

Policy Brief

06 October 2025

Farrowing crates in pig farming

Implications of the Animal Welfare
(Regulations for Management of Pigs)
Amendment Bill for New Zealand lawmaking



Photo Credit: Jo-Anne McArthur / Essere Animali / We Animals

Key Messages

- This is a policy brief from SPCA to provide information on farrowing crates and highlight wider concerns about the process by which the current regulations are being proposed.
- SPCA has been blindsided by the Government's approach [Appendix 1]. We are concerned that the process by which these regulations are being introduced may be designed to undermine the purpose of the Animal Welfare Act as established by a previous Parliament, while avoiding judicial oversight. Anyone concerned with principled law-making in any sector should be troubled by the Government's approach.
- The New Zealand pork industry is made up of around 70-80 commercial farms; around 35-40 of those farms already farrow without the use of crates according to the Regulatory Impact Statement. SPCA works collaboratively with farmers and government to improve farmed animal welfare, and supports higher-welfare pig farming.
- New requirements for farrowing crates have been delayed and uncertain, despite the planned phase-out of crates by December 2025. SPCA has not been involved in any formal discussion of the standards since December 2022.
- Crates severely restrict sows' natural behaviours, cause health issues (pressure sores, lameness), and negatively affect piglet welfare (higher stillbirths, poor maternal care). Well-designed free-farrowing pens can achieve comparable or improved piglet survival.
- A growing number of countries have phased out farrowing crates or have pledged not to build new crates, either through Government standards or through industry leadership.
- SPCA recommends the following: that public input is prioritised during the Bill's process; that there is an independent review of the process for developing secondary legislation under the Act; that the transition is towards practices that are compliant with the law; that clauses restricting advisory committee advice are removed from the Bill; that low-welfare pork imports are restricted; and that transition support is provided.
- SPCA remains available to advise on other aspects of pig welfare.

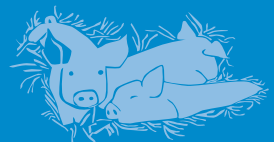
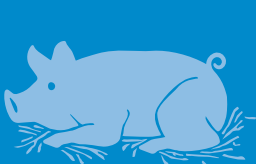
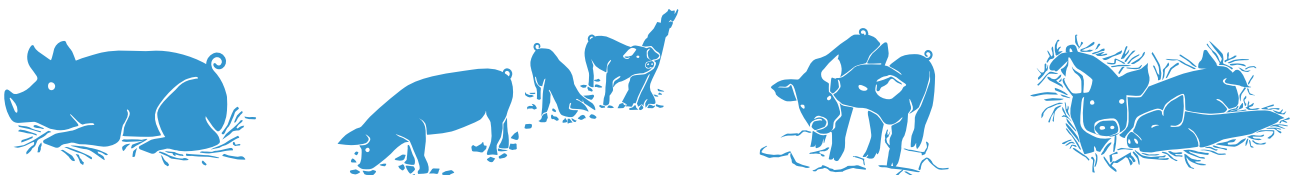


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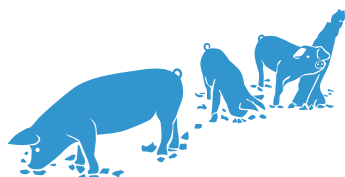
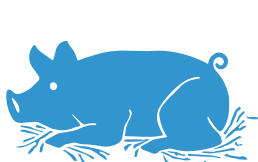
SPCA New Zealand supports high welfare pig farming

1. SPCA works collaboratively with industry and government to achieve high welfare standards for farmed animals, using evidence-based positions. We do not call for an end to animal farming but instead advocate for improving the lives of farmed animals.
2. In the case of pig farming, SPCA has consistently supported high-welfare systems. Our SPCA Certified assurance programme certifies New Zealand's largest pig farm, and we support NZ Pork's calls for restrictions on low-welfare imports and clear country-of-origin labelling^{1,2}. We know that farmers share our values for animal welfare, and we are committed to working with them to ensure better lives for pigs.
3. The code review process has been marked by delays and uncertainty. NZ Pork itself has raised that *"There remains significant uncertainty among our farmers about what changes will be needed, especially given the potential level of investment..."*³. SPCA shared this concern about significant delays, particularly given that publicly, the current use of farrowing crates was due to end by 18 December 2025.
4. Farrowing crates were only ever permitted under an "exceptional circumstances" clause or transitional regulations, and their use has been debated for decades. Government and industry should have anticipated their phase-out and planned accordingly.
5. Our organisation understands the challenges to the industry of ending the use of farrowing crates. SPCA has consistently supported a fair transition period alongside interventions to assist farmers like funded research, extension services & education, targeted grants, and restrictions on low-welfare imports.
6. While we support high welfare pig farming, SPCA unequivocally opposes farrowing crates and advocates for systems in line with current science and public expectations.

¹ Petition of Frances Clement: Apply equal animal welfare standards to imported and New Zealand farmed pork - Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA) https://www3.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCPP_EVI_111558_PP4501/royal-new-zealand-society-for-the-prevention-of-cruelty

² Consumers' Right to Know (Country of Origin of Food) Bill - SPCA New Zealand https://www3.parliament.nz/en/pb/sc/submissions-and-advice/document/52SCPP_EVI_72059_2100/spca-new-zealand

³ <https://www.nzpork.co.nz/news-events/pig-code-delays-prolong-uncertainty>



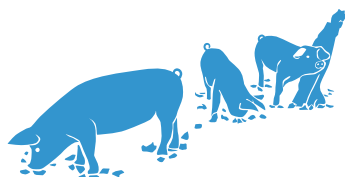
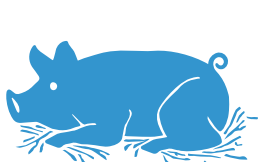
The New Zealand public has a significant interest in the way animals are farmed

7. New Zealand’s animal welfare strategy, Animal Welfare Matters⁴, recognises that all New Zealanders have an interest in how New Zealand protects the welfare of its animals, and states that the public should participate in setting animal welfare standards. One of the key roles of Government is listed as providing opportunities for people to participate in decision-making.
8. According to the Ministry for Primary Industries’ website, “New Zealanders have high expectations that animals under human care are well looked after”, and animal welfare policy and law should be implemented with the aim of “supporting society’s expectations for the welfare and humane treatment of animals.”⁵
9. A farmed animals survey commissioned by SPCA in August 2025 (yet to be published) found that 90 % of respondents agree that it is important to protect the welfare of farmed animals, and 85 % agree that imported animal products should have to meet the same welfare standards as local products. 79 % agree that intensive animal farming (i.e. caging) harms welfare, and 85 % agree that the government has a responsibility to ensure high welfare standards.
10. As of 2 October 2025, SPCA has commissioned an additional survey to understand public sentiment specific to farrowing crates and temporary crating.
11. The last Parliamentary petition on this topic, submitted by SAFE in 2018, gathered 112,844 signatures and was reported as the largest petition in five years at the time⁶. The final report on that petition stated that the subject matter of the petition had been directly addressed by the High Court ruling in 2020 that the standards for farrowing crates were unlawful.

⁴ <https://www.mpi.govt.nz/dmsdocument/3963-Animal-Welfare-Matters-New-Zealand-Animal-Welfare-Strategy/>

⁵ <https://www.mpi.govt.nz/animals/animal-welfare/animal-welfare-overview/>

⁶ <https://www.1news.co.nz/2018/03/14/farrowing-crates-for-pigs-give-piglets-best-opportunity-of-survival-says-pork-nz-as-petition-calling-for-ban-presented-to-parliament/>



The Government’s proposals were not ‘widely consulted’

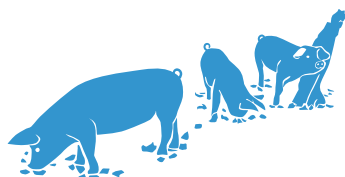
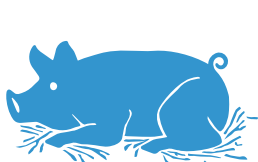
12. On 1 October 2025, 11 weeks before the transitional regulations allowing farrowing crates were to lapse, Minister Hoggard announced an extension of 10 years via an amendment Bill to be progressed under urgency. In addition, from 2035, the temporary use of farrowing crates would be allowed indefinitely. The Minister claimed to have listened to a ‘broad range of perspectives’, and pointed to ‘five years of consultation with industry, key stakeholders, veterinarians and the public’.⁷
13. The most recent public consultation was in 2022, and the proposals were substantially different. The Minister’s proposals have never been consulted with the public.
14. The following table compares the key proposals at each stage, and compares them to NZ Pork’s proposed alternative standards⁸.

	Public consultation to come into force from 2025	Minister’s proposals to come into force from 2035	NZ Pork’s proposals
Farrowing	<p>Either a ban on farrowing crates + requirement for larger pens</p> <p>Or up to 72 hours in a crate, only after farrowing, and only after nest-building is complete + requirement for larger pens</p>	<p>A regulation allowing confinement of sows for a maximum of three days pre-farrowing, and four days post-farrowing.</p> <p>No change to pen size</p>	<p>No more than 7 days crating in total, including a maximum of 4 days post-farrowing</p> <p>No change to pen size</p>
Nesting	<p>A requirement to provide 2kg of straw, or an equivalent volume of a similar material - in a pen rather than a crate</p>	<p>Provide ‘manipulable and deformable materials’* - in a crate</p>	<p>Providing all sows with manipulable material before farrowing - in a crate</p>
Space for grower pigs	<p>Either a 56 % or 140 % increase in space</p>	<p>Increasing the minimum spacing requirements by 13.3 %</p>	<p>Increasing the minimum space allowance by 13.3 %</p>

*‘Manipulable material’, in the past, has referred to items like hessian sacks tied to the front of the cage

⁷ <https://www.beehive.govt.nz/release/animal-welfare-requirements-pig-farming-be-strengthened>

⁸ <https://www.supportnzpigfarmers.co.nz/>



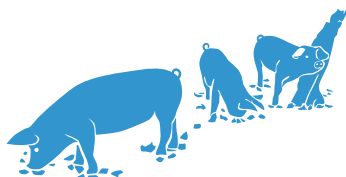
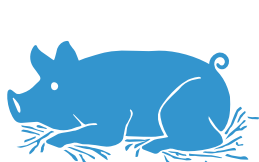
15. The proposals put to the public were developed by the National Animal Welfare Advisory Committee, the Minister’s independent advisors. It is not clear whether they support or have advised on the Minister’s current proposals.
16. Since public consultation, SPCA has been invited to one meeting with MPI: in December 2022. We sent a letter in January 2023 as a follow-up, which warned that MPI’s approach during early post-consultation would open up the risk of judicial review [Appendix 2]. SPCA has not formally heard from MPI about pigs since.
17. We note that the Regulatory Impact Statement for the Bill⁹ describes the post-consultation stage (from paragraph 47), and explains that “*a targeted consultation process was carried out with NZ Pork between February 2024 and March 2025*”, to “*better understand its concerns and perspectives.*”
18. Animal welfare is a matter of strong public interest, and it is essential that Animal Welfare (Regulations for Management of Pigs) Amendment Bill allows public input. Introducing the Bill under urgency risks curtailing consultation and undermining public confidence in its outcomes. SPCA urges that the process prioritises public participation.

Farrowing crates are not compliant with the Animal Welfare Act 1999

19. Between 1999 and 2015, the practice of using farrowing crates was non-compliant with the Animal Welfare Act 1999 (the Act), but was permitted under an ‘exceptional circumstances’ exemption in s 73(3). In the 2015 amendment of the Act, the ‘exceptional circumstances’ exemption was repealed by Parliament and replaced by transitional regulations, which could allow otherwise non-compliant practices but only for a maximum of ten years.¹⁰
20. In 2018, the then-Minister of Agriculture issued regulations and minimum standards which allowed farrowing crates without specifying a transition time, essentially allowing non-compliant practices to continue indefinitely.
21. In response, a judicial review was filed. The standards allowing farrowing crates and mating stalls for sows were ruled to be unlawful and invalid in a landmark ruling which highlighted a clear discrepancy between the Act and its delegated legislation.

⁹ <https://www.mpi.govt.nz/dmsdocument/70614-Regulatory-Impact-Statement-Regulations-to-improve-the-welfare-of-pigs/>

¹⁰ The New Zealand Animal Law Association v The Attorney-General (2020) NZHC 3009



22. Regulations were set to phase out the current or traditional use of farrowing crates by 2025. Media in New Zealand and internationally led with headlines like “Government to phase out use of farrowing crates in pork farming by 2025”¹¹ and “High Court rules farrowing crates for pigs unlawful”^{12,13}. The public likely gained the impression that farrowing crates are, or soon will be, banned.
23. The existing farrowing crate transition was due to end on 18 December 2025. Regulations normally can only be extended once for a maximum of five years, and only if the Minister is satisfied that most producers have made significant progress towards becoming compliant, and will do so within the extended period (s 183(A)(6)). No information had been released by MPI or industry regarding their progress, which differed significantly from the transition away from battery cages, where the Egg Producers Federation provided annual progress reports published on MPI’s website.
24. The use of farrowing crates causes significant animal welfare issues for both sow and piglets¹⁴. For piglets, their use is associated with increased risk of stillbirth¹⁵, reduced growth rates^{16,17,18}, poorer maternal attention and sow-piglet interaction and increased risk of mis-mothering (e.g. savaging)¹⁹, and a lack of enrichment and space^{20,21}. For sows, their use is associated with restriction of the expression of almost all normal behaviour, including turning around, walking, resting comfortably, creating separate functional areas (lying area, toileting area, feeding area and nesting area), rooting and maternal and nesting behaviours²². They are associated with health problems such as pressure sores, teat cuts and lameness^{23,24,25}, frustration, boredom, pain and distress caused by the prolonged confinement²⁶.

¹¹ <https://www.stuff.co.nz/rural/350552357/government-to-phase-out-use-of-farrowing-crates-in-pork-farming-by-2025>

¹² <https://www.rnz.co.nz/news/national/430559/high-court-rules-farrowing-crates-for-pigs-unlawful>

¹³ <https://www.pigprogress.net/pigs/new-zealand-farrowing-crates-for-pigs-are-unlawful/>

¹⁴ EFSA Panel on Animal Health and Welfare (AHAW), Nielsen S. S., Alvarez J., Bicout D. J., Calistri P., Canali E., et al. (2022). Welfare of pigs on farm. EFSA <https://efsa.onlinelibrary.wiley.com/doi/epdf/10.2903/j.efsa.2022.7421?>

¹⁵ Condous PC, Plush KJ, Tilbrook AJ, van Wetters (2016) Reducing sow confinement during farrowing and in early lactation increases piglet mortality. *J Anim Sci*.

¹⁶ Yun J., Valros A. (2015). Benefits of prepartum nest-building behaviour on parturition and lactation in sows-A review. *Asian Australas. J. Anim. Sci*.

¹⁷ Baxter E. M., Andersen I. L., Edwards S. A. (2018). “Sow welfare in the farrowing crate and alternatives,” in *Advances in Pig Welfare*

¹⁸ Baxter E. M., Edwards S. (2021). “Optimising sow and piglet welfare during farrowing and lactation,” *Understanding the Behaviour and Improving Welfare of Pigs*

¹⁹ Singh, C., Verdon, M., Cronin, G. M., & Hemsworth, P. H. (2017). The behaviour and welfare of sows and piglets in farrowing crates or lactation pens. *Animal*

²⁰ Nowland TL, van Wetters WHEJ, Plush KJ. (2019) Allowing sows to farrow unconfined has positive implications for sow and piglet welfare. *Appl Anim Behav Sci*.

²¹ Baxter EM, Jarvis S, Sherwood L, Farish M, Roehe R, Lawrence AB, et al. (2011) Genetic and environmental effects on piglet survival and maternal behaviour of the farrowing sow. *Appl Anim Behav Sci*.

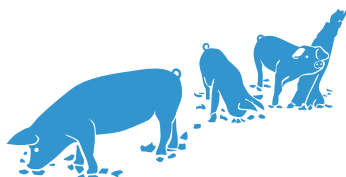
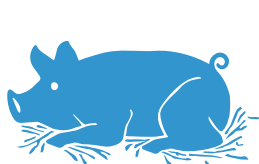
²² Barnett J. L., Hemsworth P. H., Cronin G. M., Jongman E. C., Hutson G. D. (2001). A review of the welfare issues for sows and piglets in relation to housing.

²³ Edwards, S.A. and Lightfoot, A. L. (1986) ‘The effect of floor type in farrowing pens on pig injury. II. Leg and teat damage of sows’, *British Veterinary Journal*

²⁴ Zoric, M., Mattsson, S., Kjellerby, P. and Wallgren, P. (2008) Incidence of Lameness and Abrasions in Piglets in Identical Farrowing Pens with different types Pens

²⁵ Rioja-Lang F. C., Seddon Y. M., Brown J. A. (2018). Shoulder lesions in sows: a review of their causes, prevention, and treatment. *J. Swine HealthProd*.

²⁶ Zhang X, Li C, Hao Y, Gu X. (2020) Effects of different farrowing environments on the behavior of sows and piglets. *Animals*.



25. The farrowing crate does not and cannot provide for the normal behaviour of the sow. In particular, sows are highly motivated to build a nest before giving birth. Nest building prepares the sow for farrowing^{27,28,29}.

“Farrowing crates carry the same ethical concerns from a veterinary perspective as gestation crates. They are essentially the same thing, but with an added layer of deprivation, in this inability to nest and tend to her young.”

Dr Alice Brough, pig veterinarian³⁰

26. In crates – **including temporary crates** – sows do not have enough space to build a nest, and provision of nest-building substrates are difficult on slatted floors because they block drainage. This results in stress and frustration and has a detrimental impact on farrowing and maternal behaviours, e.g. longer farrowing times, higher stillbirths and delayed colostrum release, shorter milk let down and reduced suckling^{31,32,33,34,35,36,37,38}. This video from Scotland’s Rural College compares nest building in a free versus a crated sow: <https://vimeo.com/100786957?fl=pl&fe=sh>.
27. Farrowing crates were introduced to protect piglets from being crushed by the sow. The large size of the modern sow compared to her piglets (with breeding aiming for larger litter sizes over time) means that crushing is a valid concern in all systems.

²⁷ Bolhuis JE, Raats-van den Boogaard AME, Hoofs AIJ, Soede NM. (2018) Effects of loose housing and the provision of alternative nesting material on peri-partum sow behaviour and piglet survival. *Appl Anim Behav Sci*.

²⁸ Rosvold EM, Newberry RC, Framstad T, Andersen IL. (2018) Nest-building behaviour and activity budgets of sows provided with different materials. *Appl Anim Behav Sci*.

²⁹ Rosvold EM, Newberry RC, Andersen IL. (2019) Early mother-young interactions in domestic sows – Nest-building material increases maternal investment. *Appl Anim Behav Sci*.

³⁰ Pig Vet in Parliament: Why we must stop caging pigs <https://www.youtube.com/watch?v=li8ea77YNLs&t=5s>

³¹ Baxter EM, Andersen IL, Edwards SA. (2017) Sow welfare in the farrowing crate and alternatives. *Advances in Pig Welfare*.

³² Lawrence AB, Petherick JC, McLean KA, Deans LA, Chirnside J, Gaughan A, et al. (1994) The effect of environment on behaviour, plasma cortisol and prolactin in parturient sows. *Appl Anim Behav Sci*.

³³ Jarvis S, D’Eath RB, Robson SK, Lawrence AB. (2006) The effect of confinement during lactation on the hypothalamic-pituitary- adrenal axis and behaviour of primiparous sows. *Physiol Behav*.

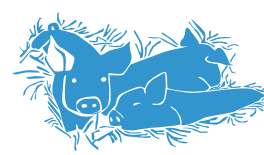
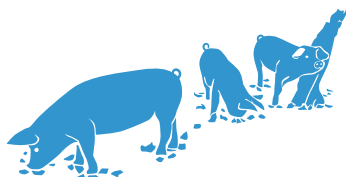
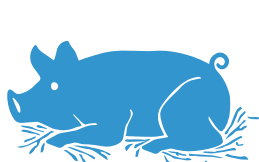
³⁴ Oliviero, C., Heinonen, M., Valros, A., Halli, O. and Peltoniemi, O. A. T. (2008) ‘Effect of the environment on the physiology of the sow during late pregnancy, farrowing and early lactation’, *Animal Reproduction Science*

³⁵ Dybjaer, L., Olsen, A. N. W., Miller, F. and Jensen, K. H. (2001) ‘Effects of Farrowing Conditions on Behaviour in Multi-suckling Pens for Pigs’, *Acta Agriculturae Scandinavica*

³⁶ Devillers, N. and Farmer, C. (2008) ‘Effects of a new housing system and temperature on sow behaviour during lactation’, *Acta Agriculturae Scandinavica*

³⁷ Litschauer, K., Haidn, B. and Auernhammer, H. (2006) Circular Crates for Farrowing Sows- Effects on Animal Behaviour

³⁸ Pedersen, M.L., Mousten, V.A., Nielsen, M.B.F. and Kristensen, A.R. (2011) Improved udder access prolongs duration of milk letdown and increases piglet weight gain. *Livestock Science*



28. However, **fully free farrowing systems have successfully demonstrated comparable or indeed improved piglet mortality to farrowing crate systems**^{39,40,41,42,43,44,45,46}.

29. To achieve comparable mortality rates, farrowing systems need to be designed to give the sow enough space to move around, stand up and lie down, promote good maternal behaviour (in particular nesting behaviour), be able to protect the piglets without restraining the sow and allow staff to safely enter the pen.



Free farrowing sows in a PigSAFE system at SRUC's farm ©Compassion in World Farming; SRUC

30. Stock person training and experience with managing a free farrowing system and sow habituation to a new system are crucial in achieving welfare and productivity^{47,48,49,50,51}.

³⁹ Edwards, S.A., Brett, M., Guy, J.H., and Baxter, E.M. (2011) Practical evaluation of an indoor free farrowing system: the PigSAFE pen. In: Proceedings of 62nd Annual Meeting EAAP

⁴⁰ Edwards, S.A., Brett, M., Guy, J.H., and Baxter, E.M. (2011) Practical evaluation of an indoor free farrowing system: the PigSAFE pen.

⁴¹ Weber R, Burla JB, Jossen M, Wechsler B. (2020) Piglet losses in free-farrowing pens: Influence of litter size. *Agrarforsch Schweiz*.

⁴² Loftus L, Bell G, Padmore E, Atkinson S, Henworth A, Hoyle M. (2020) The effect of two different farrowing systems on sow behaviour, and piglet behaviour, mortality and growth. *Appl Anim Behav Sci*.

⁴³ KilBride AL, Mendl M, Statham P, Held S, Harris M, Cooper S, et al. (2012) A cohort study of preweaning piglet mortality and farrowing accommodation on 112 commercial pig farms in England. *Prev Vet Med*.

⁴⁴ Kinane O, Butler F, O'driscoll K. (2021) Freedom to grow: Improving sow welfare also benefits piglets. *Animals*.

⁴⁵ Hemsworth, P. H., Tilbrook, A. J., Galea, R. Y., Lucas, M. E., Chidgey, K. L., & Hemsworth, L. M. (2023). Review of the influence of farrowing and lactation housing and positive human contact on sow and piglet welfare. *Frontiers in Animal Science*, 4, 1230830.

⁴⁶ Baxter EM, Lawrence AB, Edwards SA. (2011) Alternative farrowing systems: design criteria for farrowing systems based on the biological needs of sows and piglets. *Animal*.

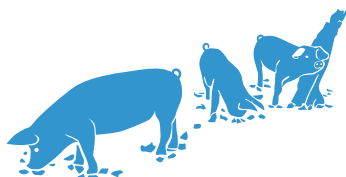
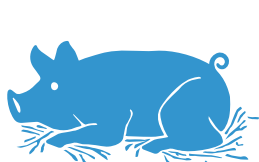
⁴⁷ Baxter EM, Lawrence AB, Edwards SA. (2011) Alternative farrowing systems: design criteria for farrowing systems based on the biological needs of sows and piglets. *Animal*.

⁴⁸ Andersen IL, Oceppek M. (2022) Farrowing Pens for Individually Loose-Housed Sows: Results on the Development of the SowComfort Farrowing Pen. *Agriculture*

⁴⁹ King R, Baxter EM, Matheson SM, Edwards SA. (2019) Consistency is key: Interactions of current and previous farrowing system on litter size and piglet mortality.

⁵⁰ Baxter EM, Adeleye OO, Jack MC, Farish M, Ison SH, Edwards SA. (2015) Achieving optimum performance in a loose-housed farrowing system for sows: the effects of space and temperature

⁵¹ King R, Baxter E, Matheson S. (2018) Sow free farrowing behaviour: experiential, seasonal and individual variation. *Appl Anim Behav Sci*



Temporary crating systems and maternity rings are also unlikely to be compliant with the Act

31. Temporary crates are indoor farrowing pens in which sows are routinely confined around farrowing (usually five to two days before farrowing and for three to seven days after farrowing). The crate is then opened to allow access to a pen.
32. When in the closed position, temporary crates pose the same issues as farrowing crates, preventing the sow from nest building before farrowing^{52,53} and carrying out other normal behaviour^{54,55,56}.
33. In the open position, if the pen is too small for the sow to create separate functional areas and interact safely with her piglets, then there is little welfare benefit. Piglet mortality may also increase immediately after the crate is opened⁵⁷.
34. Temporary crating systems in pens the same footprint as a traditional crate, as proposed by the Government, may not offer significantly higher sow welfare nor lower piglet mortality. Highlighting time in crates while ignoring pen size obscures the welfare problem of mother sows being unable to build nests and care for her piglets.
35. Nevertheless, installing temporary crating systems requires retrofitting. NZ Pork has acknowledged that the Government's proposals still "*bring significant costs*"⁵⁸. If farmers must make an investment, it makes far more sense to transition directly to free farrowing – a system the National Animal Welfare Advisory Committee has indicated would comply with the Animal Welfare Act 1999.

⁵² Hansen, C. F., Hales, J., Weber, P. M., Edwards, S. A., & Moustsen, V. A. (2017). Confinement of sows 24 h before expected farrowing affects the performance of nest building behaviours but not progress of parturition. *Applied Animal Behaviour Science*

⁵³ Jarvis, S., Van der Vegt, B. J., Lawrence, A. B., McLean, K. A., Deans, L. A., Chirnside, J., & Calvert, S. K. (2001). The effect of parity and environmental restriction on behavioural and physiological responses of pre-parturient pigs. *Applied Animal Behaviour Science*

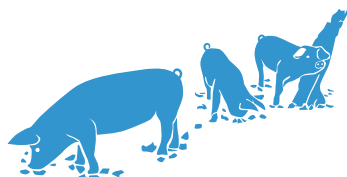
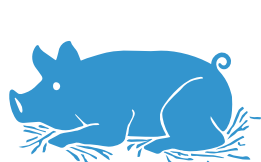
⁵⁴ Hales, J., Moustsen, V. A., Nielsen, M. B. F., & Hansen, C. F. (2016). The effect of temporary confinement of hyperprolific sows in Sow Welfare and Piglet protection pens on sow behaviour and salivary cortisol concentrations. *Applied Animal Behaviour Science*

⁵⁵ Chidgey, K. L., Morel, P. C., Stafford, K. J., & Barugh, I. W. (2016). Observations of sows and piglets housed in farrowing pens with temporary crating or farrowing crates on a commercial farm. *Applied Animal Behaviour Science*

⁵⁶ Baxter EM, Lawrence AB, Edwards SA. (2012) Alternative farrowing accommodation: Welfare and economic aspects of existing farrowing and lactation systems for pigs. *Animal*.

⁵⁷ King, R. L., Baxter, E. M., Matheson, S. M., & Edwards, S. A. (2019). Temporary crate opening procedure affects immediate post-opening piglet mortality and sow behaviour. *Animal*, 13(1), 189-197.

⁵⁸ <https://www.nzpork.co.nz/news-events/new-zealand-pig-farmers-face-major-changes-under-governments-new-animal-welfare-proposals>



“Temporary crating systems should not be used as an interim step for farms that want to convert from crates to complete free farrowing, if the total floor surface area they occupy is insufficient to allow for a well-functioning pen system.”

- European Food Safety Authority Review, 2022⁵⁹

36. The maternity ring was developed in Australia (by SunPork) as a farrowing alternative to crates. We recognise that industry-led research indicates that this offers some welfare improvements in comparison to farrowing crates, in particular, the sow being able to turn around⁶⁰. Despite this, the maternity ring still cannot fully provide for the normal behaviour of the sow. It is too small and uses fully slatted flooring, precluding walking, comfortable resting, nesting and toileting behaviours. MPI has already co-invested with industry via the SFFF fund in advance of the final standards being available.
37. Exploring any new farrowing system should be supported by robust and independent animal-based welfare assessments so that farmers do not invest in systems which are eventually shown to be inadequate for animal welfare and do not meet expectations.

The proposed standards on farrowing crates are not world leading

38. A number of countries have already implemented bans on farrowing crates, including temporary crating – see following table. Others have started industry-led transitions away from crates, acknowledging significant public concern and scientific advice.

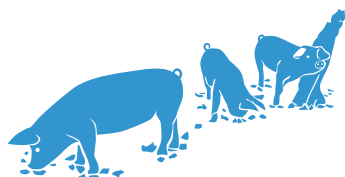
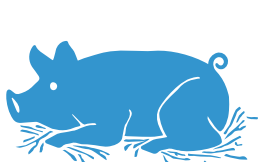
“We recognise that the future of pig farming lies in higher-welfare farrowing systems. The industry’s consensus of ‘No New Conventional Farrowing Crates’ is a significant step forward, and we are committed to supporting producers by providing innovative, practical, and welfare-friendly alternatives.”



- Lizzie Wilson, Chief Executive of the UK National Pig Association⁶¹

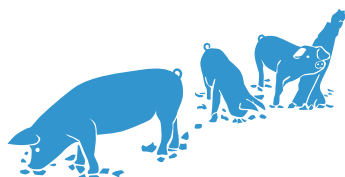
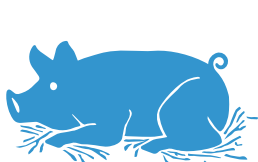
⁵⁹ EFSA Panel on Animal Health and Welfare (AHAW), Nielsen S. S., Alvarez J., Bicout D. J., Calistri P., Canali E., et al. (2022). Welfare of pigs on farm.

⁶⁰ Plush K, Lines D, Staveley L, D’Souza D and van Barneveld R (2024) A five domains assessment of sow welfare in a novel free farrowing system. Front. Vet. Sci.

⁶¹ National Pig Association <https://www.compassioninfoodbusiness.com/latest-news/our-news/compassion-launches-multi-stakeholder-action-plan-to-accelerate-phasing-out-of-farrowing-crates/>



Country	Status	Year implemented
Sweden	Farrowing crates, including temporary crates, are banned	1988
Switzerland	Farrowing crates, including temporary crates, are banned  <p><i>Example of free farrowing systems in Switzerland ©Compassion in World Farming</i></p>	2007
Norway	Farrowing crates have been banned in Norway; temporary crates are permitted for up to seven days but not routinely, and only in a pen of at least 6m²  <p><i>Example of free farrowing systems in Norway ©Compassion in World Farming</i></p>	2000
Austria	Announced a ban phasing out farrowing crates; temporary crates are permitted for up to two days, plus a minimum floor space of 5.5m² is specified and 1/3 of the floor must be solid	2033
Germany	Announced a ban phasing out farrowing crates; temporary crates are permitted for up to five days, plus a minimum floor space of 6.5m² is specified	2035
Denmark	The Danish Ministry of Agriculture and the Danish Pig Producers Association have agreed not to build farrowing crates into any new build barns	2023



Finland	<p>The building of new farrowing crates has been banned</p>  <p>Example of a free farrowing system in Finland ©Compassion in World Farming</p>	2024
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39. Beyond these existing bans, the EU and the UK are moving towards phasing out farrowing crates, recognising they do not meet public expectations:

- Following the European Citizen’s Initiative to ‘End the Cage Age’ - a petition signed by over 1.4 million people in the EU - the European Commission opened a public consultation in September 2025 on the EU’s animal welfare legislation⁶², which includes “*phasing out the use of cages.*”
- In the UK, approximately 40 % of pigs are housed in free-farrowing outdoor systems⁶³. The British Veterinary Association and Pig Veterinary Society published a joint policy position in 2025 calling for the ban of farrowing crates. The policy shows that nearly three quarters (73 %) of vets are concerned with the negative welfare impacts of farrowing crates⁶⁴.
- Recent polls (2025) have shown that 69 % of the UK public do not agree with the use of farrowing crates⁶⁵, and 89 % agree that the UK should ban low-welfare imports⁶⁶. The UK pig industry has developed an industry consensus of ‘No New Conventional Farrowing Crates’, supported by the leading suppliers of pig housing. The National Pig Association has been developing a transition plan towards free farrowing for several years, spearheading an industry-led approach⁶⁷.

⁶² https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14671-On-farm-animal-welfare-for-certain-animals-modernisation-of-EU-legislation/public-consultation_en

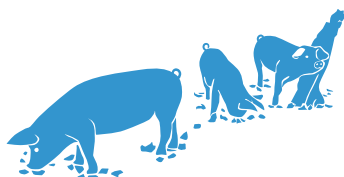
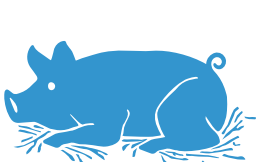
⁶³ <https://www.rspca.org.uk/en/adviceandwelfare/farm/pigs/farming>

⁶⁴ <https://www.bva.co.uk/news-and-blog/news-article/bva-calls-for-ban-on-controversial-crates-that-confine-pigs-before-and-after-giving-birth/>

⁶⁵ <https://www.humaneworld.org/uk/en/news/brits-reject-caging-mother-pigs>

⁶⁶ <https://bryantresearch.co.uk/insight-items/support-surges-for-uk-ban-on-low-welfare-imports/>

⁶⁷ <https://nationalpigassociation.co.uk/key-topics/farrowing-systems/>



40. There are very limited exemptions to farrowing crate bans:

- **Temporary use:** While a full ban is in place, some countries may allow for the temporary use of crates in specific situations. For example, they might be used for a very limited period for unusually restless sows, like in Norway. Regulations in countries like Switzerland and Norway emphasise free-farrowing systems with significantly larger pens to provide sufficient space for sows and piglets to lie, rest, feed, and move freely.
- **Stockperson safety:** Regulations in countries like Sweden may include provisions for stockperson safety, which could necessitate temporary confinement in certain situations to protect handlers when a sow is farrowing.
- **Critically ill or injured animals:** In some circumstances, the use of a crate for a short period to provide essential care or monitoring for a particularly vulnerable sow or her litter might be permitted under specific veterinary guidance.

41. These are exceptional circumstances; regular, unannounced farm inspections by government bodies are carried out to ensure compliance with laws^{68,69,70}. Therefore, any claims that farrowing crates are routinely used in countries where they have been banned are false.

42. In New Zealand, we note that markets are moving away from crates regardless of regulatory settings. Woolworths NZ does not sell pork from farrowing crates; they offer 100 % New Zealand free-farmed pork, which is independently certified as being from systems with no crates⁷¹.

The Government's process appears designed to avoid judicial review

43. The process proposed for developing these regulations deliberately circumvents the safeguards established in the Act. These safeguards – requiring NAWAC's independent advice, public consultation, and consistency with the Act's purposes – were put in place precisely to ensure legitimacy and transparency in lawmaking.

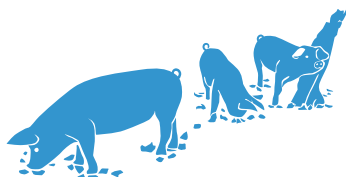
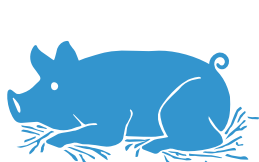
44. When Parliament amended the Act in 2015, it repealed the "exceptional circumstances" exemption for otherwise non-compliant practices like farrowing crates and replaced it with a clear transitional framework. The High Court has confirmed that Parliament intended non-compliant systems, such as farrowing crates, to be time-limited and ultimately removed - not legitimised indefinitely.

⁶⁸ <https://www.lansstyrelsen.se/english/animals/animal-care/our-animal-welfare-work.html>

⁶⁹ <https://lawshun.com/article/which-laws-apply-in-your-farm-locations-in-switzerland>

⁷⁰ <https://www.regjeringen.no/en/dokumenter/animal-welfare-act/id571188/>

⁷¹ [https://www.woolworthsgroup.com.au/content/dam/wwg/sustainability/POL.019 % 20- % 20Woolworths % 20Group % 20Animal % 20Welfare % 20Policy % 20V7 % 20MASTER % 20FILE.pdf](https://www.woolworthsgroup.com.au/content/dam/wwg/sustainability/POL.019%20-%20Woolworths%20Group%20Animal%20Welfare%20Policy%20V7%20MASTER%20FILE.pdf)



45. The National Animal Welfare Advisory Committee has consistently recognised that farrowing crates do not meet the purposes of the Act: in the 2005 code, the 2010 code, and again during public consultation in 2022.
46. The current proposal undermines the efficacy of the present system by preventing NAWAC from providing an independent recommendation on crates at any point in future, including beyond 2035, and also appears to deem the relevant regulations to have always been compliant with the Act despite previous Court rulings.
47. Using primary legislation to issue regulations, while imposing predetermined minimum standards and constraining NAWAC’s future advice, is incoherent, inconsistent with the Act, and undermines the independence of the advisory process. It reverses Parliament’s deliberate design in 2015, which required science-based advice and a pathway to phasing out non-compliant practices.
48. We note that the Regulatory Impact Statement⁷² does not provide an explanation for why clauses have been inserted into the Act to curtail NAWAC’s future advice, nor does it explain why the amendment was left so late as to require urgency. It does state that this process will “provide a greater level of regulatory certainty for farmers”.
49. Anyone concerned with principled law-making in any sector should be deeply troubled by the Government’s approach to these regulations.

The Regulations Review Committee has already recommended a ‘prompt and substantive review’ of animal welfare secondary legislation

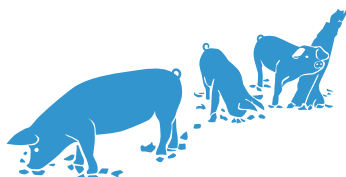
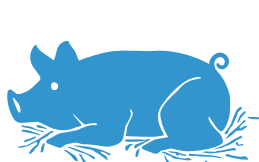
50. Animal organisations, industry representatives, and the public already have concerns about independence, transparency and effectiveness in the animal welfare system.
51. Issues include demonstrated discrepancies between the Act and its delegated legislation,^{73,74} regulatory inertia and inability to act decisively on animal welfare issues,⁷⁵ a preoccupation with

⁷² <https://www.mpi.govt.nz/dmsdocument/70614-Regulatory-Impact-Statement-Regulations-to-improve-the-welfare-of-pigs/>

⁷³ *New Zealand Animal Law Association Inc v Attorney-General* [2020] NZHC 3009: The High Court found that the provisions allowing farrowing crates and mating stalls were inconsistent with the Animal Welfare Act 1999.

⁷⁴ Schmidt, K., Duffield, D., Rodriguez Ferrere, M., & Knight, A. (2021). *Farmed animal welfare law in New Zealand: Investigating the gap between the Animal Welfare Act 1999 and its delegated legislation*. *New Zealand Animal Law Association*. Retrieved from https://static1.squarespace.com/static/62b2caeb504e402d6ea5f73e/t/6504f754dfdcbc12f54ac3a1/1694824288657/NZALA_Farmed_Animal_Report.pdf

⁷⁵ For example, the pigs code of welfare was consulted in 2022 but is yet to be issued



reputational impacts and trade,⁷⁶ a lack of transparency, and insufficient independence. These are established indicators of regulatory capture,⁷⁷ alongside weak enforcement⁷⁸ and delegation of functions to industry.⁷⁹

52. In 2023, the Regulations Review Committee released a report, “Briefing on Animal Welfare Secondary Legislation”⁸⁰, which recommended that the Government conduct a prompt and substantive review of the process for developing secondary legislation under the Animal Welfare Act 1999. They noted that the volume of complaints received has highlighted issues with the process for developing secondary legislation.
53. SPCA has raised concerns about the development of secondary legislation repeatedly, particularly in terms of a perceived conflict of interest within the Ministry and the potential or risk for regulatory capture.
54. We have raised this in submissions for the dairy, deer, pigs and sheep and beef cattle codes; in letters directly to MPI [Appendix 2]; in advice to Ministers Hoggard and McClay in April 2025 with the New Zealand Animal Law Association; and to the Ministry for Primary Industries’ Inspector-General in May 2025.
55. We note that the summary of submissions from the 2022 public consultation, released on 1 October 2025⁸¹, details the concerns of the pork industry about due process at length, but summarises SPCA’s concerns about the process for developing animal welfare standards in one sentence, deemed to be ‘out of scope’.

⁷⁶ Duffield, D. (2020). Reputation, regulatory capture, and reform: The case of New Zealand’s bobby calves. *Animal Law Review*, 26(2), 321–. Available at: <https://lawcommons.lclark.edu/alr/vol26/iss2/4/>

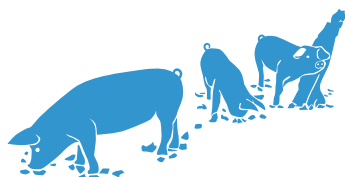
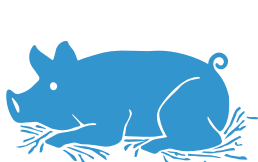
⁷⁷ Goodfellow, J. (2016). Regulatory capture and the welfare of farm animals in Australia. In D. Cao & S. White (Eds.), *Animal law and welfare: International perspectives* (pp. 195–235). Springer. https://doi.org/10.1007/978-3-319-26818-7_10

⁷⁸ <https://newsroom.co.nz/2025/03/10/if-the-police-did-their-job-properly-wed-improve-animal-welfare/>

⁷⁹ Rodriguez Ferrere, M. (2017). Animal welfare in New Zealand: Oversight, compliance and enforcement (Law Foundation Report No. 44(3)). *New Zealand Law Foundation*.

⁸⁰ <https://selectcommittees.parliament.nz/v/6/82d7f87e-112f-4d6c-7017-08db91734ceb>

⁸¹ <https://www.mpi.govt.nz/dmsdocument/70613-Summary-of-submissions/>



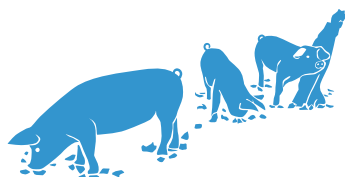
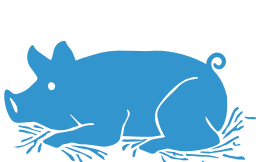
Recommendations

56. SPCA recommends the following:

- o **That public input on this Bill is prioritised as much as possible.** Animal welfare organisations, as representatives of the public interest, must be invited to present to the Primary Production Select Committee.
- o **That there is an independent review or Parliamentary Inquiry into the process for developing secondary legislation under the Animal Welfare Act 1999.** This would simultaneously fulfil the coalition’s goal of reforming NAWAC, address the Regulations Review Committee recommendation, manage the real or perceived risk of lobbying and/or regulatory capture, and prevent an unnecessarily delayed, incoherent and controversial process like this occurring again.
- o **That pig farming transitions to one of NAWAC’s proposed options for farrowing and for space for grower pigs.** SPCA could accept an extension of 5-10 years if it was towards practices which are compliant with the Animal Welfare Act.
- o **That the clauses restricting NAWAC’s future advice are removed from the Bill.**
- o **That low-welfare imports of pork are banned,** either now under the Animal Welfare Act or by adopting the member’s bill “*Animal Products (Closing the Welfare Gap) Amendment Bill*”. See the brief by Animal Policy International for more information.
- o **That transition support is provided for the pork industry,** on the condition that a transition is set that moves towards free farrowing systems. SPCA is supportive of grants, research into free farrowing systems, and pathways under any reformed RMA to make it easier to build genuinely high-welfare infrastructure.

57. SPCA is willing to provide advice on other matters including mating stalls, space requirements for grower pigs, tail docking, and weaning age.

58. We are available to meet with MPs to discuss the Animal Welfare (Regulations for Management of Pigs) Amendment Bill.



Appendix 1: SPCA Media Release



Media Release

Government blindsides SPCA with moves to keep cruel farrowing crates

SPCA New Zealand is disappointed and outraged by proposed Government changes to the Animal Welfare Act 1999 which will allow the use of farrowing crates in pig farming to continue indefinitely.

The announcement of a new Bill has been made just weeks before farrowing crates were otherwise due to be banned on 18 December 2025.

Despite claims from Minister Andrew Hoggard that “key stakeholders” have been consulted, SPCA, New Zealand’s leading animal welfare organisation, has not been engaged in any consultation on farrowing crate standards under the current Government.

“New Zealanders care about the welfare of farmed animals, this proposed change does not reflect that,” says Dr Arnja Dale, SPCA’s Chief Scientific Officer.

“Our laws should reflect current animal welfare science and public opinion, not roll back years of progress.

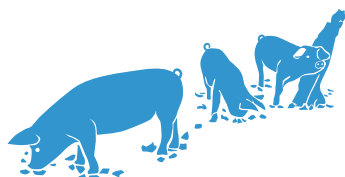
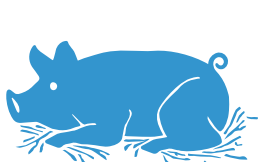
“It is unacceptable to see decisions of this scale being made without transparency and public input. It raises questions about who the Minister and the Ministry for Primary Industries did consult with.”

Lack of progress and the potential threat of another judicial review may be why Minister Hoggard is proposing an amendment to the Animal Welfare Act itself, a highly unusual process, as all transitional regulations are usually under secondary legislation (Animal Welfare (Care and Procedures) Regulations 2018). This Bill will need to proceed at least partially under urgency in order to legally extend the transition period before the current transition ends on 18 December 2025.

At the last public consultation in June 2022, New Zealanders were given only two options: a complete ban on farrowing crates, or a limited period of confinement within a larger pen.

These proposals came from the Ministers’ independent advisors, the National Animal Welfare Advisory Committee. Now, years later, this Government has landed on an entirely different set of proposals that were never put to the public.

A ban on farrowing crates would have been truly world leading. Allowing the status quo for ten years is absolutely not world leading, and allowing the use of farrowing crates indefinitely after 2035 will be even less so.



Several countries have already banned farrowing crates, and industry-led pledges not to build any new crates have been agreed in other countries including in the UK and Denmark.

Crates, including temporary crating, restrict almost all sows' normal behaviours, including mother-young bonding and the ability to turn around. They contribute to health issues, such as pressure sores and lameness, and negatively affect piglet welfare, with higher rates of stillbirths and poorer maternal care.

“Animals may not be able to speak for themselves, but the people of New Zealand have spoken clearly: we want better for pigs,” says Dr Dale.

“Government and industry have had more than two decades to plan responsibly for a future without crates, instead of taking this step backwards without appropriate consultation and transparency.”

SPCA acknowledges the importance of the domestic pork sector and has consistently supported high welfare farming. However, SPCA believes the future of New Zealand pork lies in investing in higher-welfare systems and restricting low-welfare imports, not prolonging cruel practices at home.

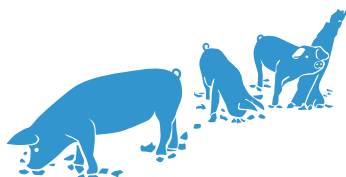
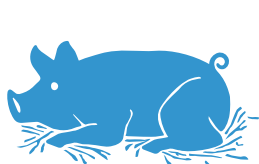
SPCA is actively considering all avenues to challenge this decision.

-ENDS

Notes to editor

Background on farrowing crate regulations:

- Farrowing crates were only permitted under an ‘exceptional circumstances’ clause. This clause was removed in an Act amendment in 2015 and replaced by regulations intended to allow for fair and just transitions away from non-compliant systems under the Animal Welfare Act.
- In 2020, a judicial review ruled that standards allowing farrowing crates indefinitely were unlawful and invalid. Regulations were then amended to phase them out by 18th December 2025.
- Under current rules, transitional regulations can only be extended once, for up to five years, and only if producers had demonstrated significant progress. To date, neither MPI nor the pork industry have released any information showing such progress – unlike the transition away from battery cages in the layer hen industry.
- This lack of progress and the potential threat of another judicial review may be why Minister Hoggard is proposing an amendment to the Animal Welfare Act itself – a highly unusual process, as all transitional regulations are usually under secondary legislation (Animal Welfare (Care and Procedures) Regulations 2018).
- This Bill will need to proceed at least partially under urgency in order to legally extend the transition period before the current transition ends on 18 December 2025.
- Highlighting a reduction of time in farrowing crates while ignoring the size of the pen obscures the real welfare problem – including an inability for mother sows to build nests and care for her piglets.



Appendix 2: Letter Regarding Post-Consultation Approach

26 January 2023

Manager, Animal Welfare Policy
Ministry for Primary Industries
PO Box 2526
Wellington



CC: The National Animal Welfare Advisory Committee

Tēnā koe

Further feedback on MPI's position on pig welfare

Thank you for the opportunity for the Royal New Zealand Society for the Prevention of Cruelty to Animals (SPCA) to attend a stakeholder meeting on 14 December 2022 to provide further input into the regulatory and/or economic analysis proposals for pigs.

SPCA is the preeminent animal welfare and advocacy organisation in New Zealand. The Society has been in existence for over 150 years with a supporter base representing many tens of thousands of New Zealanders across the nation. SPCA provides evidence-based advocacy for all animals, including farmed animals.

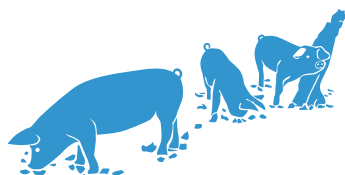
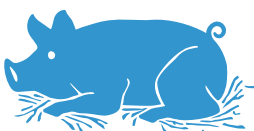
The Ministry for Primary Industries (MPI) invited written feedback from participants during the 14 December stakeholder meeting.

SPCA considers that the alternative proposals the Ministry presented will open up the risk of further judicial review if progressed. This would leave pig farmers, once again, in an unfair state of uncertainty.

We have significant concerns in regards to MPI's overall approach and refer MPI to the General Comments section in the introduction of our three recent code submissions, particularly in terms of a perceived conflict of interest within the Ministry and the potential for regulatory capture. We support efforts by the New Zealand Animal Law Association to brief the Regulations Review Select Committee¹ on the need for reform. SPCA continues to explore the most effective way to support and increase advocacy efforts on establishing independent oversight of the animal welfare system.

¹ https://www.parliament.nz/en/pb/sc/business-before-committees/document/BRF_124085/briefing-from-the-new-zealand-animal-law-association

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Patron Her Excellency, The Rt Hon Dame Cindy Kiro GNZM, QSO | Governor-General of New Zealand





SPCA recognises that NAWAC's proposals represent significant challenges to New Zealand's pig farmers. In the face of such challenges, our organisation asserts that MPI can protect the long-term viability of our primary industries by prioritising good regulatory practice and inclusive governance. This requires leadership, investment in animal welfare, and a vision for the future.

In navigating a fair transition, it is important that MPI and industry find ways to meet the outcomes required in a sustainable way - potentially in a manner that does not leave farmers to shoulder all the costs themselves - rather than defensively trying to reinterpret the Animal Welfare Act.

It is inevitable that standards for pig farming will continue to be examined as expectations evolve. To react to this by always protecting a subset of farmers from costs and challenges would be short-sighted. It has already once led the pork industry to be backed into a corner where reactive, swift and expensive change is needed in response to legal action. We are also seeing this play out in the ultimately misplaced investment into colony cages in the layer hen industry. Any significant investment into temporary crating systems risks repeating a similar story.

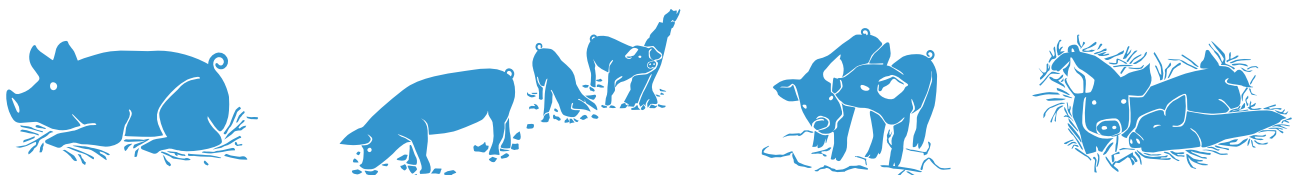
In terms of specific feedback on the proposals for further economic analysis put forward by MPI, SPCA provides the following points:

- MPI's farrowing proposal does not meet the intent and purposes of the Animal Welfare Act 1999. It should not be compared to NAWAC's Option B. The reason that NAWAC's Option B came close to meeting the requirements of the Act (though NAWAC has indicated a preference for Option A) is because it had allowed for normal nesting behaviour before farrowing. It had also considered the available science showing that larger pens with separate lying/dunging areas and availability of nesting material are required to reduce piglet mortality.

Given that MPI's proposal will not meet the Act, it should not be considered for economic analysis. It would be a pointless exercise given that it will inevitably be challenged even if passed.

In the meantime, MPI's proposal provides false hope for pig farmers.

- MPI has requested indicators for appropriate weaning. SPCA advises that providing a minimum age is already an appropriate animal-based indicator. Other codes and regulations, such as the Temporary Housing code and regulations for the transport of





young calves, use age as an indicator. Available science shows that later weaning when piglets are more physiologically robust does correlate to better piglet welfare.

- In terms of space allowances for grower pigs, SPCA advises that the SPCA Certified standards for pigs have now been placed under review, as per their 3-year review cycle. We remind MPI that our submission was clear on our view of the existing Certified standards – which is that they should not be viewed as a ‘ceiling’ for Minimum Standards. We note that NAWAC’s Guideline 06 describes the meaning of “Good Practice” in detail, and that it does not mean ‘established or current practice’, as per the Primary Production Select Committee with specific reference to the poultry and pork industries.
- We note that EFSA’s recommendations specifically clarify that a k value of 0.033 only applies to lying and that additional space is required for activity, feeding/drinking and elimination (page 236). NAWAC’s proposal already includes these requirements, which is why their proposals are larger.
- If MPI wishes to cite SPCA and EFSA documents, we refer the Ministry to SPCA’s prohibition of farrowing crates and EFSA’s recommendation to house farrowing sows in a pen of 7.8m² and to wean piglets from at least 28 days.
- Regarding manipulable materials for farrowing sows (assuming that ‘manipulable material’ refers to objects that can be used with slatted floors), SPCA notes that the intent of this regulation was originally to put it in place immediately i.e. during the transition. Setting this interim standard was intended to provide pigs with some measure of protection while existing unlawful standards are phased out and replaced with something more robust by 2025, such as a requirement for solid flooring and appropriate nesting material.

SPCA is willing to provide further evidence on any of these points on MPI’s request.

We look forward to further engagement on MPI’s proposals for pig welfare.

Ngā mihi,

