Cats Protection is the UK’s leading feline welfare charity and has more than 40 volunteer-run branches and four adoption centres across Scotland. Our volunteers and staff work to rehome stray and abandoned cats, promote neutering and deliver education talks to children and community groups. In 2016, our Scottish branches and adoption centres rehomed more than 5,100 cats and neutered more than 9,500 cats.

Our advocacy work in Scotland is focused on ‘Speaking up for cats’, working with politicians at Holyrood and locally to influence policy and practice on issues relevant to cat welfare.

1. How important are the EU principles of:
   - The precautionary principle;
   - Preventative action;
   - Environmental damage should as a priority be rectified at source;
   - The polluter should pay;
   - Animal sentience.

The principle of animal sentience is extremely important; Cats Protection believes that this principle should underpin policy and legislation in relation to, or which affects, animals in Scotland.

2. How and where have these principles had an impact on environmental and animal welfare policy in Scotland?

The principle of animal sentience was, of course, first recognised in the Lisbon Treaty in 2009 and incorporated into TFEU.

The Animal Health and Welfare (Scotland) Act 2006 pre-dates the Lisbon Treaty and is domestic legislation which was influenced by the European Convention for the Protection of Animals kept for Farming Purposes and the ‘five freedoms’.

The Animals (Scientific Procedures) Act 1986 is also domestic legislation but was revised in 2013 to transpose European Directive 2010/63/EU on the protection of animals used for scientific purposes but, arguably, that had little effect on policy in this respect as it was a harmonisation exercise.

The Wildlife and Natural Environment (Scotland) Act 2011 amends the Wildlife and Countryside Act 1981, which is domestic legislation, in relation to non-native species in Scotland. However, policy in Scotland in this respect appears to have been influenced by the Convention on Biological Diversity (CBD) and the European
Strategy on Invasive Alien Species developed in 2003 under the Bern Convention and takes account of objective five of the 'EU Action Plan to 2010 and Beyond' which informed the GB Invasive Non-native Species Strategy.

Scottish Natural Heritage (SNH) advises that domestic cats (Felis catus) are a non-native species and that feral cats can only be released under licence from SNH. SNH was also involved in Scottish Wildcat Conservation Action Plan which identifies hybridisation between domestic cats and Scottish wild cats (Felis silvestris) as a threat to the population of wild cats. Cats Protection and its many supporters in Scotland are opposed to culling domestic and feral cats and advocate responsible cat ownership, which includes neutering, and the trapping, neutering and return of feral cats and believes that this approach is in keeping with the principle of sentience.

3. Views on the appropriateness of retaining / adopting / enshrining these EU principles in law or alternative principles / approaches that could be adopted.

In the event of Scotland’s withdrawal from the European Union, Cats Protection believes that it will be important, consistent and appropriate that animal sentience continues to be recognised in law and policy; this should apply the principle of sentience to all vertebrates and invertebrates with highly developed nervous systems such as cephalopods (squid / octopus) and Malacostraca (crabs / lobsters / shrimps).

4. Views on if and how environmental principles could and should be enshrined in law in Scotland and enforced.

An Act of the Scottish Parliament will be necessary to ensure that animal sentience continues to be recognised within the law. It would be preferable to have one Act that covers the issue of sentience and that animal welfare should have regard in all decision making across Scotland as animals’ needs are the same wherever they are. We also believe that a statutory duty to have regard to the welfare of animals as sentient beings when making policy does send a strong and positive message.

5. Examples of where key environmental principles have been enshrined in domestic legislation elsewhere.

The principle that people and other living organisms have the right to not have their health harmed by waste or hazardous substances is enshrined in the Environmental Protection Act 1990 which applies throughout the UK.