

COUNTRYSIDE ALLIANCE



COUNTRYSIDE ALLIANCE
EVIDENCE TO GOVERNMENT CONSULTATION
ON HUNTING WITH DOGS

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Foreword

The Countryside Alliance welcomes the opportunity to provide evidence for the Government's consultation process into hunting.

The Alliance also recognises that this is not a repeat or continuation of the Burns Report, a report that the Alliance welcomes as providing a significant insight into this complex issue. However, all of us involved in the debate can see where Burns stopped short of conclusions or findings and in particular where he and his Committee felt further work was needed.

The Alliance's evidence therefore seeks to move on from Burns. It seeks to highlight expert material on 'cruelty' and 'utility' from organisations or individuals best qualified in those areas. Where necessary the Alliance has referred to and endorsed evidence from other groups known to be contributing to this process.

We believe that any ban or significant restriction on hunting would be an attack on fundamental personal liberties and undermine basic human rights. Such a ban or restriction could only be justified by clear and compelling evidence. There is no such evidence.

Hunting with dogs is a humane method of controlling quarry species. The available evidence overwhelmingly supports this view. Many people who support hunting live with, own or husband animals. Cruelty is an anathema to them.

Recent research shows that well over 90% of farmers in England and Wales oppose a hunting ban. In addition, hunting has over 300,000 participants, accounts for several thousand jobs and injects nearly £250 million into the rural economy. Of the 5,945 people who submitted evidence to the Burns Inquiry over 95% opposed a ban, including most of Britain's major land use organisations.

All serious observers of this debate recognise that the control of quarry species is necessary and that a ban would not lead to fewer animals being culled. Evidence

overwhelmingly suggests that in the absence of hunting there would be a significant increase in alternative methods and techniques being used by a wide range of individuals, many of whom would not have the necessary expertise or equipment to ensure that the process is carried out to the highest possible standards. In short, it seems beyond reasonable doubt that a ban would have adverse consequences in welfare terms, for the quarry species. This view is shared by most of the expert organisations quoted elsewhere in this submission.

Research referred to in this submission also confirms that a large proportion of farmers would need to rely on the use of shotguns and rifles, often at night, to replace hunting activity. Not only does such a development pose animal welfare concerns, but also policing and public safety issues.

Hunting plays a crucial role in the management of the quarry species and in maintaining the health and fitness of the various species as a whole. A ban would put this relationship at risk. Therefore, an informed debate about hunting must include consideration of the effects not only on the individual hunted animal, but the species as a whole.

The utility of hunting extends beyond management of the quarry species. To many it is a vital component of the social and economic well-being of rural communities. Any debate about hunting's utility must include these social and economic dimensions and the consequences of a ban, as well as the impact on population control.

There is no need or justification for legislation to ban or restrict hunting. Hunting is a well regulated and disciplined activity.

The Alliance has concentrated, where possible, on new material that has emerged since the Burns Inquiry, but has put this in the context of what was available to the committee at the time.

The Alliance believes that farmers, landholders and managers should have a range of control methods at their disposal. No one method is necessarily suitable for all

circumstances. The Alliance therefore supports shooting, trapping and snaring as methods of controlling pest species providing they are carried out by properly qualified and competent operatives. In particular the Alliance supports the approach of the BASC and the NGO with regard to these methods.

Finally, we have attempted to avoid conjecture or opinion relying instead on factual material that can if required be independently verified.

July 2002

1. Introduction

1.1 The stance of the Countryside Alliance in relation to hunting is based on the following:-

a) Personal liberty is an important component of any civilised society. But the Countryside Alliance has always recognised the force of the argument that for humans to behave towards animals whether domesticated, husbanded or wild, in a manner which is cruel is wrong, is an abuse of liberty, is contrary to the public interest and should be prohibited.

b) The definition of cruelty as the intentional infliction of unnecessary suffering has been used since 1911 and should be maintained. It is a test which is comparative and relative and is concerned with method.

c) A method of locating, pursuing, capturing or killing a wild animal which either inherently or because of the way in which it is done clearly inflicts more suffering than a practicable alternative method may well be classified as cruel. The Alliance accepts that, as a reasonable incursion into liberty, the application of a method which passes this "comparative" test (which on the basis of available evidence it believes properly conducted hunting does) must also be "useful".

d) The Alliance believes that the concept of utility must include social, economic, wildlife management, habitat and environmental considerations. The Alliance believes that in a manmade environment wildlife (and therefore the community as a whole) benefits from scientifically informed management and intervention.

e) In the view of the Alliance, it is wrong in principle for legislation to be limited in its application to particular species of mammals or particular methods of locating, pursuing, capturing or killing not least because it raises serious issues

of discrimination. It should be framed so as to embrace conceptually all species of mammals and all circumstances.

f) Legislation needs to be framed in the overall context of social and economic needs, human relations with animals as well as wildlife and environmental management in a "crowded" island. This is a very complex matter and for enforceable legislation to command acceptance and confidence it should provide for the tests of utility and cruelty to be applied in whatsoever system on the basis of knowledgeably assessed evidence in the context of the particular circumstances. The application should encourage the development of and should use codes of conduct, best practice and self-regulation.

1.2 **The Government's official position on cruelty¹:**

Lord Geddes asked Her Majesty's Government: Further to the Written Answer by Lord Whitty on 29 April, whether they currently believe that there is a distinction to be drawn between "cruelty" and "suffering" in relation to animals; and further to the Written Answer by Lord Whitty on 29 April, whether they considered "cruelty" in relation to animals to be a subjective or scientific matter.

Lord Whitty: Central to the legal definition of cruelty to animals is the concept of "causing unnecessary suffering". This concept is contained in existing animal protection legislation such as the Wild Mammals (Protection) Act 1996. In their consideration of cruelty the courts have held that this is an objective matter.

¹ Written Parliamentary Question – 10th May 2002

2. **Answers to specific questions in relation to the Minister's letter of 31st May 2002, entitled 'next stage of consultation process on hunting with dogs'.**

Introduction

- 2.1 **In answering these questions the Countryside Alliance would like to make the following general comments.**
- 2.2 **Our position with regard to cruelty to animals is well documented and can be found at the beginning of our evidence.**
- 2.3 **The Alliance has seen and endorses the expert evidence provided by those Hunting Associations that come under the umbrella of ISAH and who have submitted independently to this consultation process.**
- 2.4 **The Alliance notes and welcomes the findings of the Burns Report as a starting point for this process, but also notes the many areas upon which the Burns Committee felt further research was needed. In particular the Alliance draws the Department's attention to paragraph 9.55 on page 155 of the final report of the Burns Inquiry.**
- 2.5 **In general terms the position of the Alliance with regard to cruelty and utility addresses the issues raised in questions 1-6 of your letter of 31st May and will now answer the remaining questions.**

Question 7:

The Alliance endorses evidence from the main hunting associations with regard to the prevention of cruelty. The manner in which hunting is conducted and the rules and codes of conduct under which it operates, in our opinion minimise the risk of suffering and cruelty whilst at the same time recognising the need for and likelihood of wild animal population control in the countryside. The Alliance also notes evidence submitted by organisations such

as the NGO, GCT, Vets for Hunting and individuals such as Dr Douglas Wise, who argue convincingly not only that hunting serves to minimise cruelty but that a ban would have adverse welfare consequences.

The Alliance believes that the test of whether hunting with hounds causes unnecessary suffering has to a great extent already been carried out. Evidence in relation to suffering and cruelty has been made available to expert committees in the form of Scott Henderson (1951), Phelps (1997), Burns (2000) and the Scottish Rural Development Committee (2001). In each case expert evidence led various committees to the conclusion that there was no evidential justification for banning hunting. Equally, all of these expert committees concluded that a ban on hunting would not reduce the number of animals being killed, but it would simply alter the manner in which the killing was done. The committees recognised that the alternatives which would inevitably replace hunting – rightly or wrongly – carried with them adverse welfare risks. The Scott Henderson Report (1951) was, in the Alliance’s view, a reasoned and well-researched report and reached conclusions that are as valid today as they were then. The Alliance supports these conclusions.

In the specific instance of deer, more extensive research has been carried out by Professor Bateson and others on behalf of the National Trust and subsequently by Professor Roger Harris and the Joint University Study for the Countryside Alliance². Although a more detailed understanding of physiology was reached, there was disagreement with regard to methodology, approach and on conclusions to be drawn. Further, although debate still exists with regard to the plight of the individual deer, both reports concluded that a ban on hunting deer in the West Country would lead to serious negatives for the species as a whole unless a satisfactory alternative method of deer management could be established and put in place. None of the committees mentioned earlier have provided such a solution and the Alliance does not believe that a better solution exists.

² ‘The physiological response of red deer (*cervus elaphus*) to prolonged exercise undertaken during hunting’ – Joint Universities Study on deer hunting. Roger Harris et al – 1998.

Finally, the decision as to whether hunting with dogs passes the various tests needs to be judged on the circumstances. Circumstances relating to cruelty and utility are bound to vary significantly and provision must be allowed for this. Decisions could be taken by an independent body upon which there is sufficient expertise to address aspects of suffering, cruelty, wildlife management, alternative methods of control and agricultural need and practice.

Questions 8 & 9:

The Alliance endorses various evidence submitted by the Council of Hunting Associations and others, with regard to the value of hunting. The Alliance also notes that evidence submitted to this process and other committees, from Britain's major land use organisations, (namely the CLA, NFU, FUW, NFU (Wales), coupled with submissions from the NGO, BASC and GCT), concludes that the utility of hunting is recognised across the UK. The Alliance believes that usefulness can include the hunts ability to act as a controller or manager of wildlife populations, its contribution to the rural economy, its value in terms of a conservation body, the contribution it makes to the social and cultural life of the countryside in which it exists and the jobs that it provides.

As the Alliance believes strongly that hunting passes the cruelty and humanity tests, then its usefulness needs to be measured against these various headings. The statistics with regard to utility are well known and we will not repeat them here. The Alliance has also noted the Government's position with regard to shooting and angling and raises the question as to how legislation could be framed on the basis of usefulness – particularly in activities where animals may be culled or managed – without it impacting upon these areas given Government's pledge to protect them.

The Alliance also notes comments with regard to hunting's effects on the management and conservation of habitat and other wildlife and reminds the Department of the significant evidence put forward by the Game Conservancy Trust in this regard and that only English Heritage manages more woodland in the UK than British hunts.

The test of usefulness is more complex. In the survey of farmers carried out by hunts and submitted with the Alliance evidence, the Department will note that hunting is valued by a significant proportion of UK farmers but for a range of different reasons. The value may alter according to geography and time of year. For example, the hunts value in lowland England is recorded as retaining a population at a level which is tolerated by farmers. In the Game Conservancy Trust's evidence to Burns they recognised hunting's restraining influence on other methods of control. In contrast to this is the value of hunting in upland areas as a reducer of the fox population. Further, in most parts of the UK the hunt is valued for its fallen stock collection service and the social and cultural life that surrounds it.

All of these elements are judged locally by residents whether agriculturally based or not. A small upland hill hunt in an isolated part of Britain with few members may play just as significant a part in all of these areas, (and as Burns said especially in winter months), than a larger scale socially orientated hunt in the heart of England. To legislate in a way that does not allow local circumstances to be taken into account could produce results that are both damaging and unfair.

Questions 10:

The Alliance endorses the evidence put forward by the Masters of Fox Hounds Association, the Central Committee of Fell Packs, the Federation of Welsh Packs and the National Working Terrier Federation in relation to this aspect of hunting.

The Alliance would also like to bring the Department's attention to evidence submitted to the Burns Inquiry and other Inquiries from organisations such as BASC and the NGO. Both these organisations promote and defend the activities of shooting and oppose legislation that restricts or bans hunting on the basis that their members, and particularly professional gamekeepers, rely on the use of dogs for pest control as part of shooting operations. The Alliance reminds the Department of the Government's commitment not to introduce legislation that restricts or impairs the sport of shooting.

The Alliance also questions the reference to "fewer than 2% of lambs are killed by foxes in England and Wales" in the context of this question. However by raising this statistic the Department is recognising that existing methods of fox control, including hunting, in England and Wales are efficiently deployed in such a way as this statistic is possible. Such statements should be qualified by reminding respondents of the control circumstances already in place.

Question 11:

The Alliance, in conjunction with the Council of Hunting Associations, has just completed a significant survey of farmers in the UK. This survey had two elements. Firstly a postal survey of 6291 farmers in areas where hunting takes place, a blank copy of which is attached to this evidence³. The original returned forms could be made available to the Department for verification if necessary. Each has a name, postal address and is signed by the farmers in question and is in our opinion, one of the largest surveys of its kind ever conducted.

However, to avoid charges of lack of independence the Alliance also appointed Produce Studies Ltd to conduct a free standing and independent survey of a cross section of sheep farmers so as to cross evaluate the results. A

³ Appendix 1

copy of this survey is available on request. In both instances the following major conclusions were reached:

1. That fox predation is a regular feature of the vast majority of livestock farmers daily lives.
2. That fox control is something that they believe is necessary.
3. That most livestock farmers regularly conduct fox control.
4. That most livestock farmers permit hunting of one form or another on their land regularly during the year.
5. That the hunt serves as either a controller or a reducer of the fox population.
6. That in the event of a ban a significant majority of farmers would resort to alternative methods of control, not all of which carry with them welfare benefits.
7. That the farmers value hunts or hunting for a range of reasons according to season and region.

We suggest to the Department that this is in the truest sense, fresh evidence on agricultural attitudes to hunting of the sort that has never previously been made public.

Questions 12 & 13:

We draw the Department's attention to the survey and its findings as described above. Both the surveys ask farmers what the viable alternatives were to hunting, not just those which might be desired. The Alliance is curious as to why the full context of the Burns findings were not included in this paragraph

and in particular, the speed at which a fox is killed as a result of being caught by dogs.

We draw the Department's attention to evidence from practical experts such as the NGO, BASC and GCT, all of whom point out that whilst lamping with a rifle is indeed an effective method of control (the Alliance endorses this) that gamekeepers achieve only approximately 30% of their cull from such a method. We suggest to the Department that this industry is the best source of expert knowledge as to the best practical methods and if this is the opinion of gamekeepers it is a sure indicator of the viability of available methods.

The Alliance also draws attention to the conclusions of Scott Henderson, Phelps, Burns and others with regard to alternative methods of control. The Alliance stands by and endorses the concept that UK landholders and keepers should have a range of different methods available as no single method is necessarily ideal for all circumstances. Methods may vary in their effectiveness according to season, region, weather and other factors. What may be suitable on a holding in September is not necessarily effective in March. The fact that only 2% of lamb losses can be attributed to foxes is an endorsement of the manner in which these methods have effectively evolved over the years. Extensive veterinary opinion, amongst other opinion, suggests that not only would other methods of fox control replace hunting in the event of a ban, that practitioners would not necessarily have the necessary skill, equipment or commitment to ensure that these methods are used as they might be by professional pest controllers or gamekeepers. The net result would be higher degrees of wounding and suffering and a loss of the selectivity that current methods of control provide. We therefore urge the Department to consider the range of expert evidence in this regard.

Question 14:

It is the Alliance's view that there is some misunderstanding with regard to the difference between upland and lowland hunting, because in general there is no

difference. The Alliance urges the Department to look at the Federation of Welsh Packs evidence to Lord Burns and the Scottish Hill Packs Association evidence to the Scottish Parliament with regard to the technique of hunting with dogs in uplands and in particular, flushing to guns. Both of these expert organisations point out that the use of dogs to search for, find and flush foxes involves identical techniques to those used by other packs, mounted or on foot. Given the terrain, often which involves large blocks of forestry, foxes are frequently hunted by the hounds and killed long before they make themselves available for shooting. The various experts also point out that the ability to place guns in key positions on open mountain or moorland is nearly impossible, thus relying on the hounds to search for, find, flush, hunt and then kill the quarry. The need for terrier work in these circumstances is recognised as being essential on humanitarian grounds.

Question 15:

The Countryside Alliance does not believe that legislation that bans an activity can be applied to one part of the community and not another. The Alliance does believe that legislation based on the principles of cruelty and utility must be applied on a basis that takes local circumstances into account.

Question 16:

The Alliance endorses the evidence put forward by the Masters of Deer Hounds Association, Dr Douglas Wise and others with regard to the management of the red deer population in the West Country, whose views recognise that a ban would have only damaging effects.

Questions 18 & 19:

The Alliance is convinced of the need for proper deer culling but that this should be deployed in such a way as to take into account the herd and region as a whole. The Alliance notes that culling with a rifle can be an effective

method of control of deer, but that in a crowded island not always practical or possible. This kind of culling is also limited by law in respect of availability of firearms certificates and the proximity of public roads and other matters. In the West Country in particular, public access is a major feature and is important to the community for a range of other reasons. An increase in the use of high powered rifles for deer control must therefore be tested against this reality and the views of the police in the region sought. Negative elements of using rifles to cull deer have been made clear in evidence to the Burns Inquiry and elsewhere. There is inevitably the risk of wounding, however expert the marksman or stalkers may be. There is also a risk that stalking attracts a commercial value that would encourage individual landowners to use it as an alternative source of income. The prospect of West Country farmers selling stalking rights would be to put at risk the delicate balance and respect for the deer as a whole that currently exists. The prospect of commercial stalking to control the deer numbers would also give rise to the temptation for trophy hunting and thus the elimination of the best rather than the worst of the species. The Alliance notes the position adopted by Graham Sirl, ex-West Country's operation manager for the League Against Cruel Sports, who whilst not in favour of hunting maintains that the abolition of it may have disastrous consequences for the deer.

Further, the tradition of deer hunting in the West Country has the general welcome of 800 or more landholders who view the deer as a regional asset and the hunt at the centre of the managerial process. It is the Alliance's view that there would need to be an overwhelmingly powerful reason to upset this, especially given the lack of clear conclusions with regard to suffering of deer as a result of hunting.

The Alliance notes the evidence submitted to the consultation of the Exmoor National Parks Authority and endorses the principal conclusions.

Question 22:

The Alliance endorses the evidence of the Association of Masters of Harriers and Beagles, the National Coursing Club, the Association of Lurcher Clubs, the Whippet, Saluki and Deerhound Coursing Club, the GCT and others with regard to hare hunting and the management of hare populations.

The Alliance believes that there is a strong utilitarian case for hare hunting for both conservation and population management purposes.

The Alliance is not aware of any evidence that suggests that in the event of a ban on hare hunting that this would result in “a few more hares being shot”. However, the Alliance does endorse the Burns findings that the existence of hare hunting is closely managed with the emphasis on hare management rather than control, and that its removal would be a significant step towards the hare being viewed purely as a pest as opposed to game or quarry species. Such a move would inevitably have adverse welfare consequences, as outlined in the evidence submitted by the Game Conservancy Trust.

Question 25:

We draw the attention of the Department to the reluctance of many shooting communities to arrange large scale hare shoots because of the risk of injury that occurs. As is well documented the hare is fast and agile and relatively small, posing a significant challenge to the shooter. The Alliance would also point out that in areas where hare shooting is considered a necessity in many cases the local hunt is invited to cover the area 24 hours later for the purposes of accounting for wounded animals.

Questions 27 - 30:

The Alliance endorses the evidence of the National Coursing Club, the Association of Lurcher Clubs, the Whippet, Saluki and Deerhound Coursing Club, the GCT and others who believe that a ban on coursing would have only negative effects.

We refer the Department to the evidence of the Game Conservancy Trust whose research into coursing is by far the most advanced and technically proficient on offer.

Questions 31 – 34:

The Alliance, along with many land use organisations, is of the view that the eradication of the American mink is a desirable objective given the mink's non-native status and devastating effect on other wild mammal, bird, fish populations.

The Alliance is aware that the mink is an extremely difficult animal to control. We urge the Department to take serious account of the evidence of expert organisations such as the GCT, Masters of Mink Hounds Association and others in this regard. Even those groups opposed to hunting recognise that mink control is essential, and eradication preferable.

In general terms the Alliance's view is that hunting is one of the essential methods of controlling this species. In many cases hunting is a critical element because it identifies the whereabouts and extent of mink infestation enabling other methods to then be deployed. It is the Alliance's view that despite the findings of Burns para 5.116 that fencing is neither effective nor economic in the vast majority of cases.

Questions 35:

The Alliance is not aware of anything other than speculative evidence to suggest that mink hunting causes environmental damage. Given that most mink hunts only visit a stretch of water on average two or three times a year, any disturbance or damage associated with this should be looked at alongside other uses of river banks be they recreational or practical.

As far as methods of population management that cause the least suffering, it is the Alliance's view that there is no evidence in this regard and all the methods currently used seek to locate and destroy the mink at the earliest possible opportunity.

Question 38:

In the case of ratting the Alliance urges the Department to note the evidence of the National Working Terrier Federation. However the Alliance also points out that legislation based on the concepts of cruelty and utility cannot avoid the manner in which rats are killed as a result of legal poison. Rats are socially complex and extremely susceptible to suffering and pain, but in the public perception require extermination if physically possible.

Question 39:

The Alliance endorses the evidence submitted by the Hawk Board, the Campaign for Falconry, the British Falconers Club and others.

Question 40:

The Alliance endorses evidence from the Association of Lurcher Clubs, the National Working Terrier Federation, the Whippet, Saluki and Deerhound Coursing Association and others who have an interest in the control of rabbits. The Alliance does however point out the obvious physical and behavioural similarities between hares and rabbits and the inconsistencies of any legislation that attempts to separate the two species. The Alliance also points out that rabbits and hares can be an important food source.

Question 41:

The Government has pledged that any legislation introduced on hunting would not impact on the sports of shooting or angling. Stalking clearly falls into this

category. As far as point i) is concerned the Alliance is intrigued as to how the use of dogs in stalking for tracking or locating deer (especially scenting hounds) could be effectively or justifiably exempted from anti hunting legislation. The only logical grounds would be on the basis that the activity was practical as opposed to recreational. Such distinctions are extremely dangerous ones to make in the context of wildlife legislation. Furthermore consultation should not ignore the use of dogs in shooting to locate and retrieve game including hares. The Alliance does not believe therefore that the activities should be subject to a general exemption or that there are practical alternative methods to achieve the same aims. As with any form of hunting the Alliance urges practitioners to be subject to the independent supervisory umbrella of Independent Supervisory Authority for Hunting (ISAH) so that the activities can be constantly reviewed and command public confidence in as much as they are carried out to the highest possible standards and to strict and rigidly imposed codes of conduct and rules.

Question 43:

The Alliance reminds the Department of the evidence submitted to the Burns Inquiry by the Masters of Drag and Bloodhounds Association. The Association concluded emphatically that any Act of Parliament that interfered with the activities of quarry hunting would have a detrimental and in some cases devastating, effect on drag hunting due to reasons which can be found in their evidence. The Alliance believes that it is simply not possible or practical to escape from these conclusions by a simple pledge to “not interfere”. The complexities of hunting are such that the overlaps between different methods are many, and to attempt to do so would be dangerous.

2.6 There are other areas that the Alliance would like to bring to the attention of the Department with regard to consultation and upon which we do not believe sufficient attention has been given.

- 2.7 The first is the activity of terrierwork, barely referred to in the letter of 31st May upon which this response is based. In that regard the Alliance urges the Department to consider the evidence of the National Working Terrier Federation alongside the findings of the Scottish Rural Development Committee in relation to the importance of terrierwork, the manner in which it is conducted and the way in which it is a significant and detailed part of the activities of the shooting industry.**
- 2.8 The second is the definition of control. The Alliance believes that the Burns report did not fully articulate what is meant by control. It is the Alliance's view that control is too often understood to mean reducing a population of animals from one figure to another. The Alliance argues that control is no such thing and should not be judged on numerical achievement by those responsible for culling. Further, the Alliance believes that control could mean not only reducing the population, but maintaining it and in the case of hares, even increasing it. We believe further clarification and definition is needed.**
- 2.9 On the issue of animal welfare we do not believe that the consultation process has attached any significant importance to the plight of animals used in hunting i.e. the dogs or horses. With that in mind the Alliance urges the Department to seriously consider evidence submitted by organisations such as the National Canine Defence League, the Kennel Club and the International League for the Protection of Horses, not only to this consultation process but also with regard to the detail of their evidence to the Burns Inquiry. The plight of these animals is a significant feature of any future legislation and the Alliance believes that the consultation process should address it.**
- 2.10 Issues relating to the role of hunting in terms of the social and cultural contribution, economic and recreational value, do not appear to form part of the consultation process and yet are important features of hunting's 'utility'.**

3. Cruelty

The Alliance would like to add further evidence in relation to cruelty and utility and related matters.

3.1 Opponents of hunting base their case on the notion that hunting is inherently cruel and should therefore be a criminal offence. This chapter explains, by use of reference to a range of expert studies, why we believe hunting is as humane as other methods of control, and how a ban would lead to adverse welfare consequences.

3.2 In 1951 the Government examined the issue of hunting in detail through the Scott Henderson Inquiry. The Inquiry was tasked with examining the claims that hunting was cruel. These are some of the key findings:

“We do not accept the ethical argument that all sport involving the pursuit or killing of wild animals should be prohibited without regard to the greater suffering involved in the use of alternative methods to effect control of such animals.”⁴

“Any field sport which has a reasonable measure of support and is a traditional activity of the countryside, and which has some utilitarian value, should not be interfered with except for some very good reason. Interference on the ground of cruelty would be justified only if it was shown that the amount of suffering involved was excessive or unreasonable.”⁵

“None of the field sports at present practised should be prohibited on grounds of cruelty alone.”⁶

⁴ Scott Henderson report – para 11

⁵ Scott Henderson report - summary of recommendations XI, 419 (18)

⁶ Scott Henderson report - summary of recommendations XI, 419 (19)

“Most of the opponents of field sports advocate shooting as an alternative method of control and consider it to be more satisfactory and more humane than hunting or any other method. We agree that in many circumstances shooting is a very important and valuable method of controlling the numbers of animals such as the fox, but at the same time, we are convinced that for the reasons we have given above, inexpert shooting causes a great deal of unnecessary suffering.”⁷

“It is significant that the RSPCA consider that the cruelty involved in shooting foxes is such as to make it an unsatisfactory substitute for hunting, and that they would therefore prefer hunting (to which they are naturally opposed on ethical grounds) to continue if its abolition were likely to lead to an increase in the amount of shooting. This view is not, however, shared by the abolitionist organisations.”⁸

“It [foxhunting] is a necessary method of control, and its abolition would undoubtedly lead to an increase in the use of more cruel methods and, so far as we can judge, would be resented by the majority of the rural population.”⁹

“If hunting were to be abolished the hares which were previously accounted for by the Hunts would have to be destroyed by shooting, which is often accompanied by a greater degree of suffering, particularly when the hare gets away wounded.”¹⁰

3.3 The views of Lord Burns in his report to the Government (2000) reveal similar but not identical findings.

⁷ Scott Henderson report para 94

⁸ Scott Henderson report para 162

⁹ Scott Henderson report para 173

¹⁰ Scott Henderson report para 290

“In assessing the impact of hunting on animal welfare we are persuaded it is necessary to look at it on a relative rather than absolute basis. It should not be compared with only the best, or the worst, of the alternatives.”¹¹

3.4 As far as the death of the quarry species is concerned Lord Burns concluded:

“insensibility and death will normally follow within a matter of seconds once the fox is caught”¹²

3.5 However Burns also raised welfare concerns with regard to alternative methods of control.

“None of the legal methods of fox control is without difficult from an animal welfare perspective. Both snaring and shooting can have serious adverse welfare implications.”¹³

3.6 The manner in which Burns published his final report led people on both sides of the debate to remain unclear as to his exact conclusions. Did the famous expression ‘serious compromise of welfare’ (the expression Burns used to describe a hunted animal) mean hunting was cruel, and would a ban improve animal welfare standards? The answer lay in his speech in the House of Lords when the Government Options Bill was debated. Further his veterinary colleague on the Inquiry, Lord Soulsby, made his own observations.

3.7 Lord Burns – in his speech to the House of Lords observed:¹⁴

“If hunting were subject to a ban, I have little doubt that at least an equivalent number of foxes, deer and hares would be killed by other means. The number

¹¹ Burns Report para 2.9

¹² Burns Report para 6.49

¹³ Burns Report para 6.59

¹⁴ Speech in the House of Lords debate, 12th March 2001

of deaths is not likely to be reduced by banning hunting. Instead we are talking about alternative means of killing and whether they are more or less humane.”

3.8 Lord Soulsby, Lord Burns’ veterinary colleague on the Inquiry, in his speech to the House of Lords observed:¹⁵

“It is important to recognise that the inquiry, as the noble Lord, Lord Burns, said, was not asked to recommend whether hunting should be banned; nor was the committee asked to consider moral or ethical issues--for example, whether hunting was cruel. At no point did the committee conclude, or even attempt to conclude, an assessment of cruelty. Yet many bodies have erroneously--I repeat the word "erroneously"--quoted the Burns report, stating that it clearly demonstrated that the practice of hunting wild animals with dogs caused cruelty. The report did not state that.”

“These and other issues have raised the profile of hunting with dogs. To allow it to go on without any change whatsoever is probably unacceptable. On the other hand, there is major concern that, were there to be a ban on hunting, there is strong evidence that the alternatives to control in many cases are certainly less "welfare positive" than hunting. Shooting has been mentioned by a number of speakers; and poisoning, trapping and other means of control are much more insensitive in terms of welfare than the death of the prey at the end of a hunt. Not all individuals are good shots: animals may escape wounded and die in a degree of agony.”

3.9 With the hunting debate increasing its profile, and the welfare issue rightly occupying centre ground, so emerged a range of expert individuals, both academic and practical, who wished to declare their knowledge. A group of 400 vets under the leadership of Professor Twink Allen have recently published a revised opinion¹⁶ based on their experiences as practising vets

¹⁵ Speech in the House of Lords debate, 12th March 2001

¹⁶ A Veterinary Opinion on Hunting with Dogs, 2001.

and research academics. The report emphatically concludes that a hunting ban would be bad for the quarry species:

“The first 90-95% of the hunt, the pursuit phase, is a period of heightened activity with all the natural fight or flight responses brought into operation. Again, it cannot be considered to be a period of unnatural stress to the fox. An indication of the degree of control that the fox exerts on the situation, during this first phase is evidenced by the wide variety of evasion tactics it will employ to avoid capture, many of which are carried out at a leisurely pace after the initial flight.”

“The kill often occurs as a swift, almost instantaneous, procedure made possible by the considerable power weight advantage the hound has over the fox. It should be noted that the powerful exercise-induced analgesic effects of centrally released endorphins and encephalins, generated during the hunt, will mitigate any pain.”

“Up to and at the point of capture the fox also shows no outward evidence to suggest that it perceives death. It is simply caught up and quickly killed.”

“Even when the fox is located by digging and the terrier extracted, the fox is not perceived to be in a state of severe distress or fear as might be evidenced by involuntary urination or defecation.”

“There is no scientific evidence that foxes or any of the quarry species suffer irreversible physiological damage as a result of being chased, any more than does the extended human athlete or racehorse. Nor are there frequent reports of unexplained deaths in healthy foxes shortly after hunting that can be ascribed to physical exhaustion.”

“Welfare cannot be an objective science. It is common sense based on experience, combined with humanity, which the veterinary profession has been practising for centuries past.”

“In contrast [to shooting], except where there is interference by saboteurs, hunting produces no wounded survivors and, as described above, death is almost instantaneous. It must be emphasised that any subsequent savaging of the carcass, although not a particularly edifying sight, is carried out on a dead animal.”

“Two further important justifications for hunting exist in contrast to other culling methods. It is selective and seasonal. The importance of the selective element of hunting, already mentioned above, whereby the weak, the diseased and the injured are detected and killed, cannot be emphasised too strongly. No other method of culling performs this function and, were hunting to be banned, the welfare implications for all hunted species would be profound. An uncertain but unacceptably large number of animals would be condemned to a lingering death through disease, injury, malnutrition or illegal poisoning.”

“As members of the Royal College of Veterinary Surgeons we submit therefore that hunting by hounds is the most natural and humane way of controlling the population of all four quarry species, fox, deer, hare and mink, in the countryside. Humane since at all times the wild animal remains in its natural environment and the relatively short period of physiological stress that may be suffered in the final phase of the hunt, followed by the almost instantaneous kill is not only acceptable but is the preferred method of culling a wild animal. Hunting produces no wounded survivors. Hunting is the only method of culling that selectively maintains the health and vigour of a species and which allows the quarry species respite during the breeding season. Hunting is environmentally friendly not only to the quarry species but to other wildlife.” (Conclusion – Veterinary Opinion on Hunting with Hounds 2001)

3.10 To reinforce the view that vets generally oppose a hunting ban on welfare grounds, in July 2001 the Countryside Alliance commissioned NOP Solutions Ltd to research the attitude of 1000 Members of the RCVS. The survey

represents 5% of the Royal College and has been divided between rural and urban practices. The principal findings of this research were:

- 63% of rural vets oppose a ban on hunting on welfare grounds. Only 30% support a ban.
- On the subject of the Government's last Hunting Options Bill 66% of rural vets supported the continuation of hunting with dogs subject to statutory regulation (32%), or self-regulation subject to independent supervision (34%). Only 24% of those questioned supported the 'total ban' option.¹⁷

3.11 During the course of Burns, much was made of post mortem evidence available to the Inquiry. Burns did no post mortems on animals killed by other legal methods and hence this post mortem evidence is in isolation. However other privately submitted post mortems revealed consistent results that showed that death was incurred within seconds of capture.

3.12 Hafren Veterinary Surgery, Newtown, Powys¹⁸ conducted three post mortems on foxes killed by hounds:

“In my opinion each of these three foxes died as a result of a powerful bite to the chest over the heart (cases 1 & 3) or posterior chest/anterior abdomen (case 3). The degree of trauma caused by the bites is so enormous as to result in instantaneous death. When the weight ratios of the fox to foxhound are considered this is not that surprising. These foxes all weighed less than 7kg whereas the foxhounds weigh 30-40kg and would easily be able to take a fox's chest within its mouth. None of the foxes appeared to have gasped after the fatal bite was delivered, as there was no bloodstained fluid or froth within the trachea. Considering the damage to the lung tissue there should have been such material in the trachea had the foxes tried to breathe.

¹⁷ Only 748 vets were polled for this question.

¹⁸ Second submission to Burns Inquiry 2000

It is my opinion that these foxes would have died almost instantaneously upon receiving the massive bite injuries seen.”

3.13 The submission to the Burns Inquiry (2000) from R.E Baskerville, a vet from the Hampden Veterinary Hospital in Buckinghamshire, gives an account of post mortems on six foxes that had been killed by hounds. Four further foxes that had been killed by hounds were x-rayed. The submission concludes that:

“The death of a fox caught by hounds is as rapid and certain as any natural death can be. This opinion is based on three main factors:

- Personal observation
- The ten out of ten fatal neck fractures.
- The absence of haemorrhage from other sites of injury, indicating that these were sustained after death.

In the large majority of cases of capture the lead hound seizes the fox by the neck and by a violent shake of the head kills the fox by fracturing and dislocating its neck.”

3.14 Dr Douglas Wise, a lecturer in Animal Husbandry at Cambridge Vet School, states:¹⁹

“It is my view that the only reasonable grounds for considering hunting to be cruel are those that depend on the belief that the quarry has the same capacity to experience fear that man does. This belief is not scientifically sustainable and is ascribable to man's huge potential for empathy, in this case misplaced. All culling of wild animals may result in some suffering but hunting is, if anything, more welfare friendly than most methods. There would certainly

¹⁹ Submission to Government Consultation process 2002

seem to be no rationale for singling it out just because a large number of people enjoy the sporting element of the cull unless one mistakenly believes that their enjoyment is directly derived from the albeit slight suffering that is inevitably involved.”

3.15 Neither Burns nor Scott Henderson were alone in the findings they reached. As deliberations in England and Wales continued the newly formed Scottish Parliament had commissioned its own Rural Development Committee to examine the hunting issue in relation to a Members Bill that sought to outlaw hunting.

3.16 The Rural Development Committee Report on the Protection of Wild Mammals (Scotland) Bill 2001, main conclusions were:

“The Committee wanted to find out how to measure suffering. The SSPCA was asked to provide the Committee with information about research into these matters. They explained that it is difficult to quantify an animal’s response to a given situation and to assess whether that response constitutes a compromise of its welfare. **They also explained that “although there is much research into cruelty and abuse of animals, there is little to enlighten us on the responses of hunted animals.** This at least is the conclusion of the academics contracted to submit reports to the Burns Inquiry in England and Wales.”²⁰

“The Committee concluded that there was no absolute measure of suffering: it can only be considered on a comparative scale of whether some activities appear to cause more suffering than others.”²¹

3.17 And when Phelps examined the issue for the Countryside Movement in 1997 ²²:

²⁰ RDC report para 32

²¹ RDC report para 33

²² ‘Report of a Review of Hunting with Hounds’. Phelps et al. 1997

"We feel unable to conclude at this time that the typical chase which results in a fox being caught and killed by hounds above ground, constitutes cruelty. Without doubt, the fox experiences a mixture of excitement, tension, fear and physical stress, and a final brief period of acute distress, before it is killed almost instantaneously by the lead hound which breaks its neck. But the levels of disturbance are no greater or more prolonged than those that occur routinely in nature when any type of predator stalks, kills and hunts its prey. Furthermore, the fox is, itself, the most clever and cunning of predators and it is superbly equipped, both mentally and physically, to take on board and generally cope with the vicissitudes of the Chase."

3.18 Much of the hunting debate centres on the plight of the hunted animal. However the Alliance feels that attention should be given to the expert evidence of those responsible for the animals used in hunting, and in particular the effects that a hunting ban might have on them:

3.19 The International League for the Protection of Horses (ILPH) in their submission to the Burns Inquiry (2000) stated:

In November 1999 the ILPH produced a Memorandum on the proposed abolition of hunting. This Memorandum was reconsidered by the Council of the Charity in February 2000 and has been reconfirmed:

- The ILPH exists for the worldwide protection of equines.
- No threat to equines exists specifically in the hunting field, and so the ILPH does not have a policy on hunting. The ILPH's only concern in the matter of the proposed abolition of hunting is for the future of the estimated 60,000 (1) horses involved, a proportion of which would become redundant should hunting be banned.
- It is the ILPH's experience that the lower the value of a horse or pony, the greater the likelihood of it being neglected or mistreated.

- Were hunting abolished, a number of people would undoubtedly continue to ride; however, almost certainly a proportion of those who hunt would give up riding and sell their horses. Even if only 10% gave up, there would be a flood of horses on to the open market. The consequent drop in the value of equines would threaten their welfare.
- The ILPH's charter does not permit it to comment on matters relating to the welfare of anything other than equines.
- For the stated reasons, the ILPH believes that the abolition of hunting would have adverse equine welfare repercussions.

From the ILPH main submission to Burns:

- 13.iii Unlike riding school horses, competition horses and trekking horses, the ILPH has no record of hunting horses being neglected or abused.

3.20 The National Canine Defence League (NCDL) submission to the Burns Inquiry (2000) stated:

“Should hunting simply be banned, it is clear that the great majority of these hounds would have to be put down and, indeed, that there would be no viable alternative to this. The NCDL emphasises, as strongly as it is able to do, that it would regard this as an outrageous and unacceptable carnage. It would oppose strongly this course of action.

The NCDL cannot claim a particular expertise as to the sporting consequences of banning hunting with hounds. However, from such consultation as it has been able to hold, it is satisfied that the banning of hunting with hounds would not lead to the retention of the present packs of hounds for the purpose of drag hunting. It is understood that hunting live quarry and drag hunting are two substantially different activities.”

3.21 The Kennel Club submission to the Burns Inquiry (2000) stated:

“The Kennel Club and animal charities wish to emphasize, in advance, their concerns regarding the possible destruction of a minimum 20,000 hunting dogs (including Foxhounds, Harriers, Beagles, Hunt Terriers, Deerhounds, Mink Hounds and Coursing Greyhounds), as the majority of these dogs are pack animals and as such are recognised as unsuitable for rehoming.”

3.22 The Association of British Dogs and Cats Homes (The ABDCH) submission to the Burns Inquiry (2000) stated:

“The Association considers that the hounds and dogs currently employed with hunts would be almost impossible to rehome and that euthanasia would be an unacceptable alternative.”

(The ABDCH consists of Battersea Dogs Home, Blue Cross, Birmingham Dogs Home, Bolton Destitute Animal Centre, Cheltenham Animal Centre, Edinburgh Dog and Cat Home, Jersey SPCA, The Kennel Club, Manchester and District Home for Lost Dogs, National Animal Welfare Trust, National Canine Defence League, Newcastle upon Tyne Dog and Cat Shelter, Plymouth and District Dogs and Cats Home, RSPCA, Scottish SPCA, Wood Green Animal Shelters.)

3.23 **Nor should expert evidence be the exclusive domain of the academic. Those with detailed practical knowledge have their part to play. Graham Sirl worked for the League Against Cruel Sports, looking after their deer sanctuary for a decade. When he left in 2001 he wrote to the local paper in that region²³:**

“As well as the 50-plus registered stalkers already operating on Exmoor, a ban will attract an influx of inexperienced guns from outside the area. The end result will be a significant drop in deer numbers, together with an increase in injured and wounded animals. Because of landowners such as the National

²³ May 2001

Park and the National Trust, the deer will survive, but it will take many years before the population recovers to today's figures.

Sadly, a ban on hunting will not save one animal's life. The current Bill before Parliament will do little for animal welfare. It seeks the abolition of one method of killing, hunting. Unfortunately, it still leaves many more, which will continue to be used for so long as they are legal. Greater protection is needed for the quarry species, therefore prior to, or following a ban, amendments must be made to the Wild Mammals Protection Act 1986. Failure to bring in such protection will inevitably lead to an increase in activities such as fox, deer and hare drives. This will be nothing short of unmanaged, indiscriminate slaughter.”

3.24 Similarly, ex hunt saboteur and adviser to the Campaign for Protection of Hunted Animals (CPHA) Miles Cooper, made these observations in a letter to the press ²⁴

“In setting out practical and robust legislation it must be remembered that there are a number of legally available control methods. Each of these is capable of being carried out with varying degrees of competence. To argue that hunting with dogs is always the worst, the most cruel is lacking in directly quantifiable evidence which would show it to be true in every case. Indeed hunting dogs are not the common factor when one considers the core issue of suffering. By the same token it is equally wrong to argue that shooting is always the best method - besides the fact that shooting is most usually offered as the solution by people who neither hunt nor shoot. To isolate hunting is not only shortsighted in this respect but will inevitably create a vacuum which will be quickly filled by the remaining methods. As such a ban would not succeed in saving a single animal’s life.”

“In addition to this prohibitive legislation will run the very high risk of generating or further cementing underground activities which operate all too

²⁴ 23rd May 2002

easily outside of the law in most practical respects. This was undoubtedly a concern during my time at the League Against Cruel Sports. Killing would therefore be carried out beyond proper scrutiny and as such would be unverifiable. Surely it is better in animal welfare terms for practices to be conducted in an open and verifiable manner under the control of a statutory hunting authority than allowing the current situation to degenerate into chaos? As such, it is difficult to envisage prohibitive legislation as being either practical or robust in the sense that the Minister has outlined especially when one considers that the cooperation of land managers must be secured.”

“It is for these reasons that I have come to the conclusion that a simple ban would be detrimental to animal welfare and have no hesitation in urging my former colleagues to reconsider their position in order that current levels of suffering are not worsened and to ensure that animal welfare is improved. If MPs are to argue for a ban on certain forms of hunting with dogs, they must at least be aware of the alternatives.”

3.25 And so to those whose lives involve the physical and practical management of the countryside – Britain’s farmers. How do they see hunting in the context of cruelty?

3.26 The Farmers Union of Wales:²⁵

“The Union believes that hunting with dogs poses no greater welfare problems to the quarry species than is experienced by any wild creature in its natural state. Nature is by definition cruel, and survival of the fittest is vital for the well-being of a species.

It is perhaps unfortunate that modern society has a tendency to endow animals with human emotions and assume that hunted animals can differentiate between man-made and natural threats to survival.”

²⁵ FUW submission to the Burns Inquiry (2000)

3.27 The National Farmers Union:²⁶

“It is often suggested that the use of firearms to control pests as being an effective and humane alternative method of pest control to the use of hunting with dogs. However although firearms can be effective in the hands of trained and skilled marksmen they are not always the most appropriate method of control or need to be used in conjunction with other methods - for example flushing foxes or deer from woodland onto the guns. The use of firearms as the sole method of control carry the high risk of wounding the target species, causing them prolonged suffering, and in the case of foxes putting young lambs at greater risk.”

Conclusion

3.28 This chapter indicates that the claims that hunting is cruel is not supported by evidence. In fact the opposite is the case.

3.29 Furthermore this chapter reveals that in reality the four quarry species will be controlled irrespective of whether hunting is or is not banned. The evidence points to the fact that a ban would result in deterioration not an improvement in welfare standards of wild and husbanded animals.

²⁶ NFU submission to Burns 2002, para 13

4 Utility

4.1 This chapter deals with the usefulness and necessity of hunting – in all its forms – and touches on the interface between ‘cruelty’ and ‘utility’.

4.2 The Alliance supports the view that utility, in the context of hunting, can be described as including hunting’s effectiveness as either a controller or manager of wildlife populations, its contribution to the rural economy, its value in terms of conservation and ecology and the social and cultural contribution it makes to rural areas.

4.3 As with cruelty, our submission relies heavily on the evidence of expert land management groups as well as academic study.

4.4 The evidence refers to alternative control methods, and different forms of hunting, and the realities of legislation that could ban hunting, highlighting the manner in which such legislation can have knock on effects.

4.5 Most people, recognise that quarry species are pests and that ‘control’ is both inevitable and essential.

4.6 Michael Meacher MP, when Environment Minister, on the Jimmy Young programme:²⁷

"The fox does a fearful amount of damage in the countryside, there’s no doubt about that. I have been on farms where I have seen lambs that have been killed by a fox, the mother, the ewe, has 2 lambs, she tries to protect both, she moves to one side and the fox gets the other one. I have also seen chicken runs where a fox has been through and killed half a dozen chickens, or killed the goose. I mean, they do an awful lot of damage, they are scavenging animals, they are quite destructive, and let’s be perfectly clear, that whatever we do about

²⁷ Jimmy Young programme, Radio 2 - 12th January 2000

hunting, there has to be the culling of foxes and it is true that farmers will do that with guns. What we have to decide is which is the right way: do we continue with hunting or not, but there is no question that we have to find a way of dealing with the scourge that foxes often represent, and farmers are at their wits end, I know."

4.7 Written Parliamentary Question: ²⁸

Mr Robathan: To ask the Secretary of State for Environment, Food and Rural Affairs what her policy is on the control of mink.

Alun Michael: The responsibility for the control of wild mink rests with those people most likely to benefit from such control, the individual landowners and occupiers. Predation by mink has been a factor in the decline of our native water vole population. The Government's Biodiversity Action Plan for water vole encourages control of mink where they pose a threat to water vole populations.

4.8 Many opponents of hunting believe that by making hunting a criminal offence then the quarry species and its habitat will benefit. When the Government's own Inquiry – the Burns Inquiry – reported it disagreed:

"In the case of the hare, on those estates which favour hare coursing or hunting, rather than shooting, a ban might lead farmers and landowners to pay less attention to encouraging hare numbers. The loss of habitat suitable for hares could have serious consequences for a number of bird and other animals."²⁹

4.9 Their views related to more than just one form of hunting:

²⁸ 16th May 2002

²⁹ Burns Report para 7.43

“Because of the widespread support which [deer hunting] enjoys and the consequent tolerance by farmers of deer, hunting at present makes a significant contribution to the management of the deer population [in Devon and Somerset]. In the event of a ban, some overall reduction in total deer numbers might occur unless an effective deer management strategy was implemented, which was capable of promoting the present collective interest in the management of deer and harnessing such interest into sound conservation management.”³⁰

“In most areas of England and Wales farmers, landowners and gamekeepers consider that it is necessary to manage fox populations in view of the damage which foxes can cause to farming and game management interests.”³¹

4.10 So why did Burns come to this conclusion? The National Gamekeepers Organisation represents a large proportion of Britain’s keepers. The Government has committed itself to legislation that does not impact on shooting interests:³²

“The NGO believes that for each of the species with which this Inquiry is concerned (fox, deer, hare and mink) the science, as well as the anecdote, overwhelmingly supports the need for control.”

“Gamekeepers use terriers to locate and/or bolt foxes, and sometimes mink, from underground. Terriers are normally used in conjunction with nets, guns and/or other dogs. Terriers are the only legal means of dealing with foxes that have taken refuge underground, gassing and poisoning having been banned.”

“...in the overall context of fox control, the ability to kill foxes at their underground earths is very important because, as in all wildlife culling, locating the animal is the initial difficulty. Moorland gamekeepers in

³⁰ Burns Report para 5.75

³¹ Burns Report para 5.40

³² NGO submission to Burns Inquiry (2000)

particular rely on terrier work at earths because locating, let alone shooting or catching, a fox on the open moor is extremely difficult.”

“The Committee should also remember, when it is looking for evidence of damage to man’s interests by pests, that it is doing so in a country where these pest species are *already* controlled.”

“Increasing fox numbers have been implicated as a major factor in the decline of red grouse³³. They have contributed to the decline of the wild grey partridge³⁴ and they are very serious predators of released gamebirds both while in their rearing and release pens and subsequently when in the wild³⁵.”

“From the gamebird point of view the need for fox control is undisputed and independent research shows that fox control using dogs is almost universally practised by gamekeepers.”

“No method of taking a wild animal is without the risk of causing inadvertent suffering. The important thing is that we all strive to avoid any *unnecessary* suffering.”

“Our main concern, however, is that a ban on ‘hunting with dogs’ would have a much wider impact and serious consequences for game management, shooting and the very considerable economic and conservation benefits that arise from them.”

“Lurchers are often kept standing by when gamekeepers use terriers to flush foxes from underground. A good lurcher will hunt a bolting fox by sight and normally catch and kill it within a few hundred yards. This is an important fallback if a fox unexpectedly emerges from an un-netted hole or eludes the guns waiting for it.”

³³ Hudson P. Grouse in Space and Time, 1992. Publ. The Game Conservancy Trust

³⁴ Potts G. The Partridge: Pesticides, Predation and Conservation, 1986. Publ. Collins

³⁵ Reynolds J. and Tapper S. The Ecology of the Fox in Relation to Small Game in Rural Southern England. Wildlife Biology Vol 1. No 2 (1995), pp 105-119

“Historically, much of the debate about whether or not we need to control foxes has related to predation on livestock. This is important but from the gamekeepers perspective is secondary to the very real problem of predation on game. There may be some argument, for example, as to whether or not foxes take significant numbers of indoor poultry but there is no doubt at all that they take huge numbers of outdoor gamebirds.”

“From the gamebird point of view the need for fox control is undisputed and independent research shows that fox control using dogs is almost universally practised by gamekeepers.”

“...no sensible person would shoot at a hare or a mink without a competent dog at hand to follow up any inadvertently wounded animal.”

“The National Gamekeepers’ Organisation in no way condones anything or any one breaking the law but the fact is that foxes are still gassed and poisoned, deer are killed by poachers using snares and illegal traps are still sometimes set. Illegal killing therefore already exists and the Inquiry should take into account the extent to which illegal killing might increase if legal methods were further restricted.”

“Each of the legal control methods has its merits and is suited to particular circumstances in which no other method will do. Rifles cannot be used near houses, but snares can. Snares cannot be used in sheep country, but rifles can. Cage traps work in towns but not in the country. Hunting with hounds makes a real contribution to fox control in some areas and, because some landowners ask that foxes be left for the hunt, acts as a force for fox conservation in others.”

“Our overall conclusion to this section, therefore, is that it is essential to keep a full range of control methods and to allow countryside managers to decide which are most appropriate for their own individual circumstances.”

“Our submission is that the available methods are already low in number and that further restriction would create real problems for wildlife management *and* a possible proliferation of illegal killing by irresponsible people.”

4.11 And Britain’s largest shooting body, BASC – representing 120,000 shooters and keepers, added this³⁶:

“BASC believes that the local farmer, landowner or occupier is in the best position to make a judgement on the most appropriate method of pest control to employ in their locality, according to the practicalities and economics of their particular situation.”³⁷

“Of the gamekeepers asked [in 1994], 96.4% said that foxes were present on their land and needed to be controlled. Control was necessary to ensure that damage to game, wildlife and livestock was reduced or kept at acceptable levels. The particularly vulnerable times of year were lambing and nesting.”³⁸

“Terriers have a specific and essential role in fox control.”³⁹

“The use of terriers is the most effective method open to gamekeepers once a fox is underground.”⁴⁰

“Different methods of pest control are employed by land managers to deal with different circumstances. All methods, including hunting with dogs, are considered vital to those responsible for managing local pest populations and all, therefore, should be retained.”⁴¹

³⁶ BASC submission to Burns Inquiry (2000)

³⁷ BASC submission. Exec summary para 3

³⁸ Para 6.12

³⁹ Para 6.5.1

⁴⁰ Para 6.5.2

⁴¹ Para 11.3

“Over the last 10 years Mink have extended their range considerably and there are very few areas in England and Wales where mink are not present. They are voracious predators and if left unchecked can be responsible for reducing both water voles, a wide range of waterbirds and game. In addition to the packs of mink hounds, live cage trapping, humane spring traps placed in specially constructed tunnels and, occasionally, shooting are employed to reduce their numbers locally.”⁴²

“Of the gamekeepers asked, 96.4% said that foxes were present on their land and needed to be controlled. Control was necessary to ensure that damage to game, wildlife and livestock was reduced or kept at acceptable levels. The particularly vulnerable times of year were lambing and nesting.”⁴³

“Our survey revealed that on the land covered by gamekeeping, four methods of fox control are employed: shooting at night, snaring, driving the foxes to guns, and terriers. On average 57% of foxes were shot, 30% killed by snaring, and 9% by the use of terriers. Almost all gamekeepers control foxes by shooting, 86% used snares and 57% used terriers. These data demonstrate that although the number of foxes killed by shooting, snaring and terriers varies, the vast majority of gamekeepers require the use of all methods in order to manage damage by the local fox population.”⁴⁴

“The Wildlife and Countryside Act 1981 states that only "authorised persons" are allowed to use snares, which includes gamekeepers. When carried out properly and in accordance with BASC's 'Fox Snaring – A Code of Practice' legal snaring is an effective and humane method of fox control. In addition to legal requirements, the code emphasizes that:

- Only free running snares, which contain a permanent stop at least 23cm from the eye of the snare, should be used;

⁴² Para 9.1

⁴³ Para 6.1.2

⁴⁴ Para 6.1.3

- Inspection of snares should take place at least twice a day and as soon after dawn as is practical (Wildlife and Countryside Act 1981 recommends once a day);
- Foxes should be dispatched quickly and humanely by a shot from a rifle, shotgun or pistol and the body disposed of responsibly, e.g. by burying.”⁴⁵

“The alternatives to snaring such as cage traps have limited use. The government recognizes that this method has "proved unsuccessful at trapping other species such as foxes, which tend to avoid entering them..." The government has also stressed that " A complete ban on snares may also encourage the use of more dangerous and illegal alternatives, such as poisons.”⁴⁶

“Where large numbers of hares are present considerable damage can occur.”⁴⁷

“The methods of pest control for which BASC is responsible are carried out safely and humanely, reinforced by codes of conduct and training. This ensures high standards in the field.”⁴⁸

“Ultimately, we strongly believe that the local farmer, landowner or occupier should be able to use their judgement about the most appropriate method of pest control to employ in their locality, according to their local circumstances.”⁴⁹

“Different methods of pest control are employed by land managers to deal with different circumstances. All methods, including hunting with dogs, are considered vital to those responsible for managing local pest populations and all, therefore, should be retained.”⁵⁰

⁴⁵ Para 6.4.1

⁴⁶ Para 6.4.4

⁴⁷ Para 8.2

⁴⁸ Para 11.1

⁴⁹ Para 11.2

⁵⁰ Para 11.3

4.12 The Game Conservancy Trust (a charitable research organisation) has carried out extensive study in these areas⁵¹:

“It is our view that a ban on hare hunting and hare coursing would inevitably shift the farmers perception of the hare from game animal to agricultural pest, and that hare numbers as a whole are more likely to suffer rather than benefit from a hunting ban.”

“Hare coursing, even though conducted on a limited number of properties, encourages the maintenance of high numbers of hares through habitat conservation and protection from poaching and predation.”

“The evidence suggests that an interest in hare coursing on a property will mitigate the reaction of farmers to agricultural damage, allowing hares to be retained at densities which might not otherwise be tolerated.”

4.13 At this stage the Government’s own advice on ‘control’ maybe of interest:

Written Parliamentary Question ⁵²

Lord Geddes asked Her Majesty’s Government: Further to the Written Answer by Lord Whitty on 29 April, whether there are any current recommendations as to what shot size and shotgun type should be used for the culling of a) foxes; b) hares; c) deer; and d) mink.

Lord Whitty: a) A shotgun of minimum 20 bore and minimum shot size BB (4.09mm diameter) is considered suitable for shooting a fox only at close range (under 25 metres).

⁵¹ Submission to Burns Inquiry, 2000

⁵² 10th May 2002

b) and d) A shotgun of minimum 20 bore and shot size of at least number 5 (2.79mm diameter) is recommended for use in shooting hare or mink only at close range.

At longer range the use of a rifle is recommended for fox, hare and mink.

c) A shotgun is not recommended for culling deer and would not normally be legal under the Section 4(2)(a) of the Deer Act 1991. In certain circumstances the Act permits the use of a shotgun for humane destruction of a seriously injured animal or for use as a slaughtering instrument. Section 7 of the Act provides a defence for occupiers of land etc who use a shotgun where free ranging wild deer cause damage, further damage is likely and the action is necessary to prevent further damage. The minimum calibre permitted is 12 bore, using a single non-spherical projectile weighing not less than 22.68g (350 grains) or a cartridge purporting to contain shot which is 0.203 inches (5.16mm) in diameter (size AAA) (Section 7(2) of the Act).

4.14 In addition, and in specific relation to deer, land use experts in the West Country fear for the Red Deer species if the management balance, established and accepted over centuries, is upset:

4.15 Exmoor National Park Authority in their submission to the Burns Inquiry (2000) stated:

“On Exmoor, these management practices have traditionally been a mixture of culling by shooting and by hunting with hounds, with the former exceeding the latter in terms of numbers killed. Hunting with hounds is also used to manage the distribution of deer and move local populations away from areas where they are causing unacceptable damage. This forced movement of deer is also thought to help maintain a high quality red deer herd by discouraging inbreeding.”⁵³

⁵³ Exmoor National Park submission. Para 5.2

“This number represents a grazing impact roughly equivalent to 900 livestock units. This is small compared to approximately 75,000 livestock units arising from domestic animals farmed across Exmoor (approximately 42,900 cattle and 214,000 sheep). However, deer damage can still be severe at the local level and Langbein (1997) noted an almost complete cessation of natural regeneration in those broadleaved woodlands most heavily frequented by deer. Forestry Commission guidance recommends a maximum of just over two deer per 100 Hectares of woodland and Langbein (1997) states that significant regeneration is unlikely once deer numbers exceed five per 100 Hectares. Deer densities in Exmoor broadleaved woodlands frequently exceed these figures.”

⁵⁴

“Crop damage by deer can also be significant and damage to hedgerows and boundaries is clearly evident in many places. Conversely the impact of deer on moorland vegetation is less severe (Langbein, 1997).” ⁵⁵

“Red deer populations on Exmoor are high compared to other parts of England and Wales, and it is acknowledged that there is increased tolerance of deer damage to crops, woodlands and boundaries amongst Exmoor farmers and landowners as a result of interest in hunting of deer with hounds. As mentioned earlier, use of hounds can be an effective way of moving deer away from areas where they are causing localised damage.” ⁵⁶

“The National Park Authority believes that a reduction in tolerance of deer and an increase in shooting is likely to have the following consequences:

- A substantial decline in the overall population of red deer on Exmoor.
- An alteration in deer behaviour with increased reluctance of ‘gun shy’ deer to venture into open areas as they revert to their original habits - remaining in woodland by day and only venturing onto open ground by

⁵⁴ Para 5.4

⁵⁵ Para 5.5

⁵⁶ Para 5.6

night. Although research is needed to demonstrate this effect, people's enjoyment of the National Park is greatly enhanced by their ability to catch a sight of red deer easily and regularly, and such a behavioural change would reduce the visibility of deer and damage this 'special quality' of Exmoor.

- A potential increased risk to public safety resulting from any increase in the use of guns and rifles, and the potential increase in inexperienced users. This risk is likely to be compounded by proposed legislation to increase public access to open land.
- Increased levels of suffering to wounded deer and no effective method to track and cull wounded animals - a role currently provided by the hunts.
- Potential changes to the landscape and woodland areas from installation of shooting platforms.”⁵⁷

“Although the hunts are not directly involved in habitat management on Exmoor, hunting interests provide a positive land management role through the Badgworthy Land Company which owns 2,794 ha of land on Exmoor together with the hunting rights over a much wider area. The Land Company is actively involved in work to achieve better conservation management of its land holdings. For example, the Company has entered into management agreements with English Nature for several commons it owns which are SSSI and pSAC status and has recently prepared management plans for its woodland estates in conjunction with the National Park Authority. All the land that the company owns outside the commons are entered into the Environmentally Sensitive Area (ESA) scheme for conservation management, and the Company has supported a number of initiatives with the National Park Authority including conservation of dormice in its woodlands.”⁵⁸

“Stag hunts work closely with the Exmoor and District Deer Management Society to co-ordinate management of the deer and undertake an annual count

⁵⁷ Para 6.1

⁵⁸ Para 11.2

of deer numbers. Most of the counters carrying out the annual count are hunt followers/supporters. The hunt responds to problems raised with the DMS by organising hunts on areas where damage is occurring which effectively disperses the deer.”⁵⁹

“The annual counts suggest that deer populations on Exmoor are stable so the informal influence of the DMS and the hunts are effective in retaining a stable population of deer.”⁶⁰

“The National Park Authority is concerned that an end to hunting with hounds could mean that some farmers/landowners will no longer be prepared to tolerate the level of deer damage they currently do. There could be pressure to reduce the size of the herd or radically reduce it in certain areas. Without new effective management frameworks in place there could also be an increase in indiscriminate, uncoordinated shooting with, in short, an end to the present red deer management regime as we know it and the risk of serious consequences for the future number, quality and distribution of Exmoor’s red deer herds.”⁶¹

“However, given that a ban of hunting with hounds could represent a significant change in current deer management arrangements, there is concern that such a ban could have serious implications for the future arrangements for the sustainable management of the red deer herds and, in turn, their conservation and enhancement.”⁶²

4.16 In their submission to the consultation Exmoor National Park Authority has reaffirmed its earlier position:⁶³

“The National Park Authority believes that a reduction in tolerance of deer and an increase in shooting is likely to have the following consequences:

⁵⁹ Para 11.5

⁶⁰ Para 11.6

⁶¹ Para 12.5

⁶² Para 12.8

⁶³ Draft submission – 2nd July 2002

- A substantial decline in the overall population of red deer on Exmoor.
- Decline in herd quality arising from over exploitation of ‘trophy’ stags.
- An alteration in deer behaviour with increased reluctance of ‘gun shy’ deer to venture into open areas as they revert to their original habits – remaining in woodland by day and only venturing onto open ground by night. Although research is needed to demonstrate this effect, people’s enjoyment of the National Park is greatly enhanced by their ability to catch a sight of red deer easily and regularly, and such a behavioural change would reduce the visibility of deer and damage this ‘special quality’ of Exmoor.
- A potential increased risk to public safety resulting from any increase in the use of guns and rifles, and the potential increase in inexperienced users. This risk is likely to be compounded by proposed legislation to increase public access to open land.
- Increased levels of suffering to wounded deer and no effective method to track and cull wounded animals – a role currently provided by the hunts.
- Potential changes to the landscape and woodland areas from installation of shooting platforms.”

4.17 Exmoor District Deer Management Society submission to Burns Inquiry (2000) stated:

“The Exmoor District Deer Management Society conducts an annual census of the population of red deer which takes place on two consecutive dawns in February each year. In 1999, 260 local people, knowledgeable about deer and their habits, conducted the visual count covering an area in Exmoor which is split into 27 districts. A further 210 people in 53 locations also counted between Exmoor and Tiverton.

Since it began, the census on Exmoor has fluctuated within a band of 2000 to 2500 and last year's figure of 2399 indicates a healthy stable population, producing in the region of 500 calves annually, and that culling, including hunting, does not exceed the annual replacement by births.

There is a measure of conflict between the existence of a large herd of red deer and farm and forestry practices. The damage done by deer on farming and woodland areas is significant. Doctor Jochen Langbein's research⁶⁴ indicates that the size of the herd is considerably greater than would be tolerated by farmers or foresters in the absence of hunting.

It is clear that in the absence of hunting a substantial reduction in the herds size on Exmoor would take place over the medium term.”

4.18 The British Deer Society submission to Burns Inquiry (2000) stated:

“Without a proper control programme, the population of deer would be increasing on a geometric progression. The impact of deer on farm crops, woodland planting and management schemes, natural regeneration and biodiversity is already of concern to farmers, foresters and environmentalists. Deer cause damage by browsing, grazing and trampling crops. There are well-documented reports dealing with the degree of damage and the implications for foresters, farmers and environmentalists.

The hunts have played a major role in maintaining a significant population of red deer in the Exmoor area. Many of the local landowners and farmers are hunt members or hunt supporters. That support allows the hunts to range wide and exercise tight control over the deer and land use within their sphere of

⁶⁴ (The Ranging Behaviour, Habitat-use and Impact of Deer in Oak Woods and Heather Moors of Exmoor and Quantock Hills, 1997)

influence. They are able to actively discourage activities which they see as detrimental to the wellbeing of the hunt and the deer.

It would be unwise to assume that landowners and farmers who have lost the right to hunt would, without question, welcome any system imposed on them by the state. It is by no means certain that the consensus achieved by the hunts would survive their demise. We believe most strongly that the management of the red deer would suffer if no agreement were reached with farmers and landowners about the way forward. An imposed solution will further alienate those whose co-operation is essential if any new management plan is to succeed. The threat by some landowners to cull all the deer if hunting is banned should not be underestimated, as the shooting of 100 deer on the Quantocks by two farmers in 1998 as a protest at the National Trust ban clearly illustrates.⁶⁵

The motor car is unfortunately a major cause of injury and death to deer. Between 30,000 and 50,000 deer are killed each year on our roads. The West Country hunts provide a casualty service in such cases, dispatching deer and disposing of the carcasses. It would be essential for an alternative system to be in place, should hunting be banned.”

4.19 And over the rest of the UK major land use groups express the value that their members attach to the service hunting can and does provide.

4.20 National Farmers Union⁶⁶

“The NFU is firmly of the view that pest control cannot be considered in a single, uniform, national context. Each individual problem will require a different solution, a fact often overlooked by decision-makers and interest groups who favour blanket solutions and standard rules. Pest control requirements will vary sharply from one region to another and from one farm

⁶⁵ The Daily Telegraph, The Times et al, 10th February 1998

⁶⁶ NFU submission to Burns Inquiry (2000)

business to another depending on a range of circumstances. Indeed it is dangerous to generalise at all as for example a sheep farmer may suffer persistent predation by foxes which is not shared by his neighbours in the locality, perhaps because of his proximity to features such as woodland. Full regard must be had to the fact that problems caused by agricultural pests, whether they be foxes, deer, hares, mink or other species can have severe consequences for farmers' businesses.”⁶⁷

“There are many factors which will influence the choice of the most appropriate method of control in any given circumstance. Farmers have to take into account factors such as the nature and extent of the problem, the terrain, the proximity to an urban area, the location of public rights of way, the resources and equipment available, and the skill and expertise of the operator. Often the choice of control method will be quite limited. The NFU advocates the responsible use of pest control methods through the strict adherence to the available codes of practice produced by the responsible governing bodies.”⁶⁸

“Some local hunts offer a lamb call service to farmers whereby they will use the hounds to trace the particular fox culprit which has been preying on lambs or other stock. Dogs are also invaluable for finding injured deer, particularly in woodland. In numerous parts of the country where hunts operate farmers benefit from the service of collection of casualty animals, or second quality calves, by the hunts. This service is often free or at only a small charge and is much valued by farmers at a time when the traditional knacker service has either declined or disappeared following the BSE crisis, or imposes significant charges which the hard-pressed livestock sector can ill afford. The dairy industry in particular values this service following the ending of the calf slaughter scheme and consequent surplus of second quality calves.”⁶⁹

⁶⁷ Para 8

⁶⁸ Para 9

⁶⁹ Para 12

A central conclusion of the NFU's review of the management of agricultural pests in 1995 was that:

"Farmers consider it imperative that the full range of methods currently available is maintained. We have concluded that any further reduction in the range of techniques available would seriously compromise farmers' ability to control agricultural pests effectively and would jeopardise effective management of farm holdings."

"The NFU remains firmly of that view. We believe that a ban on hunting with dogs would be a major retrogressive step in terms of effective pest control, and would have a damaging impact on the supporting services provided to farmers by the hunts, and on the additional sources of income from which farming businesses benefit."

4.21 Farmers Union of Wales – submission to the Burns Inquiry 2000:

"Whilst the Union remains neutral on the issue of hunting as a sport - believing it to be a matter of individual conscience - it firmly supports the right of farmers and landowners to hunt and destroy vermin with a view to containing livestock losses that would otherwise inevitably transpire as a result of predation.

The Welsh terrain makes it virtually impossible to control foxes without the use of dogs. Many agricultural areas adjoin large tracts of forestry stands which contain dense undergrowth. If fox populations are not controlled in these areas, farmers adjoining forestry land are severely affected by fox predation.

In collating evidence for its submission to Committee, the Union undertook to distribute a small questionnaire to a cross section of hunts within Wales. ...it is clear from the number of foxes killed in a year that there would be a

substantial economic cost to the sheep industry in Wales should hunting be banned.

The Union is aware that current protagonists insist that the effect of fox predation in the UK on lamb mortality is low, at around 2%. However, we would contend that whilst a small percentage of lamb mortality has a relatively low impact on a national basis, when numbers are related to individual farms, particularly those in upland Wales where the density of sheep is high, the economic loss is far greater, and losses of up to 5% of lambs to foxes are not uncommon in some areas.

Given the current economic crisis within the agricultural industry, a ban on hunting would have a significant effect on lamb mortality rates, particularly in those areas of Wales possessing significant forestry cover where the most effective method of fox control is to send in hounds to flush foxes into the open where they can be humanely destroyed.

In the Union's view, the main alternatives to hound control are shooting, trapping and snaring (under licence).

(i) Shooting

Shooting in dense woodland is not a practical solution, although the Union agrees that shooting with high-calibre rifles can be selective. Woodland does, however, make a 'clean shot' very difficult, and without dogs to dispatch any injured foxes, the suffering is inevitably increased.

(ii) Snaring (under licence) and Trapping

The use of cage traps is unselective and the levels of stress in captive animals is high. Success is dependent on siting traps on established runs which are not always possible to determine.

Large areas of Wales are also covered by forestry which acts as a natural reservoir for foxes. If fox populations are not controlled in these areas, farmers

adjoining afforested land can be severely affected by fox predation on young lambs.

The Forestry Commission has long recognised its obligation to control agricultural pests through its support of fox control societies, and the significant number of foxes dispatched by those hunts demonstrates the importance of control.

Certain species of animal are considered pests when an increase in population numbers reaches a point where the viability of an enterprise could be compromised without some method of control.

In Wales, due to its high density of sheep production, foxes are the main pest species which have traditionally been controlled using dogs. Anecdotal evidence suggests that the mink population is also increasing, particularly within the vicinity of rivers and other waterways.

As yet, deer do not constitute a major pest problem in Wales, although survey data does suggest that deer numbers in certain areas of Wales are increasing. Currently, the Union is a partner in the European-funded Welsh Deer Initiative which aims to educate farmers about the potential problems associated with an increasing deer population and to examine the most effective means of future control.

The FUW believes that farmers need a range of methods to control pests, depending on individual circumstances. Whilst much debate surrounds the advantages and disadvantages of fox control in particular, the Union has noted that previous independent Inquiries have inevitably concluded that fox hunting involves less cruelty than most other methods of control.

Over the past fifty years, there have been no significant advances in the development of alternative control methods which are acceptable to all sides

of the hunting debate and thus the use of dogs remains an important pest control method for many farmers.

The Union believes that, should hunting be banned completely, it would have a serious impact on the sheep industry in terms of an increase in lamb mortality.

Hunting not only provides a generic service in keeping down predator numbers but also allows the farmer to be able to control specific problem foxes during lambing. As demonstrated by the results of our survey, most of the hunts approached provide vital lambing calls outside normal hunting days when hounds are brought on farm to deal with specific problem foxes.

The Union is also concerned that a ban would create specific problems in terms of casualty animal disposal in Wales due to its topography and geography. Current guidance contained in the MAFF Codes of Good Agricultural Practice for on-farm burial of dead animals make it practically impossible to bury casualty stock in Wales.

If hunting with dogs were to be banned completely, the Union would expect a rise in pest species populations, particularly in afforested areas.

As a consequence of a ban, the Union would expect public bodies such as the Forestry Authority to take responsibility for fox control on its land and be accountable for failure to comply.

The Union is also concerned that a ban on hunting with dogs will lead to a rise in illegal poisoning/gassing of pest species. Poisoning/gassing is totally indiscriminate and would severely impact upon the positive work achieved by the industry and other partners, as demonstrated in a recent report by the Campaign Against Illegal Poisoning of Wildlife which showed that illegal poisoning by the agricultural industry has reduced substantially over the past few years.

A total ban on hunting with dogs could, in the Union's view, ultimately affect a farmer's view on specific habitat creation or preservation if, as a result, pest numbers rose sufficiently so as to have a real or perceived economic impact on farming activities. There may also be a rise in litigation associated with adjoining farmers demanding compensation for losses from a neighbour who is unable to keep pest species at a tolerable level.

As shooting in afforested areas without any realistic means of flushing foxes from the undergrowth will inevitably result in an increase of pest species, there is real concern that other illegal methods of control will be used indiscriminately - particularly in remote areas - which will have a negative effect on wildlife.”

4.22 The Country Land and Business Association in its submission to the Burns Inquiry (2000) concluded – in relation to Wales:

“Gun packs hunt on foot, using the hounds to "flush out" foxes into the open countryside or, in large forestry areas onto the rides dividing the blocks of woodland. Then followers, carrying shotguns, surround the woodlands and shoot the foxes as they come out of the woodland or cross the rides. The use of a shotgun for killing foxes is normally unacceptable, as there is a real likelihood of wounding, however any injured foxes are subsequently caught by the hounds coming out of the woodland. This method of fox control, using hounds and guns, has become most effective in those parts of the principality where it is not possible to follow hounds on horse back.”⁷⁰

“It is often the case that a farmer will seek the direct assistance of his local hunt in dealing with a specific predator problem. In Wales, for example, a vital role of hunts are "lambing calls" when lambs are being lost or are at risk due to fox predation. This call out service is usually at the end of the hunting

⁷⁰ Submission para 13

season when the lambing period is at its peak, although the time scale can vary with regional fluctuation.”⁷¹

“Hunts are also vital in controlling foxes that are causing problems to shoots in terms of predation on game and many shoots will use the hunt to deal with the problem once the nesting season is over. Most shoots lose between 5-10% of their birds from predation, of which a significant amount is due to foxes. They are also of assistance in identifying whether or not pests, such as mink, are present on land.”⁷²

“Arable farmers will often use harriers and beagle packs to regulate numbers of hares on fields, where numbers have increased to levels where damage to crops is sustained. The vast majority of farmers welcome hares onto their land in reasonable numbers and are not keen on shooting them. Hunting and coursing therefore not only control their numbers by killing but also disperse populations to sustainable levels.”⁷³

“The purpose of hunting is to control not exterminate a species. In the absence of hunting, tolerance of farmers and landowners to a residual fox population and populations of other hunted animals, is likely to decrease sharply. As a result foxes and other quarry species will be shot or snared indiscriminately with a detrimental effect on the survival of a healthy quarry populations in rural areas. Much evidence exists to indicate at present, that hunts tend to catch the older and injured animal. The fact remains that hunting is the nearest man can get to natural predation and therefore most closely aligns to the natural state. It is also selective and helps to ensure that the fox population remains healthy.”⁷⁴

“There are also practical difficulties which will arise if hunting as a form of pest control is banned. The obvious alternative method of control would be

⁷¹ Para 23.

⁷² Para 24.

⁷³ Para 25.

⁷⁴ Para 34.

shooting. In most instances, save for the special circumstances surrounding the gun packs in Wales, it is not satisfactory or humane to use a shot gun for the purposes of killing a fox due to the likelihood of injury rather than a clean kill. This means that the use of a firearm is needed in the form of a rifle. Police forces will therefore be required to issue firearms licences on a more liberal and frequent basis to enable effective control to take place. This is however in conflict with a real risk arising in areas where greater public access exists. This risk is unlikely to decrease in the light of the Government's plans to increase access to land.”⁷⁵

“Alternatives to shooting such as snaring, risk other wildlife as well as being largely ineffective for the purpose of controlling foxes. There is also the risk of a lingering death. Poisoning of foxes is an alternative which might be used by farmers desperate enough, in the absence of the hunt, to control a troublesome fox, but this is at considerable risk to other wildlife such as birds of prey and is indiscriminate.”⁷⁶

“Hunting remains the most effective means of controlling populations of pest species in such a way that they are not completely annihilated but that the necessary balance with the environment is maintained. In considering this method of control heed should be taken of the fact that hunting has evolved over the centuries to suit the particular terrain and ecology of specific areas. Overwhelming evidence would appear to exist that it is an effective and natural form of control.”⁷⁷

“There is no doubt that the existence of hunting for the purpose of control rather than eradication means that a healthy population of foxes remains by virtue of the fact that it is a selective method of control. Alternative methods of control such as trapping, snaring and shooting are by contrast indiscriminate and likely to be far less humane. Any assessment as to whether hunting is

⁷⁵ Para 35.

⁷⁶ Para 36.

⁷⁷ Para 37.

cruel must also consider the alternative control methods which would have to be used if hunting was banned.”⁷⁸

The selective means of control that hunting provides means that healthy populations of quarry species remain.

4.23 **And the Government’s own Department added:**

MAFF – submission to Burns Inquiry (2000)

“Brown hares are typically a farmland species and high densities can be associated with grazing damage to crops and damage to young, unprotected forestry plantations. Hares are considered as agricultural pests and the Ground Game Act 1880 allows farmers to take them at any time of year to protect crops.

However, foxes can cause serious local problems to farmers and landowners; as a result they may take measures to control local fox populations, as well as responding to individual incidences of fox predation. Foxes may also cause localised problems to free range poultry interests, have a detrimental impact on grey partridge numbers (Tapper et al. 1990)⁷⁹ and predate colonies of ground nesting birds (e.g. Forster 1974⁸⁰).

Baker & Harris (1997)⁸¹ have argued that each year around 50,000 foxes are dug out using terriers, 10,000 are killed with lurchers and 15,000 by foxhunts. Thus approximately 75,000 foxes are killed each year by all forms of hunting that involve the use of dogs; i.e. about 20% of the surplus population. These figures compare with the estimated 100,000 foxes that are killed each year on

⁷⁸ Para 53.

⁷⁹ Tapper, S.C., Brockless, M. and Potts, R. (1990). The Salisbury Plain experiment: the conclusion. *Game Conservancy Annual Review* 22: 87-91

⁸⁰ Forster, J.A. (1974). Electric fencing to protect sandwich terns against foxes. *Biological Conservation* 7: 85.

⁸¹ Baker, P. and Harris, S. (1997). *How will a ban on hunting affect the British fox population?* Electra Publishing, Cheddar

our roads. We are unaware of reliable data on the cost/effectiveness of the different methods of fox control. If there was any reduction in fox control using dogs, this would have to be compensated by an increase in other methods of control to ensure no increase in local fox numbers.”

4.24 This concern is also held by two senior ex-employees of the League Against Cruel Sports:

Richard Course⁸² – submission to Burns Inquiry 2000

“Terriers are frequently used on farms and in and around industrial buildings to kill rats. The dogs kill the rats instantly and clubbing kills some rats whilst fleeing from the dogs. This clearly is organised hunting with dogs and is arguably more humane than some if not all of the other methods employed to kill rats.

Terriers and long dogs are frequently used to kill rabbits as is lamping and lurcher work, the chase is very short lasting a minute or so and the kill is instant. Rabbit hunting is also of quite short duration. The rabbit is either caught or gets to ground or otherwise escapes unscathed.

These methods are clearly organised hunting with dogs and are arguably more humane than some, if not all, other methods employed to kill rabbits.

In summary there are no animal welfare benefits to be achieved by prohibiting mink hunting with dogs although habitat disturbance is a factor to be considered under a wildlife conservation paper.

The main support for deer hunting comes from landowners and farmers in Devon and Somerset.

⁸² Former Chairman and Executive Director of the League Against Cruel Sports

They cannot, and will not, tolerate the crop losses caused by uncontrolled herds of wild red deer. The deer numbers, for the most part, are controlled by regulated deer shooting by the consent of the land owner. These landowners and farmers ensure that a sufficient number of deer are left for their winter games of deer hunting. They claim that without that interest ALL of the deer would be shot. Farmers and others are likely to use shotguns and low calibre weapons to kill deer unlawfully, resulting in wounding and cruelty from indiscriminate culling (often at night). Few such individuals would bother to be licensed to hold a rifle of sufficient calibre (as required by statute) or do the killing in a restricted but lawful fashion. Red deer should be shot with a .270 calibre rifle.

There is an abundant amount of evidence to support that claim.

For example, in the past when there was a cessation of deer hunting, the red deer were wiped out in Devon and Somerset. That was probably a combination of landowners and farmers protecting their crops with an added financial incentive for venison, and a hungry populace poaching for venison.

A herd of wild deer causes enormous damage to arable farming and deer, of course, consume grass grown for cattle and sheep. As I know from my years with the League Against Cruel Sports, which owned land near pasture farms in Devon and Somerset, deer can do considerable economic damage as well as physical damage.

Artificial control of the deer population density is essential and inevitable in areas used for farming and agriculture.

It is, almost certainly, the hunting interests of those landowners and farmers which allows the survival of the red deer herds in and around the Exmoor National Park.

This leaves a clear dilemma between animal welfare considerations and deer survival considerations. Personally I believe that the extinction of the red deer in Devon and Somerset is a price worth paying in the cause of Animal Welfare; other people would strongly disagree with such a controversial statement

The coursing of hare using fast running long dogs such as greyhounds or lurchers which do not have high stamina can be over in a few minutes. A kill or an escape can be determined by the length of slip given to the dogs in this form of organised hunting with dogs. The long dogs are faster than the hare but not for very long. The hare's superior stamina over a prolonged chase allows it to escape such fast running dogs, unscathed.

If it is deemed necessary to kill hares, the use of fast running long dogs is probably the quickest method of killing and has an unharmed escape or a very quick death as an advantage.

It is widely accepted that the fox is a pest to human interests. Foxes will, if access is achieved, kill every bird in a hen house or barn, and every rabbit in a cage without attempting to eat its victims.

Foxes will also kill an undefended or unprotected young lamb but its mother, if fit, is capable of protecting both herself and her offspring against an attack by a fox. Foxes will also decimate ground nesting birds and, in particular, predate on pheasants and partridges much to the irritation of the gamekeepers and the shooting interests.

In respect of organised fox hunting with dogs, a well stocked and closely kept shooting estate would not want 50 hounds and as many like minded followers charging through the estate in any event. Game Keepers on such estates use a variety of much more cruel methods of killing foxes (and other wildlife such as stoats, weasels and so on) such as snares, traps and shooting

and wounding by shot guns. It is also indiscriminate and unseasonal, unlike foxhunting.

When it is known or suspected that a fox is in an earth or disused badger sett during the hours of daylight there are people who put a small terrier into the hole which causes a fox to bolt.

Fast running long dogs or lurchers immediately pursue the fox and, because the distance is short, the slower running fox is caught and killed by the dogs within a minute or so.

This is clearly hunting with dogs and is over very quickly. Therefore it is relatively humane, especially when compared to shooting with shot guns or the use of snares.

If fox hunting is to be banned then these other relatively humane methods i.e. long dogs which are so similar in effect would also be banned, leaving shot gun shooting and snaring as the common fate of foxes.

The scent hunting or the tracking down aspects of fox hunting cause no stress or no trauma to the fox who must be totally unaware of this major part of the hunt. How the fox is located is totally irrelevant to animal welfare considerations. It took me ten years to realize that irrefutable fact - others will never realize it because bigotry, prejudice, narrow mindedness, class animosity and ignorance blind people to the truth.

I do not approve of hunting, I do not support hunting, but I firmly believe that hunting with dogs, in some cases, is more humane than other methods of killing, not under consideration by the government.”

4.25 Graham Sirl⁸³

⁸³ Letter to regional press, 10th May 2001. Graham Sirl was Head of West Country Operations for the League Against Cruel Sports.

“Over the years, and many meetings with landowners and others, I have come to the conclusion that in the event of a total hunt ban, the deer population will be decimated. This view is shared by many, including some who remain independent on the hunting issue... However, I do now believe that hunting with hounds does play an integral part in the management system for deer on Exmoor and the Quantocks.”

4.26 The Scottish Hill Packs Association noted in their oral evidence to the Scottish Parliament’s Rural Affairs Committee:⁸⁴

“Over a season, we will account for 90 per cent of the foxes that we find. I estimate that 80 per cent of those foxes will be shot dead; 10 per cent will be peppered and wounded, and will be caught by the hounds; and 10 per cent will be caught by the hounds under their own steam.”⁸⁵

4.27 There are other utilitarian benefits which extend well into the welfare/cruelty arena. In their submission to Burns, the International League for the Protection of Horses commented:

“The hunting industry also currently provides an essential equine carcass disposal service.”⁸⁶

“The British Equine Veterinary Association Carcass Disposal Working Party considers, conservatively, that between 35,000 and 50,000 horse carcasses must be disposed of each year in the UK. Up to 10,000 carcasses may be exported as horsemeat. Therefore each year between 25,000 and 40,000 carcasses are disposed of between the 264 MAFF registered hunt kennels, 92

⁸⁴ 28th November 2000

⁸⁵ Paul Crofts, Scottish Hill Packs Association, Oral evidence to the Rural Affairs Committee, Tuesday 28 November 2000, Col 1447.

⁸⁶ Submission to Burns Inquiry para 14.viii

MAFF approved knacker's yards and 14 whole carcass incinerators in Britain.”⁸⁷

“Carcass disposal has become increasingly problematic and expensive over the last two decades due to changes in legislation. Hunt kennels, however, still provide a comparatively cheap service for equine carcass disposal and sometimes for equine euthanasia.”⁸⁸

“The ILPH has recently begun to see cases where owners of equines that are in chronic pain, and hence require euthanasia, have not been able to afford to have the animal humanely destroyed and the carcass disposed of. As a result the pain and hence suffering of the animals has been prolonged.”⁸⁹

“If hunt kennels were no longer available to dispose of equine carcasses, the price of disposal would increase greatly, more owners would not be able to afford disposal, more equine euthanasia would be delayed and more equines would suffer as a result.”⁹⁰

4.28 British Equine Veterinary Association (BEVA) – submission to Burns Inquiry (2000):

“The loss of hunt kennels as a route of disposal of fallen stock , when there is increased pressure for other reasons on carcass disposal , would place a very heavy financial burden on horse owners and farmers. For example a commercial incinerator may charge £300 or significantly more to dispose of a horse, compared to a nominal charge of £50 to £100 by a hunt kennel. An estimate by the Jockey Club suggests that this would involve approximately 10,000 equine carcasses currently disposed of by hunt kennels per annum. To give a practical example of how valuable are hunt kennels in dealing with fallen stock , the Percy Hunt (North East England) collected 625 adult cattle

⁸⁷ Para 14.ix

⁸⁸ Para 14.x

⁸⁹ Para 14.xi

⁹⁰ Para 14.xii

,440 calves and 84 horses in the year 1st May 1998 to 30th April 1999. This service is carried out free of charge and the Hunt has an incinerator to dispose of carcasses unfit for hound consumption. Thus it is clear that the loss of hunt kennels would result in a crisis in carcass disposal which may not readily be resolved.”

4.29 The Farmers Union of Wales (FUW) submission to Burns Inquiry (2000) in relation to fallen stock:

“Hunt kennels provide a vital collection and disposal service for farmers which has been particularly highlighted during the current agricultural crisis. Hunts have humanely dispatched a significant number of unwanted dairy calves since August 1999 when the European Calf Processing Aid Scheme came to an end. As demonstrated by the figures submitted in Appendix 1, the cessation of the Calf Processing Scheme, coupled with a ban on export of these calves and the severe economic depression within the dairy industry, has meant that hunt kennels have provided a vital means of disposing of these animals, particularly dairy bull calves which have little market value.

Since the onset of BSE, the knacker trade is virtually non-existent in Wales and many hunts have installed incinerators to dispose of SRMs and SBMs which are legally required to be disposed of in this way.

Should hunt kennels be forced to stop this vital service, there will be a significant economic impact on agriculture in general, and the dairy industry in particular, in terms of dead stock disposal.”

4.30 Written Parliamentary Question: ⁹¹

Joyce Quin, (then a Junior Minister in MAFF) in response to a question by Mr Clifton-Brown: “A small and limited survey, carried out by MAFF, suggested that in 1999 around 40 per cent of calves, 32 per cent of adult bovines and 15 per cent of sheep were disposed of to hunt kennels.”

⁹¹ 28th July 2000

4.31 Some confusion exists in relation to effectiveness of “control” of wild mammal populations. Is good control reducing or maintaining a population? What is an acceptable level of foxes? The Alliance believes that the answer must rest with the landholder, having taken into account a range of factors. As our new research reveals, hunting is valued for a variety of reasons which may vary regionally or according to season:

4.32 In 2002 the Countryside Alliance commissioned Produce Studies⁹² and David Corbett to conduct a survey into fox predation amongst sheep breeding flocks in England and Wales. The principal findings are:

NB numbers in brackets after each statement indicate the paragraph or table within the body of the report.

- The loss of livestock, especially lambs, to foxes has been discussed for many years. To our knowledge this report is the first to seriously quantify fox predation and the attitude of sheep breeders to foxes. (1.1)
- A significant quota sample of 600 farmers with sheep breeding flocks of over 50 ewes has been drawn to represent the 39,600 sheep breeding flocks in England and Wales. This sample is drawn at both regional and County level and across all flock size groups over 50 ewes, (1.3)
- Produce Studies Research conducted the interviews through their own computer assisted (CATI) central telephone unit in the last half of June 2002. They produced all the analysis, grossing and tabulations. (1.7)
- 38,476 flock owners (97%) state that they see foxes, or the evidence of foxes on their farm. (2.2)
- 25,300 owners (65%) say that there are now “a few more” or “a lot more” foxes than in February 2001 when fox hunting was stopped for FMD. (2.3,1.)

⁹² A division of Promar International. A copy of the questionnaire is attached at Appendix 2.

- This percentage increases to 81% in Wales. Also 82% of all flock owners with more than 1,000 ewes maintain that they see more foxes than in 2001.(2.3.4.).
- Nearly 20,000, more than half of all flock owners (51%) state that fox behaviour has changed in that they are now bolder than they used to be.(2.4.1)
- Some livestock being killed by foxes was reported on 31,500 sheep farms (82%) prior to February 2001. (2.5.2)
- In the 16 months, since February 2001, fox killings have occurred on 29,400 sheep farms (76%). The worst regions being The East Midlands with 93% of flocks reporting losses and Wales where 11,000 farmers (87%) reported losses. (2.5.8.)
- 15,700 of the farmers (53%) reporting recent killings thought the level of fox predation to be normal. However 12,500 farmers (45%) thought predation to be higher than usual. (2.5.11.)
- 29,400 sheep farmers in England and Wales lost some livestock to foxes in the last 16 months.(2.5.12.)
- 26,500 (90%) lost some lambs. Nearly 9,000 (31%) of these lost some poultry and 2,500 (9%) lost some ground nesting or game birds. (2.5.12.)
- The predation of lambs accounts for 96% of all fox killings in East and West Midlands, 95% in the South East and 94% in Wales . The regions with a lower proportion of lamb predation were Yorks & Humberside (79%) and the North West and North East (both 86%). (2.5.13.)
- Large flock owners too were hit. 98% of all the reported losses were lambs amongst flocks with 500-999 ewes and with 1,000> ewes.(Table 5.7)

- Two thirds of all flock owners (23,000) think fox predation will increase over the coming year. (2.6.1.)
- Any further increase in fox numbers will have “some” or “a significant” negative impact upon the sheep breeding business of 32,250 farmers (81%). (2.7.1.)
- Hunting with hounds is allowed on 27,640 breeders’ farms (69%). A further 3,000 (8%) do not usually allow hunting. (2.8.1.)
- 8,950 sheep farmers (23%) do not allow hunting. For nearly two thirds of these (5,550 farmers) the absence of the hunt is for practical reasons; not being known by the hunt, no local hunt, unsuitable land, too near to roads or railways etc.(2.8.3)
- However 3,330 (8% of all farmers) do not allow hunting because they don’t want the mess the hunt sometimes makes, are anti-hunting, do not like the hunt or find the hunt staff or followers rude. (2.8.5.)
- The main terrier hunting areas are Wales (39% of farmers), the North West (23%) and the West Midlands (22%). The main lurcher hunting areas are Wales (22%) and the North West (18%). (2.9.2.)
- Should fox hunting be banned the majority of farmers (56%) will use a shot gun for fox control. Night lamping with a rifle is the next preferred option (41%). (Table 10.1).
- Pressed to produce a first option (with no multiple responses) 12,500 farmers (32%) favoured shot gun control with a further 13% opting for night lamping with a shotgun. All favouring the shotgun totalled 45% (2.10.2.)

- 8,600 (22%) favoured night lamping with a rifle as their first option with a further 11% opting for daylight rifle control. In total 33% of farmers gave the rifle as their first choice. (2.10.3)
- Snaring, trapping, gassing and poison were first choice for 11% of farmers but about 15% nominated these as possible control methods.(Table 10.2)
- Maintaining the ability to control foxes with dogs was considered very important by 30,000 farmers (76%) overall. In Wales and the North East the proportion rose to 88% and 92% of farmers and, amongst 1,000 plus flock owners, 90% of farmers. Only 8% of all farmers felt it was "unimportant"; a further 15% were neutral. (Table 11.1)
- 37,750 flock owners (93%) state that hunting with dogs should not be made a criminal offence. (2.12.1)
- A significant proportion of flock owners recognise the role of the hunt in managing (21,000 farmers - 68%) and reducing (14,500 farmers - 48%) the fox population. These definitions are not mutually exclusive. (Table 13.1)
- The disposal of fallen stock by the hunt remains important to 14,500 sheep breeders (47%). (2.13.3)
- The role of the hunt in contributing to conservation work is recognised by 8,500 farmers (28%). Nearly 6,000 owners of sheep breeding flocks (19%) look to the hunt as a part of their social life. (2.13.4.)

4.33 During the same period of time and in consultation with the Council of Hunting Associations, the Alliance surveyed 6,291 farmers residing in hunt countries.

4.34 Unlike the survey conducted by Produce Studies on behalf of the Alliance, this survey was not restricted to livestock farmers only. Hunts were invited to

conduct the survey by post during June and July. Replies have been received from approximately 105 out of 181 packs of fox hounds registered by the MFHA, the returns representing approximately 10% of the agricultural holdings on databases kept by hunts in question. The original questionnaires can be made available to the Department for verification if necessary.

4.35 The principal findings of the CHA/CA survey are as follows:

- The land area represented amounts to approximately 1.1million acres.
- Respondents are responsible for the management and welfare of approximately 745,000 cattle, 1.158 million ewes and 446,000 lambs.
- 97.5% of farmers surveyed stated that they normally see or see evidence of foxes on their farm. 2.5% do not.
- 78% noticed an increase in the number of foxes on their farm since hunting was suspended in February 2001. 13.6% said they did not and 7.1% were not able to answer the question.
- 31.7% reported no difference in the behaviour of foxes since the suspension, but 64.9% were of the view that foxes were bolder, with only 0.3% believing that foxes were less bold or 1.4% behaving differently.
- 11.8% of farmers think that an increase in fox numbers would have no effect on their businesses, whereas 83.5% believe an increase would have some (37%) or significant (46.5%) negative effect. 2.3% believed an increase in fox numbers would have a positive effect on their holding.
- 94.7% of those farmers questioned normally allow hunting with dogs on their farm. This including the use of terriers and lurchers. 4.2% of those questioned said they did not allow hunting with dogs on their farm.

- 49.13% of farmers carry out no alternative methods of control. 30.77% shoot foxes with a shotgun. 21.3% shoot foxes with a rifle. 7.43% snare, 11.85% lamp with a shotgun, 18.48% lamp with a rifle. (NB: These options were not mutually exclusive so farmers were able to answer more than one question).
- 68.17% of farmers believed that the hunt helps manage the fox population at a level they can tolerate. 54% reckon the hunt helps reduce the population of foxes. 62.4% believe the hunt helps dispose of their fallen stock. 43.28% think of the hunt as part of their social lives and 33.88% of farmers believe the hunt helps with some conservation work. (NB: Farmers could answer more than one of the options on offer.)
- Farmers were then asked what methods of fox control they might use in the event of a hunting ban, offering them a choice of more than one method. 53.52% opted for shooting with a shotgun. 39.24% shooting with a rifle, 21.28% snaring, 14.65% trapping, 28.8% lamping with a shotgun, 33.28% lamping with a rifle.
- 64.79% of farmers questioned dispose of their casualty animals via the service provided by the hunt, 10.34% via the local abattoir and 11.65% via other unspecified outlets.
- In the event of a hunting ban 20.66% said they would dispose of their fallen stock via a local abattoir. 54.65% via on farm burial, if allowed, 3.6% via on farm incineration, if allowed and 5.97% via other unspecified means.

4.36 The regional breakdown of this survey could be available to the Department at a later stage.

4.37 The Alliance is interested to note that the results largely reflect those of the sheep farming industry as researched and covered in the Produce Studies report. The overwhelming outcome of most surveys is that in most cases farmers obtain value from hunting in significant proportions. The findings

complement the view expressed by Lord Burns with regard to agricultural support and value of hunting and we suggest, constitute some of the only truly fresh evidence available to this consultation.

4.38 Further, and with particular regard to cruelty, it is quite obvious from the results of Produce Studies and the CA/CHA research, that a hunting ban would lead to a significant increase in the use of shotguns, both by day and by night, rifles by day and by night, and in some areas snaring. Whilst the Alliance stands by its support of such methods of control in the right experienced hands, there can be no doubt that such a development carries with it severe welfare risks which Government must take into account in the drafting of animal welfare legislation.

4.39 On the subject of hunting’s ‘restraining influence’:

In one of the Burns Inquiry research seminar: ⁹³

Dr Jonathan Reynolds of the Game Conservancy Trust “If I may respond to an earlier question as well, about the evidence of a positive influence of hunting on fox numbers... We did find evidence in the Game Conservancy’s Three Regions Study, which you will have read about, in the sense that the hunt in the East Midlands had a restraining influence on gamekeepers and others on local shoots, to the extent that the number of foxes killed by those local interests on their estates was about the same as the number killed in mid-Wales or in West Norfolk. This was despite the fact that the population of foxes in the East Midlands was about twice what you find in mid-Wales, and about four times what you find in Norfolk. So there is evidence that the hunt actually has an influence on other landowners.”

4.40 Scott Henderson “Report of the Committee on Cruelty to Wild Animals” June 1951

⁹³ Burns Research Seminar on contracts 5&6 ‘Population Control’ – 19th April 2000

“The Ministry of Agriculture and other authorities, including the police, think that it would be dangerous to use rifles on the open moors [to shoot deer].”⁹⁴

4.41 **The need for control is supported by public and veterinary opinion.**

4.42 NOP Consumer opinion poll on the attitudes to hunting in rural Wales:⁹⁵

60% of Welsh rural residents agreed that some degree of fox control by man was necessary in the areas in which they lived.

4.43 NOP Solutions poll of 1000 Members of the RCVS:⁹⁶

79% of rural vets considered that fox control was necessary in rural areas, only 15% said that it wasn't.

4.44 **As well as the views of Government Agencies such as Forest Enterprises (an agency of the Forestry Commission)**⁹⁷

“Foxes are present throughout most of the FC estate. Apart from exceptional circumstances where fox predation may threaten rare or endangered species, foxes pose no threat to FC activities. However, we recognise the risk of localised predation affecting game and/or farming operations of adjoining land occupiers and therefore operate a good neighbour policy. A degree of fox control is carried out by:

- a. Direct targeted action (normally in response to specific problems reported by neighbours) by our own Wildlife Rangers.

⁹⁴ Scott Henderson - Para 205

⁹⁵ NOP Consumer poll of 1000 people living in rural Wales. Interviews conducted by telephone. October 2001.

⁹⁶ NOP Solutions Ltd to research the attitude of 1000 Members of the RCVS. The survey represents 5% of the Royal College and was divided between rural and urban practices. July 2001.

⁹⁷ Submission to Burns Inquiry (2000)

b. Allowing fox hunts and fox control societies to operate on our land.”⁹⁸

4.45 As we have previously suggested the value of hunting cannot be limited to its role simply as a pest controller. In many areas the social life that surrounds hunting activity is a critical feature of peoples lives. In the final report of the Burns Inquiry the Committee concluded:

“We do not underestimate the importance, for those who take part, of the opportunities for social interaction provided by hunting. Especially for those living in remote rural areas, it can help to counter the isolation that is often felt by farmers and others, particularly during the long winter months.”⁹⁹

“Organised hunting is therefore an intricate and complex social activity which is intimately linked to other features of rural life and which rests on a foundation of overlapping mutual interests, with the farmer/landowner at the hub.”¹⁰⁰

4.46 The Alliance has submitted a quantity of new evidence specific to Wales. This evidence is taken from our submission to the recent investigation by the Welsh Assembly into the consequences of a ban on the Principality.

4.47 In 2001 GFA-RACE Partners Limited carried out a review of social and cultural aspects of hunting with hounds in Wales.¹⁰¹ This was not available to Burns.

1. Awareness of hunting

- Almost all (93%) of respondents in the Powys case-study were aware that hunting took place locally.

⁹⁸ Para 5.

⁹⁹ Burns Report - para 4.14

¹⁰⁰ Burns Report – para 4.10

¹⁰¹ The review was based upon an isolation of the Welsh case study work from the report ‘The Effects of Hunting with Dogs on the Social and Cultural Life of the Countryside in England and Wales’ undertaken by Milbourne et al for the Burns Inquiry

2. Support for hunting

- One half (50%) of respondents in the Powys case-study were in favour of hunting with dogs.
- More than half (55%) of respondents in the Powys case-study were opposed to a ban on hunting with dogs, with a further 21% neither supporting nor opposing.
- The evidence suggests that there was relatively little overt opposition to hunting practices amongst local residents.
- Tensions and conflicts, it was suggested, were bound up with competing understandings of nature and rurality.

3. Participation in hunting

- Approximately one fifth (21%) of respondents in the Powys case-study had participated in hunting within the previous twelve months.
- More than a quarter (29%) of respondents in the Powys case-study were subscribers to the Irfon and Towy Hunt or members of the supporters club or both.

4. Social activities

- In the Powys case-study, the local church, pub and school were found to attract greater attendance than hunt events although the Community Council, W.I., sports club and political parties were all less well attended.
- Relatively few different social activities were reported in the Powys case-study compared to the other areas studied.
- Approximately one quarter (26%) of respondents in the Powys case-study had attended a hunt function within the last twelve months.

5. The importance of hunting

- Approximately one fifth (21%) of respondents in the Powys case study stated that hunting represented an important part their day-to-day lives.
- Almost three-quarters (71%) of respondents in the Powys case study stated that hunting was not very or not at all important to them.

- More than two-thirds of all respondents in the Powys case study (69%) felt that hunting with dogs played an important part of life in their local area.

6. Expressions of feelings about hunting

- More than a quarter (28%) of respondents in the Powys case study claimed not to discuss their feelings on hunting with others.
- Non-discussants tended to be those who either opposed or did not have a strong opinion about hunting, were not involved in hunting activities, or were not engaged in rural occupations.

7. Socio-economic differences

- Support for hunting was strongest amongst men, older people, longer established residents, workers in rural occupations and the lower social classes.

8. Understanding of hunting

- Hunting in Powys appeared to be considered as more about the control of pests than any form of sport, social activity or ritual.

4.48 A further piece of research work by Produce Studies Ltd¹⁰², this time for the Countryside Alliance, also found:

This report looked only at the 29 hunt registered with the MFHA in Wales. Packs registered with other hunting organisations, and terrier and lurcher operators, have not been included.

- At the time of the survey there were 29 MFHA registered foxhounds packs in Wales.
- 50% of the hunts surveyed own their own kennels and flesh house. The remainder rent their facilities.

¹⁰² Produce Studies - 'The Social and Economic Implications of Fox Hunting in Wales 2001'

- 20 of the hunts had incinerators which have proved to be of great importance in enabling the hunts to provide a fallen stock collection service to local farmers.
- The hunts themselves owned respectively 56 horses and 22 lorries.
- Welsh hunts, on average, provided 66 days hunting in the 1998/99 season. This was found to be identical to the national average for England and Wales.
- It has been possible to estimate the total annual attendance at meets (including mounted, foot and car-borne supporters) to be 120,000.
- All hunts surveyed had their own supporters club. Total membership of these clubs was identified to be 3,700, representing an average of over 125 members per hunt.
- Twenty of the hunts had full-time employees at an average level of two per hunt. This represented a total of 40 full-time equivalent jobs.
- A further 15 hunts had part-time employees, with some hunts having both full and part-time staff. This amounted to a total of 27 people.
- The numbers of people mentioned above represented approximately 53 Full-Time Equivalent (FTE) jobs.
- The total annual cost of employment was identified to have been £396,000 in 1998/99, representing an average cost per hunt of £13,655.
- The 29 hunts were found to have contributed a total of just under £1million to the local economy in 1998/99.

- In 1998/99 the 29 Welsh hunts handled a total of 44,000 head of fallen stock. This represented an average of over 1,500 carcasses per hunt.
- The hunts estimated that handling fallen stock accounted for about one quarter of all their costs related to flesh collection. This amounted to a total of £265,000 in 1998/99.
- The 29 hunts were responsible for organising over 350 social events. The total number of attendees at these events was estimated to be 114,000.
- Associated activities included those organised by the local branches of the Pony Club. In 1998/99 21 hunts had a Pony Club Branch affiliated to them. In total, these branches organised 450 functions for children during that year.
- 703 jobs are dependent in whole or part, on hunting and which amounts to 248 Full-Time Equivalent (FTEs).

4.49 NOP Consumer opinion poll on the attitudes to hunting in rural Wales:¹⁰³

With specific reference to the social and cultural elements of hunting, respondents were asked their views about the importance of the social and cultural contribution that hunting makes to the Welsh countryside. 57% of those asked considered it was very or fairly important and interestingly this rose to 61% of those in the lowest social class (D,E). 57% of people questioned that are not currently working, considered it was fairly or very important.

4.50 Dr Garry Marvin¹⁰⁴ - Conclusion from 'A study of the social and cultural importance of mounted fox hunting in the Scottish Borders' (2002)

¹⁰³ NOP Consumer poll of 1000 people living in rural Wales. Interviews conducted by telephone.

“Without the actual hunting of foxes in the traditional manner on horseback and with a pack of hounds Hunts would cease to exist and with this cessation would come the collapse of an entire social and cultural world. Although it has elements of pageantry and spectacle (essential aspects of its complex ritual nature) foxhunting is not an anachronistic, folkloric, event severed from social and cultural roots that might have had significance in the past but with no place in the present. It is not a ‘traditional’ event in the sense that many re-constituted, but essentially meaningless, heritage events are. Foxhunting is only ‘traditional’ in the sense that it has a long history. Those who participate in foxhunting are not *re-enacting* something, their participation is an enactment that has immediate value and meaning for them. The removal of foxhunting from the Scottish Borders would result in a profound and deeply felt social and cultural impoverishment, a collapse of sociality and a loss of the community that has been created by it: and this at a time when there are pressures on community and sociality and when the loss of both clearly creates conditions of social isolation and exclusion.”

4.51 Point to point racing, an important feature of rural England and Wales, has its roots and structure welded to hunting. Cynthia Higgon – ex Chairman of the Point to Point Secretaries Association stated in a submission to the Rural Affairs Committee of the Welsh Assembly:

- There are 18 Point-to-point race meetings in South and West Wales.
- All of the race meetings in Wales are organised and run by hunts. An average of 100 people are needed to run a days racing. All of these give their contribution free and are connected with the host hunt that runs the meeting.

¹⁰⁴ Dr Garry Marvin, Centre for Research in Animals, Society and Culture, University of Surrey Roehampton.

- In Wales there were 3700 entries to point-to-points with a total of 1350 runners.
- The cost of keeping the horse is approximately £3000 per year. This includes the hunt membership, livery, feed, bedding, veterinary costs, blacksmith, saddlery and entry fees.
- The number of horses trained and qualified in South and West Wales is around 700 and increasing annually.

4.52 Exmoor National Park Authority – submission to Burns Inquiry 2000

“Almost 75% of respondents considered the hunt to be ‘extremely’ or ‘very’ important to their social activities. The levels of participation and expenditure are very consistent between the hunting groups although the foxhunt respondents have slightly higher levels of activity even than the staghunters. The high levels of activity amongst staghunters had been highlighted in the previous study as demonstrating the involvement and cohesiveness of the staghunting communities on Exmoor and the Quantocks, a community which, as argued, was based on shared activities as well as shared values. Evidence suggests that the foxhunting and beagling communities demonstrate these same distinctive characteristics as the staghunters.”¹⁰⁵

4.53 **Opponents of hunting often claim that a ban could be offset by conversion to drag hunting. The Association of Masters of Drag and Bloodhound Association when they gave evidence to the Burns Inquiry, concluded beyond reasonable doubt that their activity was, whilst commendable and similar in some respects, certainly not an alternative to other forms of hunting:**

¹⁰⁵ Manley et al. (1999) Economic, Social and Environmental Aspects of Hunting with Hounds in West Somerset and Exmoor. Centre for Rural Studies, Royal Agricultural College, Cirencester

"Whilst our sport may be the closest on offer, it certainly is not and must never be referred to as a substitute or an alternative for live quarry hunting."¹⁰⁶

4.54 The Burns Inquiry also concluded that:

"It is unlikely that either drag and bloodhound hunting or drag coursing would of themselves mitigate to any substantial extent any adverse effects on the rural economy or the social life of the countryside arising from a ban on hunting."¹⁰⁷

4.55 As with the social life that hunting generates, its value to the rural economy in terms of business and jobs is to many the most important feature of all. The Burns Inquiry found that:

"For some businesses that are on the borderline of viability, the loss of revenue [arising from a hunting ban] could lead to a bigger impact than the direct effect may suggest. For a small number of local communities which depend to a significant extent on hunting, and where there are limited alternative employment opportunities, the effects could also be more serious."

¹⁰⁸

"Most jobs that are directly dependent on hunting are in the land-based sector. Some of those directly affected have specialised skills which would not transfer easily, and they would find it hard to find alternative employment. For these people especially, the adjustment process could be painful."¹⁰⁹

4.56 Additional evidence not available to the Burns Inquiry is that conducted by Produce Studies - 'The Social and Economic Implications of Fox Hunting in Wales 2001'¹¹⁰, the principal findings of which are:

¹⁰⁶ Mr P Broughton, Deputy Chairman of the MDBA

¹⁰⁷ Burns Report para 8.53

¹⁰⁸ Burns Report – para 6.27

¹⁰⁹ Burns Report - para 3.73

¹¹⁰ Commissioned by the Countryside Alliance. Full report available on request.

- Twenty of the hunts had full-time employees at an average level of two per hunt. This represented a total of 40 full-time equivalent jobs.
- A further 15 hunts had part-time employees, with some hunts having both full and part-time staff. This amounted to a total of 27 people.
- The numbers of people mentioned above represented approximately 53 Full-Time Equivalent (FTE) jobs.
- The total annual cost of employment was identified to have been £396,000 in 1998/99, representing an average cost per hunt of £13,655.
- The 29 hunts were found to have contributed a total of just under £1million to the local economy in 1998/99.
- 703 jobs are dependent in whole or part, on hunting and which amounts to 248 Full-Time Equivalents (FTEs).

4.57 The economic value of hunting and potential damage from a ban, was also recognised by DEFRA whilst hunting was suspended due to Foot and Mouth.

4.58 DEFRA Veterinary Risk Assessment No.26, published 2001

VRA No. 26, 3(ix) *“The long term cessation of hunting has economic consequences for the organisations involved and for those businesses which depend on it.”*

4.59 British Equestrian Trade Association (BETA) – publication of review of all previous research on the number of jobs that may be lost if hunting is banned:¹¹¹

¹¹¹ Review published March 2001

“The Burns Committee itself expressed some doubts about the accuracy of the figures produced for the Inquiry by the economics consultants PACEC. The Committee estimated that between 6,000 and 8,000 – with a maximum of 10,000 – full time job equivalents were dependent on hunting. This review has established that these figures are too low. In fact there are up to 13,900 full time job equivalents and 36,000 jobs (including part time) dependent upon hunting. The majority of these exist within the horse industry.

[BETA] represents many of the people who would be affected by a ban. With little prospect of alternative employment in many rural areas, which are already badly hit by the ongoing farming crisis, this is a terrifying prospect for thousands of people throughout Britain. The proposed legislation would deliberately put thousands of rural people out of work.”

4.60 Association of British Riding Schools – submission to Burns Inquiry 2000

“Within the riding school environment, livery for hunting and the hire of horses for hunting in many rural (and urban) areas is an essential part of business. The loss of this part of the business would be yet another blow to this industry.”

4.61 **In 2001 the Countryside Alliance commissioned PJE Consultants Ltd (PJE), to look at the quantification of the potential liability to compensation for loss of earnings/income which could arise if a ban were to be imposed on hunting in Wales.**¹¹²

The key findings of the report are as follows:

- Based on the figure of 50 full time equivalent jobs in hunting in Wales and relying on the income figures extrapolated from the Scottish survey. If we

¹¹² *Report on the Potential Liability to compensation arising from a ban on hunting in Wales* – PJE Consultants Ltd, November 2001. PJE concentrated on the organisations that had submitted written evidence to the Burns Inquiry and used both financial and non-financial information already collated by these organisations.

assume average earnings of £12,000 per employee, we can predict a loss of annual earnings of £600,000.

- Assuming an average remaining working life of 30 years, we arrive at a potential claim to compensation of £18,000,000.
- This can be extended to include loss of earnings in ancillary trades as emphasised in the Burns report. These would especially include loss of income to farmers which as calculated above could result in a further 24 job losses at an average income of £18,000 pa.
- Assuming an average remaining working life of 30 years, we arrive at a potential claim to compensation of £12,960,000.
- In addition there would be losses to the rural Welsh economy of in the region of £12,000,000 pa which would be economic activity withdrawn from the local economy (i.e. trailer manufacture, hay and straw sales, feed sales, fuel for transport etc.)
- If one assumes an average ratio of wages to turnover of 10%, and an average wage of £10,000 pa, a loss to the economy of £12million equates to 120 jobs. Assuming an average remaining working life of 30 years, we arrive at a potential claim to compensation of £36,000,000.
- On the basis that the European Convention on Human Rights were to permit a claim for compensation of lost income/earnings as countenanced in the above report, the conclusion must be that the potential claim against the body enacting a ban on hunting from employees of hunts, from farriers, and from the other trades affected by the ban could potentially be £66,960,000.

5. Human rights issues post Burns

5.1 The recent legislation relating to hunting passed by the Scottish Parliament is currently subject to legal challenge in the Scottish Courts, and if necessary in Europe. Following the Burns Report the Joint Committee on Human Rights alerted the then Home Secretary, Jack Straw, to the risks that legislation that did not reflect the evidence might pose to the Government.

5.2 The Guardian – 12th May 2001

“The joint committee on human rights has written to the Home Secretary, Jack Straw, advising that banning people from using their own land for hunting could “interfere with their freedom”.

The committee – including some of the country’s most experienced human rights lawyers as well as peers and MPs – claims a ban could be incompatible with a fundamental right to enjoy one’s property enshrined in the Human Rights Act.

...The committee said in its letter to Mr Straw: “the general principles of international law include a principle that compensation should be given when someone is deprived of their possessions. It is established that the subsequent provisions of article 1 (of the Human Rights Act) allowing the state to control the use of property in accordance with the general interest has to be read subject to the need to pay compensation”

The letter also warns the bill gives a very wide discretion to the hunting authority to inspect and intervene on other people’s property. “There appears to be a significant risk that neither the scope of the power of inspection nor the criteria for exercising it nor the permitted manner of its exercise will be sufficiently clear and controlled by law.”

6. Fresh Evidence [not referred to elsewhere]

6.1 Since the publication of the Burns Report there have been a number of areas where new evidence has become available. Some of this work, for example the livestock farmers survey, veterinary survey and research work in Scotland and Wales, have been referred to earlier chapters. This chapter therefore deals with a selection of press reports and related issues which touch on the issues of cruelty and utility and which were not available to the Burns Inquiry.

6.2 Following hunting's suspension due to FMD the Farmers Union of Wales (FUW) issued a press release¹¹³ stating:

“Welsh farmers who have voluntarily agreed to a suspension of hunting are suffering large lamb losses from foxes as well as from the foot and mouth cull, the Farmers Union of Wales revealed today.

Chairman of the FUW's Hill Farming and Marginal Land Committee Derek Morgan reported farms in the upper reaches of the Wye Valley had lost up to 30 lambs during recent weeks.

“One farm in the Llangurig area lost between 25 and 30 to foxes. They were going at the rate of at least one a night but there's nothing they can do about it” he said.”

6.3 A further FUW press release stated:¹¹⁴

“The Farmers Union of Wales today highlighted the importance of hunting with dogs due to the geography and topography of Wales.

¹¹³ 18th April 2001

¹¹⁴ 15th November 2001

“Given the geography and topography of the Principality, coupled with large areas of afforestation, a ban on the use of dogs to control vermin could have severe implications for sheep farming in Wales.” ...

... “A Federation of Welsh Packs survey of 14 out of 50 gun packs between July and August this year showed 118 farms regularly visited by the 14 packs reported lamb losses of 1,650 above the norm due to the suspension of hunting.

The FUW’s submission to the [National] Assembly reveals 70 per cent of foxes culled in upland Wales were accounted for by the use of dogs and farmers need a range of methods to control fox predation depending on individual circumstances”.

6.4 Letter from the FUW to Federation of Welsh Packs:¹¹⁵

“All counties in Wales have reported an increase in fox numbers and predation since the hunting authorities commenced their voluntary ban on 22 February 2001.

The Union’s County Branches are receiving an increasing number of calls from farmers concerned at the effects of a protracted ban on fox control during the autumn period.”

6.5 A Carmarthen farmer also felt these effects as reported in the Western Mail:¹¹⁶

“Carmarthenshire farmer, John Bound, who shot a fox which had attacked new born lambs in his lambing shed, was surprised to find it partially blind and suffering badly from mange.

¹¹⁵ 18th October 2001

¹¹⁶ 26th March 2002

‘The incident is further clear evidence that the ban on hunting during the foot and mouth crisis led to an explosion in the fox population,’ said Farmers Union of Wales’s Carmarthenshire county executive officer, Peter Davies.

‘We have heard many stories of the older and infirm foxes visiting farmyards in search of easy prey as they are simply unable, because of their disability, to catch rabbits, rats, pigeons etc. This means that more lambs than usual will be killed by these foxes. Indeed not only will these foxes kill more lambs in fields but they will actually go into lambing sheds in search of food.’

Mr Davies said any ban on hunting would lead to increased suffering for the fox population.

‘The reality is, hunting by dogs takes out, humanely, the more infirm and slower foxes which are suffering serious ill health’

He added, ‘the fox shot by Mr Bound was, clearly, very ill and must have been in considerable pain. Of any dog found in this condition I have no doubt the RSPCA would instigate immediate prosecution for cruelty and unnecessary suffering.’”

6.6 Two surveys of hunts were conducted by the Countryside Alliance showed that hunting suspension brought about by Foot and Mouth disease resulted in significant financial loss to farms from fox predation. The principal findings of the surveys, which record the effect of the hunting suspension from 22nd February 2001 are¹¹⁷:

- Normal fox cull numbers were reduced by 4,900 (including gun packs)
- There were 4,700 calls from farmers asking for assistance with fox damage.

¹¹⁷ For the CA survey, 66 out of 184 hunts registered with the Masters of Fox Hounds Association (MFHA) were questioned between July and August 2001. Hunts were selected to cover all geographical regions of the UK.

- Welsh farms in sheep rearing areas lost an average £500 in stock through additional predation.
- 2,240 days hunting were lost.

6.7 On the role hunts play in the community in which they operate:

Letter from then Minister of State, the Rt Hon Joyce Quin MP, to Alastair Jackson, Director of the Master of Foxhounds Association:¹¹⁸

“May I nevertheless express my thanks for the invaluable work of the Hunting Associations’ slaughtermen. They have played a crucial role in the successful control of the Foot and Mouth disease outbreak, particularly in the Cumbria region.”

6.8 On the reality of predation in the countryside:

Bedfordshire on Sunday – 30th June 2002

“Animal rights activists have been blamed for the death of a nest of baby kestrels.

Geoff Page, chairman of the local volunteer group, Arlesey Conservation for Nature (Acorn), sent a photographer to take some pictures of a group of fledglings on Monday. However, all the photographer caught was a mink killing the baby birds.

Geoff, who helps run the Arlesey conservation site, told us: "We've got two kestrel nests and we were very proud of them because it's very rare to have two nesting pairs so close to each other. "It tells us we have a healthy reserve and for a pocket conservation site like ours that is great. We have a well-stocked river and even field voles. But when you get a species that is not indigenous, it ruins the balance.

¹¹⁸ 9th May 2001

"The animal liberation people let these things out in the countryside which just kill and kill and kill until everything is dead.

"Mink have no natural predator like they do in America so the only way to stop them is to shoot them.

"What annoys me is that these people who are allegedly pro animal and released mink from the farms into the wild have actually caused more unnecessary animal deaths than any bad farmer

Photographer, Tony Margiucci, said: "It was bizarre to go there to photograph the birds and end up 'shooting' the mink. The mink didn't even eat the birds, it just killed them. I threw stones at it and tried to hit it but it was too fast. The adult kestrels haven't been seen since so they are either dead or have been scared off."

6.9 Wildlife trust fox cull:

Daily Telegraph – 22nd February 2002

The Essex Wildlife Trust has been under attack from animal groups and even some of its own members since the decision to bring in a marksman to cull the foxes plaguing the 600 acre Tollesbury Wick reserve.

Ironically, the cull will end this evening and, so far, not a single fox has been shot.

Graham Game, the trust's development manager, said "...We have now reached the situation where these predators are making the future of endangered species unsustainable. But it has been impossible to have a sensible debate with some animal rights activists."

“When we tell them that we have seen foxes killing lambs and ground-nesting birds, they simply do not accept it.”

...The trust banned hunting on the 93 sites it manages several years ago.

6.10 **On the effects of a ban on deer:**

Western Morning News – 18th March 2002

“Stag numbers have fallen dramatically in the West country where deer hunting has been banned, scientists, hunters and protesters agreed yesterday.

The annual March red deer count on Somerset’s Quantock Hills, suggests that the mature stag population has dropped by almost a quarter since 1999. Yet the overall number – including hinds and male calves – has actually increased by ten per cent to an all-time high.

The figures provide the strongest evidence yet that trophy hunters, poachers and farmers are targeting mature stags.

Hunting has been banned on National Trust and Forestry Commission estates across the Quantocks for the last four years. Because of the foot and mouth outbreak it has only recently restarted on privately owned land.

Nick Gibbons, chairman of the Quantock Staghounds, said “The simple truth is that farmers who hunt will not tolerate thousands of pounds worth of crop damage if they are stopped. They are asking themselves why they should be responsible for feeding the deer. They may shoot stags themselves or allow stalkers and trophy hunters to operate on their land. Poaching may also play a part.”

The red deer count is conducted by the Quantock Deer Management and Conservation Group, which includes landowners, hunters and conservationists.

More than 50 volunteers took part this year, counting 121 mature males. This compares with 159 in 1999 and 143 in 2000. There was no count last year because of foot and mouth.

Group secretary Dr Jochen Langbein, said the reduction was partly due to a mass cull by two pro-hunters in 1998. Farmers Robert Rowe and Ben Bartlett shot more than 100 deer on their land, claiming they had suffered £5,000 worth of crop damage per year.

Arminel Scott, of the anti-hunting group South West Deer Protection, said “Because this is not a general decline, it is more likely to be landowners with the opportunity and weapons to target stags.”

6.11 **On ‘collateral’ effects of a ban:**

Kennel Club press release – 9th April 2001

“At a recent meeting of the General Committee of the Kennel Club, the implications of the Hunting Bill were discussed. It was noted that the Bill in its current form, could have a severe effect not only on hunting hounds and terriers, but on all dogs and dog owners. Furthermore it could signal the end of Field Trials.”

6.12 **Mink in Edinburgh:**

Ananova – 26th March 2002

“A rabbit on an Edinburgh city farm has been attacked by a wild mink. It is the first recorded case of a mink attacking domestic animals or pets in urban Edinburgh.

Mink have a reputation as vicious predators in the countryside. There are now concerns pets may be at risk in the city.

...Officers from the Scottish Society for the Prevention of Cruelty to Animals managed to trap the mink and it was taken to be put down. However, because it was a young mink, it is feared other older animals may be still in the area.

...Volunteer farm worker Susie Saunders said: “We had been suspicious that there was something around for a few days because we’ve seen feathers lying about, but we assumed it was a fox.””

6.13 **Deer shooting:**

The Westmorland Gazette – 3rd May 2002

“The National Trust has been forced to change its deer culling policy following outrage from a group of Grasmere residents who saw two red deer stags slaughtered by a stalker just metres from their homes.

...The National Trust is now to produce a publicly available management plan that will declare areas close to Grasmere non-shooting zones.

The shooting of the stags took place in a field on Saturday afternoon in full view of residents who could not believe what was happening before their eyes and emerged from their homes to protest at the killings.

They claim that one of the stags was not properly killed and was still kicking and writhing on the ground as the stalker and a local farmer attended to the first animal to be dispatched.

...Mr Walmsley [forestry co-ordinator] said the stalker was under pressure from local farmers to get rid of the stags with the end of the stalking season ending on Sunday.

“He was under pressure and made the decision to pull the trigger there and then and then realised that he shouldn’t have,” said Mr Walmsley during the meeting.”

6.14 **RSPCA concerns over shooting of livestock:**

BBC Coventry – 13th March 2001

Daniel Pallett (Presenter) “The RSPCA in the West Midlands says its worried army marksmen won’t be a humane way of stopping the spread of foot and mouth disease. The Ministry of Agriculture, Fisheries and Food, has asked the Ministry of Defence to deploy army snipers to destroy animals in infected herds. Jo Cunningham from the RSPCA says she is concerned that culling will be inefficient and cruel.”

Jo Cunningham (RSPCA) “We are obviously very concerned about the fact that MAFF may well be asking these people to go out into an ...an area where they’ve... a large number of animals, in a very, very open area. **Obviously our concerns are that the animals may not be shot cleanly and humanely if they’re being shot, obviously, from a great distance.**”

6.15 **Lamping investigation:**

‘Week In, Week Out’ – March 2002

The programme showed a man lamping at night with a rifle. However, the gunman only wounded the fox and then killed it with a deliberately aimed kick as he considered it dangerous to fire off another round at that range. He also claimed that he did not wish to waste another bullet.

The RSPCA has launched an investigation into the incident shown on BBC Wales’s Week in Week Out programme.

RSPCA Inspector, John Paul, was quoted in the Western Mail (8th March 2002) “WE have written to the producers of the programme to request an unedited version of the full programme in order for us to establish the version of events relating to this incident.

APPENDICES

APPENDIX 1



FOX CONTROL FARMERS SURVEY

May 2002

The Countryside Alliance, of which the Campaign for Hunting is part, is a data controller registered with the Information Commissioner and endeavours at all times to process personal data in accordance with the Data Protection Act 1998.

By returning this survey, you indicate your consent to our processing the information for marketing, statistical and analytical purposes to help in the promotion and representation of country sports, in particular as evidence to the Government of hunting's contribution to fox management. Your personal data will be kept secure and will not be passed on to any third party without your written consent.

Name.....

Address.....

.....

.....**Postcode**.....

Email address.....

Hunt Country.....

1. Farm demographics: Upland/lowland (% of land above 1000ft).....

Farm size (acres or hectares).....

Number cattle/ewes/lambs.....

Other stock (ie gamebirds/poultry/pigs).....

2. Do you normally see, or see evidence of foxes on this farm?

Yes

No

3. Did you notice any increase in the number of foxes on this farm since hunting was suspended in February 2001?

Yes

- No**
- Don't know**

4. **Have you noticed any change in the habits of foxes? Such as how bold they are, their concentration, hunting together etc.?**

- No difference**
- More bold**
- Less bold**
- Behave differently (please state).....**

5. **Would an increase in fox numbers have an effect upon your agricultural business? (Inc. shooting)**

- No effect**
- Some negative effect**
- Significant negative effect**
- A positive effect (state why).....**

6. **Do you normally allow hunting with dogs on your farm? (including terrier and lurcher work)**

- Yes**
- No (state why).....**

7. **What other methods of fox control do you currently use?**

- None**
- Shooting with a shotgun**
- Shooting with a rifle**
- Snaring**
- Trapping**
- Lamping with a shotgun**
- Lamping with a rifle**
- Other (please state).....**

8. Which of the following expressions best illustrates your view of hunting on your farm. (Can choose more than one description).

- The hunt helps manage the fox population at a level I can tolerate.
- The hunt helps reduce the population of foxes
- The hunt helps dispose of my fallen stock.
- The hunt is part of my social life.
- The hunt helps with some conservation work.

9. In the event of a hunting ban, what other method of fox control would you be likely use? (Can choose more than one method).

Taking into account local factors, please also indicate which of these methods would be viable (V) or unviable (UV) on your farm

- | | (V) | (UV) |
|---|--------------------------|--------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Shooting with a shotgun | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Shooting with a rifle | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Snaring | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Trapping | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Lamping with a shotgun | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Lamping with a rifle | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Other (please state)..... ..... | ☐ | ☐ |
..... | <input type="checkbox"/> | <input type="checkbox"/> |

10. How do you presently dispose of unwanted or casualty stock?

- Collection service provided by hunt
- Collection service provided by local abattoir
- Other (please state).....
.....

11. In the event of a hunting ban, what methods of stock disposal would be available to you?

- Local abattoir
- On farm burial (if allowed)
- On farm incineration (if allowed)
- Other (please state).....

12. How close is your nearest abattoir/disposal point? (miles approx).....

Please tick the box if you do not wish to receive any information from the Countryside Alliance

APPENDIX 2

Livestock Farmers Survey

1. Farm demographics:

County

What is the total area of your farm including crops and grass and setaside but excluding any woodland?

Is that acres or hectares?

How many breeding ewes do you normally have on the farm?

What other livestock, if any, do you have on the farm:-

Dairy cows

Beef cattle

Breeding sows

Pigs over 20 kgs (excluding breeding and barren sows)

Poultry

Other

Into which of the following categories does your age fall?

Under 35

35-44

45-54

55-64

65+

2. Do you normally see foxes or evidence of foxes on this farm?

Yes

No Go To Q6

3. Have you noticed any increase in the number of foxes on this farm since hunting was suspended in February 2001? READ OUT

No, there are fewer foxes

No, numbers remain the same

Yes, a few more foxes

Yes, a lot more foxes

Don't know

4. Have you noticed any change in the habits of foxes? Such as how bold they are, their concentration; hunting together etc.?

- No difference
- More bold
- Less bold
- Behave differently

(please state).....

5. Have you suffered from any livestock, poultry or game being killed by foxes on this farm?

(a) Pre 2001

Yes

No

(b) Within the last 16 months

Yes ask 5 c /d

No

(c) If “killings” within the last 16 months, was this;

About the same as usual?

More than usual?

Less than usual?

(d) If “killings” within the last 16 months, was this...

Lambs

Poultry

Other (state).....

(eg ground nesting or game birds)

6. Do you think that predation on lambs and other stock by foxes is likely to increase during this year? READ OUT

No, it will remain the same as usual

Yes, it will be increase

Yes, it will increase until hunting is fully re-established

Yes, it will increase for a year or longer

Other thoughts (state).....

7. Would an increase in fox numbers have any effect upon your agricultural business? (Including shooting) READ OUT

No effect

Some negative effect

Significant negative effect

A positive effect (state why).....

8. Do you normally allow hunting with hounds on your farm? READ OUT

- Yes, regularly
- Yes, but only at certain times of the season
- Not usually
- No I do not
(state reason).....

9. Do you allow other forms of hunting with dogs including terriers and lurchers?

- Terriers – Yes
- No
- Lurchers – Yes
- No

10. If hunting with dogs were to be banned what other methods of fox control

- (a). would you use?
 - (b). in what order of priority?
 - (c). which of these are practical options? (tick)
- (a) would use (b) state rank (c) practical
order; 1,2,3 options

None	.....	
Shooting with shot gun	.....	.....	.....
Shooting with rifle	.....	.....	.....
Snaring	.....	.....	.....
Trapping	.....	.....	.....
Night lamping with shotgun	.....	.....	.....
Night lamping with rifle	.....	.....	.....
Other (please state)			
.....

11. How important do you feel that it is to retain the ability to control foxes with dogs? (including terriers and lurchers) READ OUT

- Not at all important
- Fairly unimportant
- Neutral
- Fairly important
- Very important

12. Do you feel that hunting with dogs should be made a criminal offence?

- Yes
- No
- Other
(state).....

13. *(Those allowing hunting on their farms only...O.8 (a).(b). or (c).)*

Which of the following statements best illustrates your view of hunting on your farm? (Can choose more than one statement)

- The Hunt helps to manage the fox population and keep it at a level that I can tolerate.
- The Hunt helps to reduce the fox population
- The Hunt helps dispose of my fallen stock
- The Hunt is part of my social life
- The Hunt helps with some conservation work
- I don't really know

Thanks and close.