

CAMPAIGN FOR THE PROTECTION OF SHECHITA

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702

Mr Tony Hughes
DEFRA
Animal Welfare Division
Room 605
1A Page Street
London SW1P 4PQ

13 December 2001

Ref WAS 147 B

Dear Mr Hughes

AMENDMENTS TO WASK 1995

We represent Orthodox Jewish communities in the UK and thousands of British Jews who are concerned and alarmed by periodic attempts to interfere with their freedom of religious belief and practice, and their civil liberties, in regard to the right to eat fresh meat and poultry (and their products) prepared in accordance with Jewish dietary law.

We have been consulted by successive Ministers and officials of MAFF on EU and UK legislation affecting shechita (the Jewish religious-humane method of food animal and poultry slaughter) and have assisted in drafting legislative provisions enacted in this field.

I refer to DEFRA's letter dated December 11 and, in particular, to paragraph 2(a) of Appendix I which mentions a draft EU Directive proposing a ban on severance of the oesophagus which "will be dealt with at a later date."

As you know, slaughter in the prescribed manner is enacted in Paragraphs 6(b) and 9(a) of Part II of Schedule 12 to WASK 1995. The Code of Practice on the Welfare of Red Meat Animals at Slaughter, issued by DEFRA on September 14 2001 re-states the statutory wording. To permit slaughter by the Jewish method, Paragraph 94 of the Code adds:

"This provision does not preclude severance of the oesophagus or trachea."

Halacha (Jewish religious law) requires the incising of these organs as an integral part of the performance of shechita. Any impediment or interference with the incision prevents the performance of shechita and would deprive British Jews of their right to eat fresh meat and poultry (and their products) prepared in accordance with religious requirements.

/We should...

President: Rabbi Neville Kesselman MA Barrister-at-law of Gray's Inn

Vice President: Chanoch Kesselman

Rabbinical Advisor: Rabbi Benjamin Vorst

Political Director: Professor Geoffrey Alderman MA DPhil (Oxon) FRHistS FRSA MIQA

...cont.

We should be most grateful for reassurance from DEFRA and for clarification of the Department's position on this matter. In the event of a draft EU Directive (or draft amendment to UK legislation) proposing a ban on severance of the oesophagus, would the Department exercise derogation from such an EU Regulation (or reject such amendment, if proposed in the UK) thus ensuring that the continued performance of shechita be permitted?

Will the Department confirm that it would not recommend or adopt the repeal of any statutory provision or exemption which permits the continued performance of the Jewish method in this country?

I look forward to your reply.

Yours sincerely

Rabbi N. Kesselman

cc
Mr G W Noble
DEFRA
Animal Welfare Division
Room 501a
1A Page Street
London SW1P 4PQ

and

Mr Andrew Dismore MP
House of Commons
London SW1 0AA

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Mr Ben Bradshaw MP
Minister for Nature Conservation & Fisheries
DEFRA
Nobel House
17 Smith Square
London SW1P 3JR

Your Ref: 183312/on

5 August 2003

Dear Mr Bradshaw

FAWC Red Meat Animals Report June 2003

We write further to our letter to you dated 7 July with our enclosed Statement.

Mr Andrew Dismore MP (correspondence reference: J/08/01/0228) helpfully sent me a copy of your letter to him dated 11 July which expresses Government policy on the matter of pre-slaughter stunning. There are of course, other recommendations by FAWC which if implemented, will prevent the due process of shechita, the Jewish religious-humane method of food animal and poultry slaughter.

We are gratified to note that the Government "*recognises the needs of certain communities and accepts the importance they attach to the right to slaughter animals for food in accordance with their beliefs.*" With respect this is the very least to be expected of a democratically elected government which expressly espouses the principles of liberty and diversity. This includes the right to perform all aspects of the religious requirements pertaining to shechita including, inter alia, the shochet's inspections and examinations of an animal after shechita, as hitherto. Any interference with the due process, whether by mechanical, electrical, chemical or gas stunning before, during or after shechita, or by impeding the inspections or examinations referred to above, or any other laws of kashrut (Jewish dietary law), are in breach of religious requirements and an infringement of the right recognised by Government.

There is however an additional issue which causes major concern in Britain among those in the Jewish community who we represent. This concern results from the frequent endeavours, in Parliament and by agencies outside, to interfere through legislation, with the freedom of religious belief and practice, and civil liberties. There is no alternative method permitted to Jews. Any impediment through legislation will deprive many thousands of law abiding citizens, young, old and infirm and those in hospital, of their right to eat kosher meat and poultry and their products.

You state in your letter of 11 July:

"...we would prefer that all animals are stunned before slaughter..."

/This statement...

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This statement challenges the contention, supported by abundant scientific evidence, that shechita stuns and dispatches in one humane operation. The method accomplishes what other methods attempt, namely the immediate and irreversible abolition of consciousness until death supervenes. It is pertinent to record that when he was Minister of Agriculture, Dr Jack Cunningham MP, accepted the humaneness of shechita and described it as "Jewish religious-humane slaughter" (letters from him to me dated 15 June & 15 July 1998).

The stunning involved in the process of shechita conforms with the requirements of the legislation:

"stunning", in relation to an animal, means any process which causes immediate loss of consciousness which lasts until death;
(paragraph 2 (1) of Part I to The Welfare of Animals (Slaughter or Killing) Regulations 1995) (WASK 1995).

In the light of your stated preference above (that all animals are stunned before slaughter), we cannot understand how you interpret the meaning of the Regulations, since shechita is included in "any process".

Successive governments have failed to recognise that the shechita process also provides an efficient, irreversible and humane stun. This has caused a grievous sense of unfairness and insecurity to British Jews when this issue recurs every few years.

As with FAWC, the Government has ignored the evidence that shechita is a humane method. The proposition that shechita is painful and inhumane is founded on false assumptions and bias.

In its Report FAWC makes a significant admission:

"It is difficult to measure pain and distress during the slaughter process in an objective scientific manner and subjective indicators... are prevented from being displayed..." (FAWC Report June 2003 para 194 p 34)

This admission was similarly expressed by FAWC in its 1985 report (Ref: Book 262). It gives us reasonable cause to believe that anti-shechita agitation, including the recommendation to repeal the exemption in paragraph 22 of Part IV to WASK 1995, is founded on considerations other than animal welfare.

Manifestation of bias by FAWC is plainly self-evident. Out of 94 Recommendations, the Council chose to express criticism only of religious slaughter in **bold type**, (FAWC Report June 2003, para 200 page 36). However, FAWC criticises the wide use of the electric goad in general slaughter methods as, *"inappropriate and habitual use of electric goads..."* and, *"habitual, and excessive use of goads"* (para 107, p 21). This criticism is printed in plain type. Although the goad is an instrument used with the intention of inflicting pain on cattle, FAWC makes no mention of the pain and distress inflicted. Where is the fairness and impartiality in FAWC's Report?

It is dishonourable for a government advisory body to take four years to prepare its Report, and at considerable public expense, and at the end produces a report manifesting bias and partiality against a significant section of a British community. FAWC's Report, imbalanced by its admitted absence of sufficient evidence and objective measurement, condemns a religious process.

/We believe...

We believe that this demonstrates that FAWC has not fulfilled its elementary obligation of adducing clear scientific evidence to support their case. Their biased Recommendations therefore, forfeit credibility as a basis for proposed legislation.

We were disappointed that the meeting with you scheduled for the 30 July could not take place. As an independent organisation with a substantial constituency in the British Jewish community, we would value the opportunity to meet you.

Yours sincerely



Neville Kesselman

Cc Rt Hon David Blunkett MP

Rt Hon Margaret Beckett MP

Mr Andrew Dismore MP

Mr Tony Hughes

Sir Trevor Phillips

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21 August 2003

From the Minister for Nature Conservation and Fisheries
Ben Bradshaw MP

Dear Neville,

Thank you for your letter of 5 August regarding the Farm Animal Welfare Council's (FAWC) report on the welfare of red meat animals at slaughter or killing.

Firstly, I must reject your attack on the integrity of FAWC and its members. FAWC is the Government's independent advisory body on animal welfare and its members have a responsibility to advise Government on ways to improve animal welfare. They are not asked to take political, social or religious issues into consideration when making their recommendations and it is wrong to accuse them of being biased. They have no axe to grind other than their belief in what is best for the welfare of farmed animals. ✓

Secondly, while I recognise that you have strong views on the subject of religious slaughter, at this stage there is nothing I can usefully add to my letter of 11 July to Andrew Dismore. I can only reiterate that we are currently carrying out a full evaluation of the FAWC report. Once our evaluation is complete, there will be a full consultation with the large number of people and organisations with an interest.

I was disappointed that the meeting scheduled for the end of last month was cancelled by the Jewish organisations. However, I think you are aware that the meeting has now been rescheduled for 1 September at Witney, Oxon.

I am copying my letter to the recipients of yours.

With best wishes

BEN BRADSHAW