To inspect, to motivate — or to do both? A dilemma for on-farm inspection of animal welfare

I Anneberg*†, M Vaarst† and P Sandøe‡

† Department of Animal Science, Aarhus University, Blichers Allé 20, 8830 Tjele, Denmark
‡ Department of Large Animal Sciences, University of Copenhagen, Grennegårdsvej 2, 1870 Frederiksberg, Denmark
* Contact for correspondence and request for reprints: inger.anneberg@agrsci.dk

Abstract

The ultimate aim of this paper is to study and discuss a central dilemma within inspection of animal welfare. On the one hand, it may be argued that controllers should check only whether farmers comply or not with animal welfare regulation. Here, the key value is the rule of law, and that all offenders should be treated equally. On the other hand, it may be argued that an important component of inspections is to enter into dialogue with farmers. This may be based on a more forward-looking view aimed at motivating farmers to look after the welfare of the animals in their care. In European countries, authorities try to enforce animal welfare legislation through inspections followed up by penalties in instances where a lack of compliance is found. However, the fairness and efficiency, and ultimately the public acceptance of the system, critically depend on the performance of the individual inspector. This paper presents the results of an interview-study into how Danish animal welfare inspectors view their own role and tasks. In the main results, a theme of disagreement presented itself and revealed different attitudes in terms of the possibility of engaging in a dialogue with the farmers. The first theme focused on the preventive aspect. The second had its focus on compliance and on the avoidance of engaging in dialogue with the farmer regarding the reasons for the regulations. Moreover, a theme of agreement showed interpretation as unavoidable. We discuss how the points of view or strategies of the inspectors may affect the outcome of animal welfare inspections, both on a short- and long-term basis. We argue that this study can initiate a necessary and more open discussion of the aforementioned dilemma.

Keywords: animal welfare, control, dilemma, ethic, inspectors’ experiences, legislation

Introduction

“No, I didn’t see any point in discussing the farmer’s choice. I sometimes do discuss why a certain regulation [of animal welfare] exists, but very often I just state: “This is the way it is”. No point in discussing why, if they can’t see it by themselves…” (Inspector I).

“During inspection you don’t look exclusively for whether any harm has already been done, […] You do that too, but many of the regulations really exist to prevent animal welfare problems. I find it important to explain what is behind the regulations, because if you expect them to do things right the next time, they need to understand what the meaning behind it is” (Inspector D).

These two quotations, from animal welfare inspectors in Denmark, vividly illustrate a dilemma linked to the enforcement of farm animal welfare legislation. On the one hand, it may be argued that controllers should only check whether farmers do or do not comply with animal welfare regulation. Here, the key value is the rule of law, and that all offenders should be treated equally. On the other hand, it may be argued that entering into dialogue with farmers is an important element of inspections. This may be based on a more forward-looking view aimed at motivating farmers to look after the welfare of the animals in their care.

This dilemma may lead to different individual strategies among animal welfare inspectors. Thus, the way in which animal welfare inspections are carried out in practice at farm level will be influenced by individual strategies pursued by the inspectors, no matter which guidelines are formulated at the highest administrative level. This phenomenon has been studied by Michael Lipsky in his book about street-level bureaucracy (Lipsky 2010 [1980]). He describes how street-level bureaucrats, on the one hand, have to achieve policy objectives originating from the political process and — on the other — have to deal with situations which require improvisation and responsiveness to the individual case. According to Lipsky, the dilemma behind this is how to treat all citizens equally in their claims on governance, and at the same time respond appropriately to the individual case. In Lipsky’s thinking, it is fundamental that street-level bureaucrats are policy-makers on two levels. They exercise wide discretion on decisions about citizens with whom they interact. In this way, their individual actions ‘add up’ to