the Farm Animal Welfare Committee; farm assurance schemes; and retailers.

### **Body responsible for this consultation**

The Scottish Government's Animal Welfare Team is responsible for this consultation.

### **Duration**

This consultation starts on 28 March 2018 and closes on 20 June 2018. This constitutes a full consultation period of 12 weeks.

### **How to make an enquiry**

If you have any queries about this consultation please contact the Scottish Government Animal Welfare Team (0300-244-9240).

### **The Scottish Government Consultation Process**

Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.scotland.gov.uk>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Consultations may involve seeking views in a number of different ways, such as public meetings, focus groups, or other online methods such as Dialogue (<https://www.ideas.gov.scot>).

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals

- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

### **Responding to this consultation paper**

We are inviting responses to this consultation by 20 June 2018.

Please respond to this consultation using the Scottish Government's consultation platform, Citizen Space. You can view and respond to this consultation online at <https://consult.gov.scot/animal-welfare/cct-of-slaughter-at-abattoirs> Responses can be saved and returned to while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 20 June 2018.

If you are unable to respond online, please send your response with a **completed Respondent Information Form** (see "Handling your Response" below) to:

Slaughterhouse CCTV Consultation  
Scottish Government Animal Welfare Team  
P Spur  
Saughton House  
Broomhouse Drive  
EH11 3XD

### **Handling your response**

If you respond using Citizen Space (<http://consult.scotland.gov.uk/>), you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

### **Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>. If

you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us determine the best approach to CCTV in Scottish slaughterhouses. Responses will be published where we have been given permission to do so.

### **Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to [slaughterCCTVconsultation@gov.scot](mailto:slaughterCCTVconsultation@gov.scot)

## **PART 2 - BACKGROUND INFORMATION**

### **Introduction**

The Scottish Government considers the welfare of animals at the time of slaughter as important and takes it very seriously. There are very strict statutory welfare requirements contained in EU and domestic Scottish legislation.

EC Council Regulation 1099/2009 'on the protection of animals at the time of killing' came into force in the UK and all other member states of the European Union from 1 January 2013, increasing welfare protection for animals at the time of slaughter. In Scotland, the Welfare of Animals at the Time of Killing (Scotland) Regulations 2012 ("the 2012 Regulations") provides the powers to fully enforce the EU regulations and retains our longstanding stricter national rules which give greater protection than the EU regulations.

The legislation is aimed specifically at preventing cruelty and poor practice in slaughterhouses and other places where animals are slaughtered or may have to be killed. Regulations set down specific requirements which must be complied with at all stages of the slaughter or killing process; and it is an offence to cause any animal avoidable excitement, pain or suffering at any time between its arrival at a slaughterhouse and when it is killed.

Food Business Operators are primarily responsible for the welfare of animals on their premises. Official Veterinarians from Food Standards Scotland (FSS) monitor and enforce the welfare regulations in all approved Scottish slaughterhouses to ensure that animals are spared avoidable pain, stress or suffering during the slaughter process. FSS approves Scottish slaughterhouses in line with EU Regulations EC/852/2004 'on the hygiene of foodstuffs' and EC/853/2004 'laying down specific hygiene rules for food of animal origin'.

### **Issue Being Addressed**

CCTV has been identified as offering real benefits as an important complement to physical observation and verification of slaughterhouse practices (FAWC report 2015).

In 2012, the Scottish Government consulted on introducing compulsory CCTV in slaughterhouses as part of its consultation on 'the implementation of EU regulation 1009/2009'<sup>2</sup> and, on the basis of responses, decided to continue to encourage a voluntary approach for the time being.

It is acknowledged that there is the potential for animal welfare to be compromised wherever live animals are kept in slaughterhouses, and CCTV provision is not currently universal across all areas of slaughterhouses. Voluntary introduction of CCTV has been shown to be beneficial to animal welfare; and FSS data from 2017 shows that 68% of all slaughterhouses in Scotland already have CCTV in various

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<sup>2</sup> <http://www.gov.scot/Publications/2012/08/9239>

configurations with 61% having coverage in the lairage, 61% in the unloading area, 46% in the restraint and stunning area, and 54% in the killing area. Slaughterhouses on the Scottish mainland are served with greater levels of CCTV: 86% of all slaughterhouses in Scotland already have CCTV in various configurations with 86% having coverage in the lairage, 77% in the unloading area, 59% in the restraint and stunning area, and 68% in the killing area. In excess of 99% of the animals slaughtered in Scotland in 2016-17 were monitored by some configuration of CCTV coverage.

### **Independent Assessment of Benefits of CCTV in Slaughterhouses**

The Farm Animal Welfare Committee (FAWC) was commissioned by GB Governments to produce an independent assessment of the benefits of CCTV in slaughterhouses. The report was published in February 2015:

<https://www.gov.uk/government/publications/fawc-opinion-on-cctv-in-slaughterhouses>

CCTV was identified as offering real benefits in slaughterhouses as an important complement to official physical observation and verification of slaughterhouse practices and effectively recording animal welfare abuses. FAWC recommended that all approved slaughterhouse operators should install CCTV in all areas where live animals are kept and where animals are stunned and killed. FAWC also recommended that CCTV cameras should be installed so as to permit a clear and uninterrupted view of the processes being recorded at all times; that CCTV footage should be accessible to and viewed on a regular basis by Food Business Operator staff, Animal Welfare Officers and Official Veterinarians to ensure business compliance, particularly in those areas and for those processes where the risk of non-compliance is higher; and that CCTV footage should be retained by the slaughterhouse for a period of three months and be available to authorised officers.

FAWC stated that CCTV should not replace, reduce or be considered a substitute for current controls of slaughterhouse practice undertaken by Official Veterinarians, Animal Welfare Officers, slaughter operators and others.

However, FAWC recognised the additive value of CCTV towards protecting animal welfare and benefiting the plant operator's business, including:

- providing evidence of due diligence and compliance with legislative and commercial standards and responsiveness to consumer concerns increasing public trust;
- contributing to Food Business Operator reviews of effectiveness of operations (including improving handling and reducing stress in animals) and enable the Food Business Operator to make improvements to processes and operating instructions;
- providing a valuable training tool for slaughterhouse staff;
- encouraging collective responsibility in slaughterhouse staff;
- providing evidence for disciplinary action; and
- enabling disputes to be resolved including relating to spurious allegations.



Official Veterinarians have legal powers under regulation 20 of the 2012 Regulations to seize CCTV footage if they have a reasonable suspicion that a breach of the regulations has occurred. Failure to provide information (including CCTV footage) which is requested and reasonably required by FSS may constitute an offence. FSS has not experienced any such refusals. Unrestricted access for authorised officers, e.g. Official Veterinarians from FSS and staff from organisations approved by the Scottish Ministers, could provide better proactive and reactive opportunities to assess compliance with the regulations.

It is not possible for Official Veterinarians to be present at all parts of the slaughter process at all times; and offences might be committed where there is no ongoing oversight. In such circumstances, CCTV might be used to enable official observation and verification of animal welfare incidents, and can contribute towards the auditing of animal welfare and the verification of slaughterhouse compliance with legislation. CCTV offers authenticity and transparency and can be retained for future review or for evidential purposes. CCTV can also offer the Food Business Operator or Official Veterinarian access to monitor activity in hard to see areas such as the killing area or within gas stunning systems.

## **PART 3 - PROPOSALS FOR CONSULTATION**

The Scottish Government's objective is for animal welfare standards in slaughterhouses to be maintained at least at current EU standards and improved where necessary. A related objective is to provide FSS supervisory staff with a slaughterhouse environment which enables them to operate efficiently and effectively by providing them with the information needed to carry out their tasks of ensuring animal welfare at time of slaughter.

### Legal Status of CCTV in Slaughterhouses

There is currently no domestic or European legislation that requires CCTV for monitoring or verification of animal welfare in slaughterhouses.

Compulsory CCTV recording in all slaughterhouses as an enforcement measure could be required by introducing secondary legislation. Section 26(1) of the Animal Health and Welfare (Scotland) Act 2006 provides powers to make regulations for the purpose of securing animal welfare. Any such amendment would be subject to the scrutiny and approval of the Scottish Parliament before it could take effect.

FSS monitors and enforces animal welfare regulations in slaughterhouses under the 2012 Regulations in line with a hierarchy of sanctions, ranging from verbal and written advice through to reporting offences for prosecution. Penalties under any secondary legislation introducing compulsory CCTV in slaughterhouses would be proportionately applied by FSS and limited by the requirements of the Animal Health and Welfare (Scotland) Act 2006.

### Enhanced Animal Welfare Provision

The Scottish Government is committed to providing the best possible welfare standards of animal welfare at slaughter. The benefits of CCTV in slaughterhouses are considered to be achievable through the current voluntary route. However, the introduction of compulsory CCTV can ensure full coverage and protection of all areas in the slaughterhouse where live animals are present.

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

While there is limited evidence available on the specific deterrent effect of CCTV in slaughterhouses there is evidence of the effectiveness of such equipment from other contexts (e.g. the use of speed cameras have been demonstrated to reduce speeding and CCTV use has reduced theft of and from parked vehicles).

Animal welfare benefits can come from the use of CCTV to observe and record real-time slaughter processes, record individual events and contribute information to the auditing of animal welfare. Detection of animal welfare breaches can result in a) consequences that act as a deterrent to future poor practice; and/or b) feedback and continuous improvement to slaughterhouse practices. Recordings can also aid the verification of slaughterhouse compliance with legislative requirements.

CCTV footage can have authenticity and transparency as evidence and can be retained for long periods. It can also enable Official Veterinarians 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.

### Enhanced Animal Welfare Enforcement

Arguably, compulsory CCTV should improve the efficiency and monitoring and enforcement activity, by providing Official Veterinarians with the information they need more readily and conveniently. It is considered that, resulting from an enhanced supervisory role and any behavioural change within slaughterhouses, compulsory CCTV will lead to improved welfare compliance within the sector.

Enhanced enforcement would require CCTV cameras to be installed and recording in all approved slaughterhouses in areas where live animals are unloaded, kept, handled, stunned and killed. In line with the FAWC recommendation, the Scottish Government would like to require that any recorded images are kept for a 90 day minimum period. Where necessary, if being used as part of an ongoing investigation or prosecution, they could be kept for longer periods.

To enable enforcement, authorised officers, e.g. Official Veterinarians from FSS and staff from organisations approved by the Scottish Ministers, could be given power of unrestricted access to live or recorded footage for the purpose of monitoring and verifying animal welfare standards in the slaughterhouse.

### Cost of Compulsory CCTV to Businesses

The Scottish Government does not hold information on the cost to Food Business Operators of the installation and ongoing maintenance of CCTV systems. However, data from 2017 supporting consultation by the Department for Environment, Food and Rural Affairs estimated an average one-off cost of £2,500 for a new CCTV system or around £500 for each area without current coverage. That assessment also suggested average annual costs for maintenance and data storage in the region of £350 per slaughterhouse.

Alternative figures of £6-25,000 for a new system and annual maintenance costs in the region of £600 were reported to the Scottish Parliament's Cross Party Working Group on Animal Welfare in January 2012.

Given the disparity in cost estimates, this consultation asks specific questions of those involved in the livestock and meat industries to inform a Business and Regulatory Impact Assessment to accompany any possible future regulations on the introduction of compulsory CCTV.

FSS data for March 2016 to March 2017 notes that 46.7 million animals were slaughtered and that 46.5 million (99.6%) of these were slaughtered in a slaughterhouse monitored by some configuration of CCTV coverage. Additionally, 98.34% of cattle, 97.81% of sheep/goats; 97.06% of pigs; and 99.78% of poultry

were slaughtered in a slaughterhouse monitored by some configuration of CCTV coverage.

The Scottish Government is aware that slaughterhouses vary in terms of size and throughput; and that the costs of introducing compulsory CCTV in all areas will place a disproportionate financial burden on the smaller facilities. However, those smaller premises should be able to meet any legal requirements with the use of a less extensive CCTV system than larger slaughterhouses. The Scottish Government considers that exempting smaller businesses from any compulsory CCTV recording would undermine the overall effectiveness of a requirement for compulsory recording.

## PART 4 - CONSULTATION QUESTIONS

Respondents should take into consideration the information provided in this document alongside any other knowledge or personal experiences that could be relevant. All opinions are welcome.

We ask that you try to answer all the questions in the “General Questions” section of the questionnaire. However, if you are unable to answer any question then please feel free to move on to the next.

We also ask that those involved in the slaughter industry answer the questions in the “Business Impact” section to inform the completion of any necessary business regulatory impact assessment.

In order for us to deal with your response appropriately please ensure you complete a Respondent Information Form. This will ensure that if you ask for your response not to be published that we regard it as confidential and will treat it accordingly.

### **Sector and Origin**

It would be helpful for our analysis if you could indicate which of the sectors you most align yourself/your organisation with for the purpose of this consultation (*please tick ONE which is MOST APPLICABLE to you*):

- |                        |                          |                              |                          |
|------------------------|--------------------------|------------------------------|--------------------------|
| Food Business Operator | <input type="checkbox"/> | Veterinary Profession        | <input type="checkbox"/> |
| Livestock Industry     | <input type="checkbox"/> | Animal Welfare Organisation  | <input type="checkbox"/> |
| Meat Industry          | <input type="checkbox"/> | Animal Welfare Enforcement   | <input type="checkbox"/> |
| Retailer               | <input type="checkbox"/> | Member of the General Public | <input type="checkbox"/> |

Other (please specify)

### **Enhanced Animal Welfare Provision**

**Question 1: Should CCTV recording in all areas of approved slaughterhouses in Scotland where live animals are present be compulsory? Please give reasons for your response.**

Yes

No

Don't Know

Please give reasons

**Question 2: Have we identified the main potential animal welfare gains from CCTV in slaughterhouses? Please give any other potential animal welfare gains.**

Yes

No

Don't Know

Please note other potential welfare gains

**Enhanced Animal Welfare Enforcement**

**Question 3: Is it reasonable to require Food Business Operators to retain CCTV footage for 90 days? Please give reasons for your response.**

Yes

No

Don't Know

Please explain why

**Question 4: Should there be unrestricted access to CCTV footage, both real time and stored, for reasons of ensuring animal welfare by officers authorised by the Scottish Ministers? Please give reasons for your response.**

Yes

No

Don't Know

Please explain why

**Cost of Compulsory CCTV to Businesses**

**Question 5: What do you think the cost of introducing compulsory CCTV in slaughterhouses in Scotland would be to (a) individual slaughterhouses and (b) to the Scottish slaughter industry as a whole? Please provide evidence to support your response.**

Please provide views and supporting evidence

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

Please provide views and supporting evidence

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

Yes

No

Don't Know

Please provide supporting evidence

**Question 8: Should CCTV be installed in all approved slaughterhouses, regardless of size? Please provide justification for your response.**

Yes

No

Don't Know

Please provide views

**Question 9: Should the Scottish Government help smaller businesses to comply with a requirement for compulsory CCTV? Please provide justification for your response.**

Yes

No

Don't Know

Please provide views

**Question 10: Are you content for the Scottish Government to contact you for further clarification of the financial effects that you have estimated?**

Yes

No

**About the consultation**

While we have done our best to explain the issues facing us clearly, there may be aspect that you feel we have not explained well or have not covered at all. The following questions in this consultation paper are to provide you with the opportunity to raise such points, and to provide us with feedback on the consultation itself.

**Question 11 – Do you consider that that consultation explained the key issues sufficiently to properly consider your responses?**

Yes

No



**Question 12** – Do you consider that you had sufficient time to respond to the consultation?

Yes

No

**Question 13** – Do you have any other comments on the way this consultation has been conducted?

Comments:



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