

# **STATEMENT OF POLICY**

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***The Statement of Policy should be read together with the Animals Protection Act No. 71 of 1962.***

***Any reference to “The SPCA” in this document should be taken as meaning the Societies for the Prevention of Cruelty to Animals (SPCA), South Africa.***

***A position statement for each policy statement is available and intended to clearly set out the views of the SPCA on key animal well-being issues.***

## **1. PREAMBLE**

The SPCA believes that every living creature has intrinsic value and is a sentient being. Our primary and motivating concern is the prevention of cruelty to all living creatures and the promotion of the humane treatment of animals through leadership, education and law enforcement.

All SPCAs in South Africa are governed by the Societies for the Prevention of Cruelty Act No. 169 of 1993 (SPCA Act No. 169 of 1993) which is administered by the National Council of Societies for the Prevention of Cruelty to Animals (NSPCA). The NSPCA is a statutory body which deals with national issues and, like all SPCAs, enforces the Animals Protection Act No. 71 of 1962 (APA) throughout South Africa. In addition, the Constitutional Court (ConCourt) of South Africa ruled in favour of the NSPCA on the 8<sup>th</sup> of December 2016, confirming that the NSPCA has the statutory power to institute private prosecutions in terms of section 6(2) (e) of the SPCA Act No. 169 of 1993 read with section 8 of the Criminal Procedure Act No. 51 of 1977.

Attitudes of individuals, as well as those of communities and societies, change as more information becomes available. Thus, what is considered to be an accepted practice to one generation may be condemned by the next. Accordingly, the following statements should be viewed as representing current thinking, subject to change as further information becomes available. They do not seek to derogate either from the SPCA Act No. 169 of 1993, or any court rulings, but instead seek to amplify them by providing the practical guidance necessary for their implementation. Further, the subsections listed hereunder are not exhaustive and should not be construed as a lack of concern in regard to matters not specifically mentioned; rather they represent a summary of broad areas of concern most commonly encountered by an organisation which is committed to the prevention of cruelty to animals, and the promotion of the humane treatment of animals by man.

Although these issues are considered in the South African context, the SPCA provides guidance and information to other countries whenever possible, and also provides support for international campaigns which further its objectives.

The SPCA believes that an animal's well-being should be considered in terms of the Five Freedoms which form a logical and comprehensive framework for the assessment of animal welfare:

- Freedom from hunger and thirst – by ready access to fresh water and a diet to maintain full health and vigour;

- Freedom from discomfort – by providing an appropriate environment including shelter and a comfortable resting area;
- Freedom from pain, injury or disease – by prevention, rapid diagnosis and treatment;
- Freedom to express normal behaviour – by providing sufficient space, proper facilities and company of the animal’s own kind; and
- Freedom from fear and distress – by ensuring conditions and treatment which avoid mental suffering.

## **2. DEFINITIONS**

“**Animal**” means any live, non-human vertebrate, including fertilised eggs, fetuses and embryos (once they have progressed beyond half the gestation or incubation period of the relevant species, or they become capable of independent feeding, whichever comes first); which includes fish, amphibians, reptiles, birds, mammals, domestic animals, feral animals, purpose-bred animals, farm animals, wildlife and higher invertebrates, such as advanced members from the *Cephalopoda* and *Decapoda* animal groups.

“**Suffering**“ refers to negative feelings and/or emotions experienced by an animal, and may include pain, distress or hardship, whether directly or indirectly caused to the animal, and may be physical, physiological and/or psychological.

“**Well-being**“ refers to positive feelings and/or emotions experienced by an animal, and includes the physical, physiological and/or psychological state of the animal and the ability to achieve successful biological functions, have positive experiences, express innate behaviours, respond to and cope with potentially adverse conditions, and/or a positive mental state.

## **3. GENERAL**

### **3.1 TRANSPORT OF LIVE ANIMALS**

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The SPCA is opposed to all forms of transportation which compromise the well-being of all animals or which causes or may cause pain, suffering, distress or lasting harm.

### **3.2 LIVE ANIMALS AS PRIZES**

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The SPCA is opposed to the award of live animals as prizes.

### **3.3 LIVE ANIMALS USED AS FOOD**

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The SPCA is opposed to the feeding of live animals to other animals.

### **3.4 CONSUMPTION OF LIVE ANIMALS BY HUMANS**

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The SPCA is opposed to the preparation and eating of live animals.

### **3.5 HUMAN-ANIMAL CONFLICT**

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The SPCA is opposed to the manufacture, sale and use of all snares, traps, trapping devices, substances or forms of animal control which causes or may cause pain, suffering, distress or lasting harm.

### **3.6 GENETIC MODIFICATION**

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The SPCA is opposed to the manipulation of the genetic constitution of animals which causes or may cause pain, suffering, distress or lasting harm.

### **3.7 COMMERCIAL FISHING**

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The SPCA is opposed to inhumane or environmentally unsound fishing methods and seeks the development of more environmentally friendly and eco-sensitive fishing techniques. The SPCA is opposed to fishing equipment or methods which are inhumane and the indiscriminate use of any fishing equipment or methods, which catches non-target species. The SPCA is opposed to fishing processing methods which cause or may cause pain, suffering, distress or lasting harm.

### **3.8 SEXUAL OFFENCES**

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The use of any animal for human sexual acts is illegal.

### **3.9 INFANTILE OR DEPENDENT ANIMALS**

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The SPCA is opposed to the sale, use and/or removal of animals who are not capable of independent physiological and behavioural functioning, except for bona fide conservation purposes or reasons based on animal well-being.

### **3.10 PHYSICAL ALTERATIONS**

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The SPCA is opposed to the physical mutilation and/or alteration of any animal unless it is undertaken for therapeutic veterinary reasons, bona fide conservation or security reasons, where there are no other options available. Any procedures undertaken should be for the benefit of the animal, using methods that do not cause pain, suffering, distress or lasting harm.

### **3.11 END OF LIFE**

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- a) The SPCA is opposed to the use of inhumane methods to kill any animal.
- b) The SPCA advocates that any animal for consumption be slaughtered as close to the point of production as possible.
- c) The SPCA advocates that any animal for consumption which has to be emergency slaughtered should be promptly euthanased on site and appropriately disposed of.

## **4. FARM ANIMALS**

### **4.1 FARMING PRACTICES / SYSTEMS**

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The SPCA is opposed to forms of farming, farming systems and animal husbandry practices which causes or may cause pain, suffering, distress or lasting harm.

### **4.2 SYSTEMS DEVELOPMENT**

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The SPCA is opposed to the development of farming systems which causes or may cause pain, suffering, distress or lasting harm.

### **4.3 CONSUMER AWARENESS**

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The SPCA advocates that the consumer should know how all animal products (including non-food products) are produced and that products should thus be labelled with the method of production.

### **4.4 UNNATURAL ENHANCEMENT PRACTICES**

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The SPCA is opposed to husbandry management practices intended to enhance the production, performance or growth of an animal, which causes or may cause pain, suffering, metabolic or skeletal defects, inhibit normal activity or other health conditions.

### **4.5 ELECTRO-IMMOBILISATION**

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The SPCA is opposed to the electro-immobilisation of animals.

### **4.6 ANIMAL IDENTIFICATION**

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The SPCA is opposed to all forms of animal identification which causes or may cause pain, suffering, distress or lasting harm.

## **5. COMPANION ANIMALS**

### **5.1 RESPONSIBLE GUARDIANSHIP OF COMPANION ANIMALS**

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The SPCA is opposed to the keeping of domestic animals by those who do not have the facilities, time, financial means or level of interest to ensure optimal standards of care and husbandry for their companion animals. The SPCA is opposed to the keeping of indigenous wild or exotic species as companion animals.

### **5.2 POPULATION CONTROL**

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The SPCA advocates the permanent sterilisation of all companion animals where surgically possible. The SPCA promotes the early sterilisation of dogs and cats at eight weeks, and other companion animals as soon as possible unless there are overriding medical justifications to the contrary.

### **5.3 BREEDING**

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The SPCA is opposed to private and commercial breeding of all animals for the pet trade, including indigenous wild and exotic species. The SPCA is opposed to the breeding of all animals that causes or may cause detrimental changes to an animal's physical, physiological and psychological well-being.

### **5.4 EUTHANASIA**

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The SPCA is opposed to the euthanasia of fit and healthy animals but accepts the reality that euthanasia is necessary. Euthanasia must be carried out by qualified personnel using approved and humane methods and with great compassion.

### **5.5 FERAL CATS**

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The SPCA advocates the humane and responsible management of feral cat colonies.

### **5.6 COMPANION ANIMAL TRADERS**

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The SPCA is opposed to the trade in companion animals.

## **6. ANIMALS USED FOR SCIENTIFIC PURPOSES**

### **6.1 PAIN AND SUFFERING**

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The SPCA is opposed to all animals used for scientific purposes or in procedures which causes or may cause pain, suffering, distress or lasting harm.

### **6.2 UNNECESSARY USE OF ANIMALS FOR SCIENTIFIC PURPOSES**

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- a) The SPCA is opposed to the use of animals for scientific purposes which are repetitions, scientifically trivial or which involve techniques for which satisfactory humane alternatives have already been developed.
- b) The SPCA is opposed to the use of animals in the testing of non-essential substances.
- c) The SPCA is opposed to the use of wild-caught animals of any species regardless of their conservation status.

### **6.3 ANIMAL ETHICS COMMITTEES**

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The SPCA is opposed to the use of animals for scientific purposes without ethical approval by a properly constituted animal ethics committee.

### **6.4 The 4 Rs GUIDING PRINCIPLES**

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The SPCA supports the development of the 4 Rs guiding principles, namely replacement, reduction, refinement and responsibility when using animals for scientific purposes.

## **7. ANIMALS FOR EXHIBITION, ENTERTAINMENT OR SPORT**

The SPCA is opposed to the use of any animal for exhibition, entertainment or sport which causes or may cause pain, suffering, distress or lasting harm.

### **7.1 HUNTING AND FISHING**

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The SPCA is opposed to the hunting and fishing of any animal for exhibition, entertainment or sport.

### **7.2 SPORTING DISCIPLINES**

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The SPCA is opposed to the use of any animal in a sport which causes or may cause pain, suffering, distress or lasting harm, whether during training, the performance or otherwise.

### **7.3 ANIMAL RACING**

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The SPCA is opposed to animal racing in any form.

### **7.4 ANIMAL FIGHTING**

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The SPCA is opposed to the use of animals in any form of fighting, whether against man or animal.

### **7.5 ANIMALS USED IN MEDIA**

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The SPCA opposes the portrayal of any action depicting or suggesting irresponsible or harmful behaviour towards animals in any form of media.

## **8. WILDLIFE**

### **8.1 WILDLIFE FARMING PRACTICES / SYSTEMS**

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The SPCA is opposed to all forms of wildlife farming, farming systems and animal husbandry practises which causes or may cause pain, suffering, distress or lasting harm.

### **8.2 HYBRIDS AND COLOUR MORPHS**

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The SPCA is opposed to the hybridisation, propagation of colour morphs and crossing of wild with domesticated animals.

### **8.3 KEEPING AND/OR BREEDING OF WILD ANIMALS**

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The SPCA is opposed to the keeping and or breeding of indigenous and exotic wild species in captivity for reasons other than for bona fide conservation purposes, or for rehabilitation and/or sanctuary purposes in facilities approved by the National Council of SPCAs.



## **8.4 WILDLIFE INTERACTIONS**

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The SPCA is opposed to interactions between humans and wild animals, except for bona fide conservation purposes, reasons based on animal well-being, or where the interaction between animal and caregiver is necessary.

## **8.5 TRADE IN WILDLIFE**

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The SPCA is opposed to the trade in wild animals which causes or may cause pain, suffering, distress or lasting harm. The SPCA is opposed to the trade in products derived from wild animals.

## **8.6 CONSERVATION MANAGEMENT PROCEDURES ON WILD ANIMALS**

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The SPCA recognises that there are management procedures necessary for conservation management, research, protection and monitoring of wild animals, but is opposed to any technique which causes or may cause pain, suffering, distress or lasting harm.

## **9. EDUCATION**

### **9.1 ANIMALS IN EDUCATION, TEACHING AND TRAINING**

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The SPCA is opposed to the use of animals for education, teaching and training which causes or may cause pain, suffering, distress or lasting harm, unless a justifiable animal well-being rationale for keeping the animals can be demonstrated.

### **9.2 DISSECTION**

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The SPCA is opposed to the practice of dissecting vertebrate and invertebrate animals in schools.

## **10. WORKING AND SERVICE ANIMALS**

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The SPCA is opposed to the use of domesticated working and service animals which causes or may cause pain, suffering, distress or lasting harm.