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**LEAGUE**  
AGAINST CRUEL SPORTS

The Conservation  
Problems of Hunting  
with Dogs during the  
Hunting Ban in England  
and Wales

by Jordi Casamitjana  
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# Introduction

In 2004 hunting with dogs was banned in England and Wales with the Hunting Act 2004<sup>1</sup>, but some types of hunting with dogs called “exempt hunting” are still allowed, providing several conditions are met. Those registered hunts that were hunting foxes, deer, hares and mink did not disband but instead invented other types of hunting with the intention of circumventing the ban<sup>2</sup> (e.g. “trail hunting”, not to be confused with drag hunting that existed before the ban<sup>3</sup>).

As most wild animals that were hunted before the ban are native to the British Isles (and even though the American mink is not, it can be argued that after such a long term of being established in the wild it has now become an integral part of the natural ecosystems<sup>4</sup>) their preservation should be considered an important part of conservation work in England and Wales. After all, the UK has already lost many of its mammals (such as the wolf, the lynx, and the wild boar) due to hunting and other human activities, so it is important that we protect the remaining ones, regardless of whether their populations are declining or not.

Keeping healthy populations of the wild mammals that used to be hunted before the ban because they are part of the natural biodiversity of the British Isles is not the only conservation reason for their preservation. These animals themselves play important conservation roles which help other native species. For instance, red deer grazing and browsing can, in some circumstances, be beneficial to conservation interests<sup>5</sup> for the way they encourage vegetation regrowth or control the growth of alien trees and plants. fox predation on rabbits keeps their population down, which benefits the natural ecosystem as well as agricultural interests<sup>6</sup>.

This is why, when the hunting ban was debated, it was concluded that stopping hunting with dogs altogether would not have any significant negative impact on conservation. Indeed, the Burns Inquiry, which in 2000 studied the impact of the potential ban, concluded that, *“With the possible exception of hare conservation, a ban on hunting with dogs would be unlikely to have a major impact from a conservation perspective. 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.”*<sup>7</sup> As there is no possible “wildlife management” excuse to kill brown hares, which are in fact a protected species as we will explain later, these concerns about hare conservation expressed in the inquiry refer to the scenario where hunting hares with dogs is banned but shooting them for sport is not. This reinforces the notion that the potential negative consequences for conservation of hares if hunting was to be banned would only occur if the ban did not go far enough, and hares were not to be protected from shooting.

However, the hunting ban did not stop registered hunts going into the countryside as they took a defiant attitude<sup>8</sup> and tried to continue hunting in any way they could, often illegally. This report is an assessment of the negative conservation implications of organised hunts carrying on hunting after 2004 by: undertaking simulated artificial-scent hunting such as “trail hunting”; exempt hunting such as “Research and Observation”; “Hunting Rats”; by “exercising the hounds”; or by hunting illegally (which could be undertaken under the cover of the previous activities mentioned). We will be looking at how this defiance is causing disturbance to habitats, animals, the environment and even historical sites, and we will be advising about which actions would need to be taken to solve these conservation problems.

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2004/37/contents>

<sup>2</sup> <http://www.ifaw.org/sites/default/files/2015-IFAW-Trail-of-Lies-full-report.pdf>

<sup>3</sup> <https://www.league.org.uk/Handlers/Download.ashx?IDMF=a9ea4ce1-acf7-4d19-81c5-e2c6cae5ebb4>

<sup>4</sup> <https://www.league.org.uk/mink>

<sup>5</sup> Management and Control of Populations of Foxes, Deer, Hares, and Mink in England and Wales, and the Impact of Hunting with Dogs. Macdonald, D.W.<sup>1</sup> Tattersall, F.H.<sup>1</sup>, Johnson, P.J.<sup>1</sup>, Carbone, C.<sup>1</sup>, Reynolds, J.C.<sup>2</sup>, Langbein, J.<sup>3</sup>, Rushton, S.P.<sup>4</sup> and Shirley, M.D.F.<sup>4</sup> <sup>1</sup> Wildlife Conservation Research Unit, Dept. of Zoology, South Parks Rd., Oxford, OX1 3PS;

<sup>2</sup> The Game Conservancy Trust, Fordingbridge, Hampshire SP6 1EF; <sup>3</sup> Wildlife Research Consultant, “Greenleas”, Chapel Cleeve, Minehead, Somerset TA24 6HY; <sup>4</sup> Centre for Land Use and Water Resources Research, University of Newcastle Upon Tyne, Porter Building, Newcastle Upon Tyne NE1 7RU

<sup>6</sup> <http://www.thefoxwebsite.net/agriculture/agribenefits>

<sup>7</sup> <http://www.huntinginquiry.gov.uk/mainsections/huntingreport.htm>

<sup>8</sup> <http://www.ifaw.org/united-kingdom/news/illegal-hunting-type-organised-crime>

# Habitat disturbance

One of the most important characteristics of hunting with dogs undertaken by organised hunts is the fact that it is based on a large pack of big dogs that would be moving through the land at high speed, followed by many people, often on horseback. Where this occurs, it is bound to have an impact on the land, as obviously the hounds would not care about disturbing the habitat where they are hunting. The route the hunt takes will essentially be determined by where the “free-ranged” hounds end up going, which means that it would be very difficult to avoid damage completely.

This is equally applicable to trail hunting operations and traditional hunting ones, as by definition in trail hunting those controlling the hounds are not told where the supposed trail has been laid. The hounds may be following a live fox scent as they would have done before the ban and the huntsman may not know, and therefore he may not stop them. It is also applicable to some extent to hunt activities classed as “exercising hounds”, depending on where this is practiced and how the hounds are controlled.

The underlying fact that justifies this concern is that many by-laws and regulations often require dog owners to have their dogs on a lead in certain areas to prevent them disturbing other people, animals or the environment, and this applies for a single dog, even if it is small, and even if it is very well trained. Therefore, when you have a full pack of dozens of big dogs moving free, dogs that have been accustomed to run through fields, go through hedges and jump fences, and ignoring people trying to stop them, one would expect that the reasons behind such by-laws and regulations are even more applicable to hunting hounds.



## Disturbance by hounds

While obsessively following the scent they are hunting, hounds can go through hedges damaging them, can enter protected areas and disturb the wildlife in them, can go into rivers and disturb the banks there, can scare wildlife (such as deer) or domestic animals (such as cattle or sheep) which may in turn flee in panic and cause damage themselves to vegetation, soil, etc.

Following are some examples of reports given to the League of hounds disturbing protected habitats:

### Hunting on The Knapp & Paper Mill Nature Reserve, Worcestershire

On Wednesday 15th February 2017 a hunt were seen at the Knapp & Pepper Mill Wildlife Trust Nature Reserve, Alfrick Pound, Worcester, WR6 5HB. Calling and a few dogs barking could be heard. A pack of fox hounds then appeared and a horn was blown. The dogs rushed past out of the reserve and the screams of what was believed to be a fox were heard. [...] The dogs were out of control and found their way through into the reserve. It is believed that this relates to the **Worcestershire Foxhounds**.

### Trespass on Nottinghamshire Wildlife Trust Nature Reserves

On 4th February 2017 the **Grove and Rufford Hunt** met at Anderson Farm, Eakring, Notts at 11am. Two of the closest woods to the meet are Mansey Common and Dukes Wood which are both owned by Notts Wildlife Trust and the hunt are not allowed access to them.[...]The terrier man's quad bike was observed prior to the hunt at 10:15 am. It was dragging what appeared to be a small stuffed sock around a field to the north of the meet. A woman wearing a black fur hat was observed facing rearwards on the back of the quad bike filming the sock being dragged on the ground. The quad bike was observed for a significant distance and there was never an attempt made to replenish any scent on the sock. The hunt left the meet at about 11.00 am, skirting Dukes Wood, but shortly after, the hounds returned in cry through the middle of the reserve. Some riders accompanied the hounds through the reserve. After about 30 minutes the hunt headed east along the public bridleway toward Roe Wood. Hound and hoof prints were noted in both nature reserves later in the day and also a number of lost hounds. The Huntsman was heard blowing for his hounds in Mansey Common at 5.10pm. At no time during the day were the hunt observed near to where the trail had been laid.

### Trespass on Stiperstones Nature Reserve

On Monday 23rd January 2017 hunting with dogs was witnessed on the Stiperstones Nature Reserve, Stiperstones, Shropshire, SY5 0PG. This was an organised hunt with horses, red coats and a pack of hounds. The horn could be heard sounding, possibly the **South Shropshire Hunt**.[...] This is happening more often and is the second time recently.

### Trespass on Worcestershire Wildlife Trust Reserve

In February 2016 the **Worcestershire Foxhounds** were seen trespassing on Worcestershire Wildlife Trust Reserve. The hounds also ran through sheep on the adjacent farm and it is alleged that two lambs ran into a pond and drowned.

### Trespass on Wildfowl and Wetlands Trust Slimbridge

Press reported that in January 2006 the **Berkeley Hunt** had being accused of illegally hunting a fox and trespassing into the Slimbridge Wildfowl and Wetlands Trust reserve. Berkeley Hunt members admitted that at one point during the hunt they were chasing a live fox, but they stressed that it was a one-off accident. Several eyewitnesses said that the huntsmen not only rode through the Wildfowl and Wetlands Trust at Slimbridge but were also seen chasing a live fox with hounds. The hunt stated "We did meet last week and were in the Slimbridge area. Last Wednesday we laid our trail using scent, which we always do, sometimes unfortunately our scent trail crosses a live trail and the hounds do get more excited about a live fox scent than what we have laid." <sup>9</sup>



### Incident on Bodmin Moor SSSI

On 20th January 2007 it is alleged that members of the **North Cornwall foxhounds** bolted a fox from a badger sett and chased it on Bodmin Moor SSSI. It is reported that the North Cornwall still regularly hunt over this same area, including every Boxing Day. In 2015 there was an intelligence report of them chasing a fox past a group of walkers on Rough Tor.



<sup>9</sup> [http://www.gazetteseries.co.uk/news/5421402.Hunt\\_accused\\_of\\_chasing\\_live\\_foxes/?ref=arc](http://www.gazetteseries.co.uk/news/5421402.Hunt_accused_of_chasing_live_foxes/?ref=arc)

## Disturbance by people

Sometimes the habitat disturbance is not only caused by the hounds trespassing into protected areas, but also by the people following them. For instance, riders and their horses can also cause damage when they gallop through land or jump over hedges, and quadbikes driven by terrier men or even the vehicles of hunt supporters watching the hunt can also trespass into protected areas and cause damage to the ground.

In some cases, as in the case of stag hunting, the number of people involved can be very high (hundreds) with the potential for causing much more damage. For instance, The **Quantock Staghounds** regularly chase deer across the Quantock Hills, which is a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The horses, dogs and vehicles cause considerable disruption to wildlife and damage to the fabric of the area.

Following are some examples of reports, given to the League in recent years, of people from hunts potentially disturbing protected habitats:

### Damage to coastal paths at Marros Sands Beach

The **Carmarthenshire Hunt** were seen hunting on Saturday 18th February 2017. They met at the Green Bridge, SA33 4PW and down to Mofa Bachen where they hunted the coastal path (footpath not bridleway) along the cliff edge towards Marros Sands Beach [...] The local Council were also informed as the hunt were using a footpath. The Council Public Rights of Way have now confirmed they are very interested in this incident in terms of obstruction and damage. [...] They have confirmed that the hunt are not allowed to use the footpath without the land owners' permission. They are not allowed to obstruct or damage, the footpath was churned up. The National Trust and Council will now be making the area inaccessible to the hunt by erecting gates. They are also going to be contacting different businesses etc in the area in order to notify them and seek their help in keeping the hunt off this land which is a Site of Special Scientific Interest (SSSI). Locks are also being placed on gates to prevent the hunt trespassing on land owned by the Woodland Trust.

### Trespass on Stiperstones National Nature Reserve

On Saturday 30th January 2016, a landowner had to chase hounds belonging to the **South Shropshire Hunt** away from sheep, goats and poultry. The hounds were at large at this stage with no sign of Hunt members. They were in full cry. The landowner witnessed members of the Hunt crossing [...] onto The Stiperstones National Nature Reserve, in the

vicinity of The Hollies SSSI.[...] It is also thought, that the Shropshire Wildlife Trust and Natural England (The Stiperstones National Nature Reserve and Hollies SSSI), have given no permission for the Hunt to be on this land either. The South Shropshire Hunt has not been witnessed laying trails over this land.



### Trespass on Quantock Hills SSSI

On Monday 7th March 2016, supporters of the **Quantock Staghounds** were seen and filmed driving on the Quantock Hills SSSI, on Dog Pound Lane. The vehicles were [...] Blue Land Rover Discovery [...] Blue Daihatsu Fourtrak,[...] Blue 4x4,[...] Blue Land Rover Discovery. Three quadbikes were also seen but no registrations were visible.

### Quantock Staghounds on National Trust land

On 14th November 2013 many **Quantock Staghounds** supporters were photographed parking on National Trust land where they have no permission. This was part of the Quantock Hills SSSI and SAC.



### West Somerset Vale foxhounds on Quantock Hills

On 13th August 2013 the **West Somerset Vale** foxhounds were seen out on an early morning jaunt across the Quantock Hills SSSI. Photos were taken of the huntsman by a hunter who was later convicted for assaulting a staff member of the League.



### Portman Hunt trespass on Duncliffe Woods

On 4th January 2017 it was alleged that the **Portman Hunt** was hunting in Duncliffe Woods, which belongs to the Woodland Trust. Hunting has been forbidden there since the Hunting Act though they are permitted to pass through via bridlevays.

## Animal disturbance

In addition to disrupting a habitat by affecting landscape, soil and/or vegetation, hunts often disrupt wild animals, some of which are protected species (either because of being threatened with local extinction or for being persecuted).

### Protected species

Some species of animals may not be classed as endangered but may still be legally protected for other reasons, such as their populations are declining too fast or because the animals have been unfairly persecuted by cruel sports enthusiasts or landowners. Hunts may be disrupting the lives of animals belonging to these species in a variety of ways, from interfering with their shelters (den, sett, etc.) to actually killing them. Following are some examples of particular protected animals that are often the victims of hunts:

### *Badgers*

Badgers are protected in England and Wales by specific legislation, the Protection of Badgers Act 1992 and in Scotland by the Protection of Badgers Act 1992 as





amended by the Wildlife and Natural Environment (Scotland) Act 2011. Taken together, the legislation prohibits the taking, injuring, selling, possessing, killing and ill-treatment of badgers in England, Wales and Scotland. This specific legislative protection is due to badgers having been subject to a history of persecution.<sup>10</sup>

The most common way that hunts (even those that claim to go out “trail hunting”, as this is just a cover for illegal hunting ) disrupt badgers is by blocking their setts to prevent the hunted fox from using them as a refuge.

In the last two hunting seasons (2016-17) the League have received over 50 reports of badger setts being blocked when a hunt was out nearby around the day that the blockages were found. Here are some extracts of some examples of reported badger sett disturbance<sup>11</sup>, which cover 24 different hunts from all over England and Wales<sup>12</sup>:

01/12/2014

On 1st December 2014 a large sett at [...], Leicestershire, close to a scheduled ancient monument, was found blocked. The 16 sett entrances had been recorded open a few days before, but they all were now blocked. They were blocked when the Cottesmore Hunt were meeting ¼ mile away and were blocked on the morning of the hunt. [...], the hunt's employed “countryman” who has been with them for many years, was convicted of badger sett interference.



02/03/2016

On 2nd March 2016 a large badger sett at [...] Dorset, DT2 was found freshly blocked up. The Cattistock Foxhounds were hunting that area the previous day. The sett had approximately 30 holes. All had been blocked up and showed signs of regular blocking.

02/03/2016

Gamekeeper on the [...] Estate and several terrier men from Worcestershire dug out foxes in [...], Shropshire [...] on Wednesday 2nd March 2016. They dug out the foxes as the Wheatland Hunt were hunting around [...]. The hunt spent 50 minutes in these woods. Fox body parts were seen at an active badger sett that had been dug out. Multiple hoof marks and dog prints were also present where the fox remains were found.

06/03/2016

A badger sett in a wood just north of [...]Dorset was found freshly blocked on 6th March 2016. [...] The Cattistock Foxhounds had been hunting in the area the day before.

07/03/2016

During the last week several badger/fox holes have been blocked in, there are also spade marks close by and some of the holes have been reopened by animals. This is in the Somerset area at [...]. This path/route has recently been used by the Seavington Hunt.

21/03/2016

Badger sett interference on land belonging to [...]. Digging has taken place at the sett, found inside were two dead badger cubs. This incident took place in the vicinity of two fox dens. It is therefore believed that this is the work of the Holderness Hunt and their Terrier Men.

23/03/2016

A badger sett was found blocked at the [...] Bradford Peverell [...]on 23/03/16. The Cattistock Foxhounds had recently been hunting in the area.



<sup>10</sup> Scottish Natural Heritage. (2016). Protection of Badgers Act 1992. Retrieved October 26, 2016, from Scottish Natural Heritage: <http://www.snh.gov.uk/protecting-scot-lands-nature/protected-species/legal-framework/badger-protection/>

<sup>11</sup> In all these examples, not enough evidence of the connection between the badger sett blocking and a particular hunt was obtained, so not all these cases led to police investigations or prosecution attempts

<sup>12</sup> The exact location of the badger setts have been redacted to protect them

**29/03/2016**

Information received regarding badger setts at [...] within a small copse discovered to be illegally blocked and with some holes completely destroyed. Some holes adjacent to the stone wall had been hard-stopped with stones taken from the wall. At the farthest sett from the stone wall on the edge of the wood, large branches had been used to block holes. Despite the significant levels of interference there were still signs of habitation with newer clear holes and fresh spoil heaps. The closest farm is [...]. These setts are in an area hunted by the Vale of White Horse Hunt.

**01/04/2016**

On Friday 1st April a badger sett at [...] Dorset [...] was found freshly blocked up with earth shoveled into the entrance holes. Nearest postcode[...]. The South Dorset Foxhounds had hunted the area the day before

**14/04/2016**

On the 14th April 2016 two badger setts on land east of [...], Dorset were found blocked up. This is within South Dorset Foxhounds country – the hunt in Dorset that carries on into April.

**05/05/2016**

On 5th March 2016 members of Hunt Dart Vale and South Pool Harriers and landowner were witnessed and recorded blocking badger sett in wood at [...] South Devon. using spades and net after a fox was seen to go to ground and hounds marked badger sett.

**16/10/2016**

Intelligence dated 24/12/2016 provides that it is alleged that on 16/10/2016 a Badger Sett was blocked by the Ledbury hunt just prior to a meet at Tweenhills, Hartpury, Gloucestershire. Terrier men seen coming away from sett. Main sett which was targeted during the cull and has been blocked repeatedly before. Two other setts also found blocked.

**24/10/2016**

Intelligence dated 24/10/2016 provides that it is alleged that a badger sett located near to [...] Gloucestershire was dug out by North Cotswold Hunt. Police investigating.

**28/10/2016**

Intelligence dated 29/12/2016 provides that it is alleged that on 28/10/2016 the North Cotswold Hunt met near to Norton Hall, Chipping Camden, Gloucestershire [...]. A large, main active Badger sett with latrines, bedding, scratch marks on trees, found hard blocked. The hunt passed within a few hundred meters of this location. A quad seen in area at 0600 hours.

**10/11/2016**

On Wednesday 09/11/2016 the North Shropshire Hunt met at Shrawardine West Mercia. The next day (10/11/2016) badger setts were found blocked at two locations, [...] with quad tracks, horse hooves and hound prints all over. The area is a Site of Special Scientific Interest (SSSI).

**19/11/2016**

Intelligence dated 19/11/2016 provides that it is alleged that two badger setts have been found blocked. The setts are located at [...] Gloucestershire. The North Cotswold hunt met nearby. This is North Cotswold cull zone.

**21/11/2016**

It is alleged that during the 2015 Hunting season the North Shropshire Hunt and their Terrier man [...] blocked a series of badger setts at 20 locations within 16km of each other in the areas of Shrawardine / Alderton / Montford Bridge, West Mercia. Grid references for these locations are as follows: [...]

**05/12/2016**

Intelligence dated 05/01/2017 provides that it is alleged that on 05/12/2016 a badger sett located [...] Wiltshire [...] was found blocked. The Beaufort Hunt had recently had a meet nearby

**06/12/2016**

Intelligence dated 06/12/2016 provides that between 03/12/2016 and 04/12/2016 the Heythrop Hunt had reportedly blocked 5 badger setts near [...], Gloucestershire [...]. The badgers had dug themselves out.

**08/12/2016**

Intelligence dated 05/01/2017 provides that it is alleged that on 08/12/2016 a badger sett located near [...] Gloucestershire [...] was found to be blocked. The Cotswold Hunt were alleged to have been hunting in this wood on the same day.

**08/12/2016**

Intelligence dated 08/12/2016 provides that it is alleged that on land south of [...] Gloucestershire [...] badger setts found with old spade marks and a sett was blocked. The Cotswold Hunt was [...] that day north of the blocked sett.

10/12/2016

Intelligence dated 10/12/2016 provides that it is alleged that at a location near to [...] Gloucestershire,[...] a badger sett was blocked for meet of Cotswold Hunt at Castlebarn farm [...]. Found at 0630 in the morning, quad [...] left upon approach. Police attended and unblocked sett.

12/12/2016

Intelligence dated 05/01/2017 provides that it is alleged that on 12/12/2016 at a location near to [...] Gloucestershire [...] a badger sett was found blocked. The Turkdean Cotswold Hunt had recently had a meet nearby.

16/12/2016

Intelligence dated 05/01/2017 provides that it is alleged that on 16/12/2016 at a location near to [...] Gloucestershire [...]. A badger sett was found blocked. [...] Ledbury Fox Hunt use this area.

17/12/2016

Intelligence dated 05/01/2017 provides that it is alleged that on 17/12/2016 at a location near [...]Wiltshire [...] a badger sett has been blocked. The Beaufort Hunt were allegedly hunting in this area same day.

17/12/2016

It is alleged that badger setts at [...], Taunton, Somerset, [...] are regularly blocked when the West Somerset Foxhounds are in the area [...]. On 17th December 2016 one sett was dug in an apparent attempt to catch a fox. The incident was reported to Avon and Somerset Police.

17/12/2016

Intelligence dated 17/12/2016 provides that it is alleged that a Badger Sett has been blocked very recently as there are fresh spade marks. The Cheshire Hunt were nearby. The Sett is located near to [...], Cheshire.

18/12/2016

The Cattistock Hunt were known to be in the area of Melbury Bubb on Saturday 17th December 2016. On Sunday 18th December, some badger setts that they had blocked on previous occasions were checked. These setts were known to be active 3 weeks ago. Five setts were found to have all entrances stopped up with chalk from the spoil heaps, over 35 in all[...]. Earlier this year some of the same setts were similarly attacked by the Hunt.

19/12/2016

Intelligence dated 05/01/2017 provides that it is alleged that on 19/12/2016 a badger sett located near to [...] Gloucestershire [...] was found blocked. [...] Wood is owned by Master of Foxhounds for Ledbury Hunt. It is alleged that the Ledbury Hunt had recently hunted in wood.

24/12/2016

Intelligence dated 11/01/2017 provides that it is alleged that a large badger sett on a bridleway near to [...] Northamptonshire [...]found completely blocked on 24/12/2016 (also blocked about same time last year). This appeared to have been blocked a few weeks ago, which may coincide with Grafton Hunt meet in area on 29/11/2016. One entrance since reopened and one new entrance created. On 26/01/2017 Terrier men [...] from Grafton Hunt seen filling in holes of badger sett nearby to incident found 24/12/2016

24/12/2016

Intelligence dated 24/12/2016 provides that it is alleged that a post on the Facebook page [...] stated - 'Yo ho ho, here we go, again. After seeing a video of the Grafton Hunt in this area a few weeks ago I checked it today to find it completely blocked. At least the police, although not WCOs, were there within half an hour while I was still on site to show them what was what. Last time I found this sett blocked was Boxing Day last year. The badgers have reopened one entrance and created a new one so hopefully they are all ok. You can't take your eyes off them for a minute.'

26/12/2016

Intelligence dated 27/12/2016 provides that on 26/12/2016 the Heythrop Hunt met at Chipping Norton, Thames Valley. The hunt came through area where four badger setts were discovered blocked.

29/12/2016

Intelligence dated 29/12/2016 provides that it is alleged that badger setts located near to [...] North Shropshire [...]were blocked the morning of a North Shropshire Hunt meet at Shrawardine.

31/12/2016

Intelligence dated 05/01/2017 provides that it is alleged that a Badger sett located near to [...]Gloucestershire [...] was blocked on 31/12/2016. The Vale White Horse Hunt were alleged to have been hunting in the wood on the morning that the sett was found soft blocked.

02/01/2017

Intelligence dated 02/01/2017 provides that it is alleged that The Heythrop Hunt met at Upper Swell, Stow, Gloucestershire [...],where three Badger Setts found blocked. One freshly blocked and two within previous couple of days.



**02/01/2017**

Intelligence dated 02/01/2017 provides that it is alleged that Badger Setts in a wood belonging to [...] Cheshire have been blocked. [...]. The Cheshire Forest Fox Hunt were in the area and Terrier Men entered the wood then the Police arrived.

**07/01/2017**

Intelligence dated 07/01/2017 provides that it is alleged that a badger sett located near to [...] Shropshire [...] has been found with every entrance filled in using spades. Signs of badger paw prints, hair, bedding, badger path. Quad tracks nearby smelt of foxes. It is alleged that the North Shropshire Hunt were in that area.

**07/01/2017**

Intelligence dated 07/01/2017 provides that it is alleged that a badger sett located near [...] Wiltshire [...] was found blocked. The Beaufort Hunt were allegedly hunting in the nearby Centre Brake Wood, Wiltshire.

**07/01/2017**

Intelligence dated 07/01/2017 provides that it is alleged that a badger sett located within [...] Kent [...] has been blocked with loose soil. Signs of spade marks at the entrances. It is alleged that the setts have been disturbed by terrier men from the East Kent with West Street hunt.

**07/01/2017**

Intelligence dated 07/01/2017 provides that it is alleged that a badger sett with approximately 10 entrances has been filled in at a location near to [...] Shropshire [...]. Fresh Badger hair/ paw prints and paths indicate the sett is currently active. Signs of hound prints, quad bike tracks, horse hooves and fresh spade marks at the sett location. It is alleged that a Fox was being chased by hounds to east of Brown Heath Moss, Shropshire[...]. It is alleged that the North Shropshire Hunt or huntsman / terrier man associated with the North Shropshire Hunt may have been involved.

**10/01/2017**

Intelligence dated 10/01/2017 provides that it is alleged that on 05/11/2016 a badger sett located near to [...] Kent [...] was blocked using spades to fill entrances. It is alleged that terrier men from North Downs Harriers have interfered with this sett.

**14/01/2017**

Intelligence dated 14/01/2017 provides that a large badger sett was blocked at [...] Gloucestershire [...]. It was mainly soft blocking but some logs rammed in, with a couple of tree stumps placed across entrances. The Cotswold Hunt hunting in the area in early afternoon of 16th.

**14/01/2017**

Intelligence dated 14/01/2017 provides that it is alleged that a badger sett located near [...] Wiltshire [...] has been blocked. The Beaufort Hunt were observed hunting nearby.

**14/01/2017**

On 14th January 2017 the Cumberland Farmers Hunt, [...] were seen hunting at Ratton Row, Caldbeck, Cumbria. A fox was chased from the [...] area and went to ground in what was believed to be a badger sett.

The huntsman was continually hunting the hounds on, only calling them back when challenged by a monitor.

**17/01/2017**

Intelligence dated 17/01/2017 provides that reportedly three badger setts were blocked near [...] Oxfordshire[...]. Allegedly the Heythrop Hunt had been hunting nearby. It is also reported that setts had been blocked on Boxing Day.

**26/01/2017**

Intelligence dated 26/01/2017 provides that it is alleged that a badger sett located near to [...] Worcestershire [...], has been found with all entrances blocked hard with clay soil and frost covered, so no badgers able to escape overnight. Clear that a dig out had taken place with a large hole found which had been filled in. Next to it was blood on fallen leaves and a fallen tree trunk, fox intestines, liver, skin and fur were evident where fox torn apart. Hounds prints all over scene and horse's hooves and quad bike tracks nearby. Previous day North Cotswold Hunt had been in area.

**28/01/2017**

Intelligence dated 28/01/2017 provides that it is alleged that a badger sett located near [...] Wiltshire [...] has been blocked. Beaufort Hunt observed hunting here on 28/01/2017.

**03/02/2017**

Intelligence dated 03/02/2017 provides that it is alleged that the Ledbury Hunt met close to a badger sett at [...] Gloucestershire, which was found freshly blocked.

**11/02/2017**

Intelligence provides that on 10/02/2017 and 11/02/2017 two setts were found blocked at [...] North Shropshire[...]. The North Shropshire Hunt met on Saturday 11/02/2017 close to it.

18/02/2017

Intelligence provides that on 18th February 2017 the 30 entrances of a badger sett at [...], Leicestershire, were found blocked. This sett was blocked on the morning when the Cottesmore Hunt were meeting nearby, as it had been photographed unblocked the 17th February. Another sett heavily blocked was found that day, and other witnesses reported at least three others had also been blocked. Police were informed.



22/02/2017

Intelligence dated 22/02/2017 provides that it alleged that on 22/02/2017 the Burton Hunt met at Manor Farm, Lincolnshire. It is alleged that they blocked badger setts in [...], Lincolnshire.

25/02/2017

Information received regarding a Hunt seen at 1500 hours on Saturday 25/02/2017 at Linton Woods, York, North Yorkshire. The Hunt consisted of riders, hounds and 2 quad bikes. After the Hunt had left the area, a badger set was seen to have been filled in. A fox carcass was laid nearby. [...] It is thought the Hunt involved could be the York and Ainsty North Hunt.

12/03/2017

Intelligence dated 12/03/2017 provides that a badger sett was found blocked near Langdon, Worcestershire [...]. The Ledbury Hunt were out the same day.

12/03/2017

Intelligence provides that on 12/03/2017 a badger sett was found blocked near [...], Gloucestershire [...]. Cotswold Hunt in Turkdean nearby area on 11/03/2017.

17/03/2017

Intelligence dated 17/03/2017 provides that reportedly two badger setts were blocked at [...] Gloucestershire [...]. The Heythrop Hunt was in the area at the time of the offence.

19/03/2017

Intelligence dated 19/03/2017 provides that it is alleged that a badger sett located on a footpath to the side of [...] Gloucestershire, [...] has been found soft blocked. The blockage appears recent but this sett has been targeted in the past. The Beaufort Hunt were observed flushing out a fox from woods directly above sett on 13/03/2017.



## Brown hares

Although not classified as an “endangered species” yet, the brown hare is a UK Biodiversity Action Plan (BAP) priority species for being identified as being most threatened and requiring conservation action to expand existing populations. The Brown hare therefore appears on the Species of Principal Importance in England list, the Scottish Biodiversity List and the Welsh Section 7 list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

However, hares have minimal legal protection because they are considered a “game” species and can be shot throughout the year, including through their breeding season. Surprisingly, they are the only “game” species in the UK without a closed season, when hunting is prohibited.<sup>15</sup>

Hunts that used to hunt hares before the hunting with dogs ban (harriers, beagle packs and basset packs) carried on hunting but they claim they go “trail hunting”. As we believe trail hunting is just a cover for illegal hunting, this means that hares are likely to still be chased and killed by around 80 hunts in the UK, against the law. Our estimations suggest that these hunts may be disturbing over 20,000 brown hares every year, which is very worrying considering they should be protected.

<sup>15</sup> <https://ptes.org/get-informed/facts-figures/brown-hare/>

<sup>14</sup> <https://www.bto.org/science/latest-research/riverine-birds-under-threat-climate-change>.

<sup>15</sup> <https://www.rspb.org.uk/birds-and-wildlife/bird-and-wildlife-guides/bird-a-z/k/kingfisher/nesting.aspx>

<sup>16</sup> [https://www.rspb.org.uk/birds-and-wildlife/bird-and-wildlife-guides/bird-a-z/k/kingfisher/survival\\_and\\_threats.aspx](https://www.rspb.org.uk/birds-and-wildlife/bird-and-wildlife-guides/bird-a-z/k/kingfisher/survival_and_threats.aspx)



## Protected birds

Mink hunts can cause disturbance to riverine birds that are already under threat from climate change<sup>14</sup>. Disturbing any nesting bird is illegal under the



Wildlife and Countryside Act, but certain species, such as kingfishers (*Alcedo atthis*), have extra protection under schedule 1.

Kingfishers excavate the nest burrow into the stone-free sandy soil of a low stream bank, usually about 0.5m from the top. The birds choose a vertical bank clear of vegetation, since this provides a reasonable degree of protection from predators. The first clutch of 6-7 eggs is laid late in March or early in April.<sup>15</sup> Human disturbance of nesting birds is a serious problem. If human presence close to a nest prevents these shy birds from entering the nest for too long, the chicks may become weak (either from cold or hunger) and eventually to stop calling. This makes the parents wrongly assume that they are well fed and will not feed them.<sup>16</sup> As mink hunts operate mainly in Spring, and they use their hounds and followers on river banks, they are likely to disturb breeding pairs of kingfishers.

## Endangered species

An endangered species is a species which has been categorised as likely to become extinct unless conservation measures to protect it are effective. The International Union for Conservation of Nature (IUCN) Red List<sup>17</sup> has the category of Endangered (EN) as the second most severe conservation status for wild populations after the category Critically Endangered (CR). Less threatened species receive other categories of risk of extinction, such as Vulnerable (VU), Near Threatened (NT), etc.<sup>18</sup>



Otter

### Otters

The European otter (*Lutra lutra*) is categorised as Near Threatened by the IUCN, and it is a European Protected Species, due to the fact it has been declining throughout Europe during recent decades. Currently, in England and Wales it is protected under the Conservation of Habitats and Species Regulations 2010 (as amended) and in Scotland under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended). Under these regulations in both jurisdictions it is an offence to deliberately capture, injure or kill an otter.

However, otter hunting, which is one of the four traditional hunting with hounds' types in the UK, was banned in 1978 in England and Wales and 1980 in Scotland, as it was recognised as one of the causes that led to the localised extinction of otters in the 1950s<sup>19</sup>.



Mink

This is when the 20 or so hunts switched to mink hunting, which they are still doing today (illegally, as mink hunting was also banned in 2004).

Conservation organisations have recognised that even after otters were protected and otter hunts converted to mink hunts before the Hunting Act 2004, these hunts were still a threat to otters. For instance, in one of the documents on otters in the Nottinghamshire Local Biodiversity Action Plan<sup>20</sup>, it lists as threat to otters the following: "*Disturbance. [...] Dogs are a particular problem, and for this reason mink hunting may be potentially damaging*".

After the 2004 ban, mink hunts carried on meeting claiming exempt hunting as excuse (often claiming they were hunting rats, which is exempted)<sup>21</sup>, but most likely still hunting mink (and disturbing otters in the process).

However, there have been claims that when nobody is looking, some mink hunts still hunt otters. For instance, following is a report sent to the League recently:

10/09/2016

Information received that at 19.15 hours on 10/09/2016 a Hunt was seen in the area of Rosgill, Cumbria. Hounds (believed to be otter hounds) were seen near a river in very bad weather.[...] It is believed they were hunting otters which is unusual for this location. The incident was reported to the Police. Further information suggests that otter hunting is happening on a regular basis in the area including at Keswick and Ullswater.

<sup>17</sup> <http://www.iucnredlist.org/>

<sup>18</sup> [http://www.iucnredlist.org/static/categories\\_criteria\\_3\\_1](http://www.iucnredlist.org/static/categories_criteria_3_1)

<sup>19</sup> <http://www.countryfile.com/news/otters-are-now-every-county-england>

<sup>20</sup> [http://www.nottsbag.org.uk/pdfs/BAP/sap\\_otter.pdf](http://www.nottsbag.org.uk/pdfs/BAP/sap_otter.pdf)

<sup>21</sup> <http://www.acigawis.org.uk/bloodsports/minkhunting>

Another example of a conservation organisation concerned about the threat to otters from hunts is the UK Wild Otter Trust, which issued the following statement in 2017<sup>22</sup>: “As a leading charity dealing with the European otter, we are concerned that mink hunting can & does cause issues for otters. The Hunting Act of 2004 bans the hunting of mammals with dogs whether they are native or not including mink. The control of any predator if required should be done in the most humane way - hunting with dogs is not. Unfortunately, this type of hunting still continues and therefore poses an ongoing risk to the otter. UKWOT would question the methods used during illegal mink hunting as the dogs would not be able to distinguish between an otter or a mink. There are several points that require intervention by the law because it will cause disturbance to otters at the holt, place of rest or shelter and of course will disrupt its territory. There is also a very huge risk that the ‘mink hounds’ will ‘accidentally’ take an otter but of course that would be covered up. Do we believe that these packs actually hunt mink? No, we don’t, but having proof is paramount to any such investigation and subsequent prosecution. The UK Wild Otter Trust would not hesitate to take legal proceedings should this ever be proven against any such hunting packs and we will never endorse this barbaric act.”

## Endangered rodents

In the UK there are two endangered rodent species that are protected, the Water vole (*Arvicola terrestris*) and the Hazel dormouse (*Muscardinus avellanarius*). They are both categorised as “Least Concern” (LC) by the IUCN, but in the UK are endangered so they are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981.

Any hunt that allows their dogs to go close to the habitats of these species is at risk of disturbing them. For the Water vole, which prefer aquatic habitats, mink hunts are the type of hunts more likely to disturb them



Water vole

Dormouse

as they normally operate by the river banks. Dormice generally live in older woodlands with a well-developed understory often linked by old hedgerows, so fox hunts are the type of hunt most likely to disturb them when they are illegally looking for foxes in this type of habitat.

## Endangered Invertebrates

Several insects are in danger of extinction in the UK for a variety of reasons, including bees, flies, moths and butterflies<sup>23</sup>, and therefore they are also protected by the Wildlife and Countryside Act 1981 (which would make it illegal to damage or destroy any structure or place used by these animals for shelter or protection, or to disturb any animal occupying such a structure or place).

One of these is the High Brown Fritillary (*Argynnis adippe*). Although there has been some recovery at sites which are specifically managed for this butterfly, the High Brown Fritillary is one of our most threatened butterflies whose numbers have plummeted since the 1970s, being extinct over 94% of its former range.<sup>24</sup>



For example, this butterfly is known to live in the Heddon Valley, in Exmoor<sup>25</sup>. This is an area regularly hunted by many types of hunts. The National Trust owns this particular valley, so theoretically there should not be stag hunts using it, but the Exmoor Foxhounds may still go there sometimes, and could be disturbing members of these species if they damage the vegetation they need to survive.

<sup>22</sup> <https://www.facebook.com/groups/1407587012789673/permalink/1934285130119856/>

<sup>23</sup> <http://www.ukbutterflies.co.uk/law.php>

<sup>24</sup> <http://www.ukbutterflies.co.uk/species.php?species=adippe>

<sup>25</sup> <https://northdevon.wordpress.com/2015/04/02/high-times-in-heddon-valley/>



## Other species

Hunts often disturb other wild animals in addition to those that may be endangered or somehow protected. Obviously this includes the animals they are targeting in the first place, such as foxes, deer, hares or mink.

Despite the fact hunting with dogs was banned in 2004, we believe that illegal hunting is very common; so many animals that were hunted before are still being hunted now. Having studied hunt monitoring reports for over 12 years we estimate that there have been over 200,000 illegal hunting events since the Hunting Act has been in place. However, there have indeed been changes in the behaviour of hunts that has led directly to fewer animals being disturbed, chased or killed by them than would have happened if the ban was not in place. For instance, some hunts have disbanded or merged and the number of hunting days per year has been reduced in some hunts. Also, the areas they use to hunt in particular meets have been reduced either because they lost the permission of some landowners or for some other reason. Some hunts are also losing some of the time they were hunting by moving from place to place to make hunt monitoring work more difficult or by using the deceit of trail hunting.

Analysing all these variables we were able to estimate the number of animals which are targets of hunts that may still be disturbed, chased and/or killed by them today. We estimate currently this number is over 220,000 animals a year, which includes around 197,000 foxes, 22,000 hares, 2,900 deer and 2,500 mink.<sup>26</sup>

Often the disturbance will go beyond the actual animals that are being chased or killed, as many others close by may also be disturbed. For example:

05/01/2017

At approximately 1245 hours on the 05/01/2017, the Quantock Staghounds were seen in the area of Short Combe (National Trust owned land) in the Quantock Hills. Hounds (estimated at 10) were heard hunting in the woods nearby and soon deer were fleeing all ways. One hind who was clearly distressed, stood for a while. Three shotgun shots rang out in quick succession. Many of the deer on the National Trust land fled away. There were no warning signs of shooting seen anywhere and this is a popular area for wildlife photographers. A vehicle and a quad bike were heard moving towards the direction of the shots.

<sup>26</sup> <https://www.league.org.uk/blog/hunting-act-has-helped-100000-animals->



# Environmental disturbance

In addition to directly disturbing particular habitats or animals, the activities of organised hunts can also have a negative impact on the environment in general, in particular due to the threat of biological contamination they could create.

## Contaminated faeces

A pack of over 20 dogs running through the countryside for hours will inevitably cause dog faeces to be deposited and spread over wide areas. Contrary to what normally happens when dog owners take their dogs for a walk, hunts will not pick up and safely dispose of such faeces and they will be left on the ground. Over 300 packs doing this for six months of the year can generate a great deal of excrement left in the environment. Are these faeces a threat to the environment and its inhabitants? They would be if such faeces are contaminated with pathogens of diseases that can be passed to other animals.

We now know that this is the case. In 2016 an outbreak of Bovine Tuberculosis was found in the pack of hounds of the Kimblewick hunt<sup>27</sup>. Because of the outbreak more than 25 hounds from this pack were put down, and the hunt stopped hunting for the rest of the season.



*Mycobacterium bovis*, the pathogen that causes Bovine Tuberculosis, is known to cause disease in different species (cattle, badgers, deer, humans, etc.), and the possibility that an infection can occur by contact with contaminated faeces has not been ruled out yet.

The UK Government played down the risk of this outbreak and did not want to answer questions about other possible cases that were detected but never reported, but animal protection organisations and experts emphasised that such risk should be taken seriously. Dr Iain McGill, Director of the Prion Interest Group and former MAFF and ZSL scientist, stated: “As a vet and a scientist, I’m extremely concerned that the government is ignoring significant evidence that this disease is being carried by hunting hounds. Because of TB, cattle are being slaughtered, badgers are being culled

<sup>27</sup> [http://www.theecologist.org/blogs\\_and\\_comments/Blogs/2988744/official\\_coverup\\_are\\_hunting\\_hounds\\_the\\_cryptic\\_carrier\\_for\\_bovine\\_tb.html](http://www.theecologist.org/blogs_and_comments/Blogs/2988744/official_coverup_are_hunting_hounds_the_cryptic_carrier_for_bovine_tb.html)



and now hunt hounds are being euthanized – we have a responsibility to examine every possible explanation for the spread of the disease, and that isn't happening.<sup>28</sup>

This is not the first time this pathogen has been found in hunting hounds. For instance, the paper published in Vet Record 2009 which showed that two hunting dogs had previously contracted bovine TB<sup>29</sup>, or the study in Ireland in 2010 of hunting hounds killed by their hunts, showing the presence of severe bTB lesions in one hound. The severe pathology is consistent with active excretion of bTB bacteria into the environment<sup>30</sup>.

A public statement published in the Veterinary Times from a group of veterinary surgeons as a reaction to the Kimblewick outbreak<sup>31</sup> clearly shows that there are other pathogens that can be carried by hunting hounds: “The running of hounds over extensive areas of farmland may have biosecurity implications. From consumption of raw meat and offal from fallen stock and from other sources, foxhounds and other hunting dogs are known to be potentially infected by pathogens including

*Mycobacterium bovis* (the bacterium responsible for bovine TB), *Echinococcus granulosus* and other cestodes<sup>32</sup>, *Neospora* spp.<sup>33</sup>, and *Salmonella* spp<sup>34</sup>, among others, with potential implications for the health of domestic animals and people.”

Neosporosis is a disease that causes abortions in cattle and can also infect other animals, such as deer, and dogs are a major vector in transmission of the disease<sup>35</sup>. The life cycle of the *Neospora caninum* parasite is unknown, but is known to be transmissible during foetal development and birth. Puppies are most commonly diagnosed, but hunting dogs are also at increased risk and appear frequently in the medical literature covering this condition<sup>36</sup>.

Untreated dogs also have the potential to transmit intestinal worms (lungworm and liver fluke), and those living in kennels together in great numbers, such as is the case with hunting hounds, are more likely to infect each other.

<sup>28</sup> <https://www.league.org.uk/news/has-btb-been-spread-by-hunting-hounds-new-evidence>

<sup>29</sup> <https://www.ncbi.nlm.nih.gov/pubmed/19933546>

<sup>30</sup> <https://www.ncbi.nlm.nih.gov/pubmed/21247584>

<sup>31</sup> <https://www.league.org.uk/blog/bovine-tb-the-badger-cull-and-hunting-hounds-the-plot-thickens>

<sup>32</sup> Stallbaumer M (1987) The prevalence and epidemiology of cestodes in dogs in Clwyd, Wales. II. Hunting dogs. *Annals of Tropical Medicine and Parasitology*, 81, 43-47

<sup>33</sup> Macháčová T., Bártová E., Sedlák K., Slezáková R., Budíková M., Piantedosi D., Veneziano V. 2016: Seroprevalence and risk factors of infections with *Neospora caninum* and *Toxoplasma gondii* in hunting dogs from Campania region, southern Italy. *Folia Parasitol.* 65: 012

<sup>34</sup> Caldwell GL, Graham MM (1998) Abortion in foxhounds and a ewe flock associated with *Salmonella montevideo* infection. *Veterinary Record*, 142, 138-139.

<sup>35</sup> <http://www.countryfile.com/news/neosporosis-hidden-danger-dogs-pose-cattle>

<sup>36</sup> [http://www.petmd.com/dog/conditions/infectious-parasitic/c\\_dg\\_neosporosis](http://www.petmd.com/dog/conditions/infectious-parasitic/c_dg_neosporosis)

## Animal by-products

Since the Hunting Act 2004 was enacted, some hunts (not all) have claimed they use fox urine as the scent in the drag they use to lay a trail for “trail hunting”. The Trail of Lies report<sup>37</sup> published in 2015 by the International Fund for Animal welfare shows some examples of such claims:

HUNT	PUBLICATION	QUOTE MENTIONING URINE
<b>Llangeinor Pentrych Hunt, Gilfach Goch, Glamorgan</b>	A People’s Hunt , Horse and Hound, 12/03/2015	When asked what he used on the trail, trail-layer [...] produced a half-used bottle of <b>fox urine</b> from his pocket. “Eew! No wonder you’re single [...]” was the response.
<b>Kimblewick Hunt</b>	<a href="http://www.theguardian.com/environment/2015/feb/18/has-hunting-act-stopped-cruelty-towards-foxes-10-years-on">http://www.theguardian.com/environment/2015/feb/18/has-hunting-act-stopped-cruelty-towards-foxes-10-years-on</a>	Pursuits of live quarry have been replaced by ‘trail hunting’, a pantomime jaunt in which riders and dogs follow a pre-laid scent trail of <b>fox urine</b> on an arranged route. But this is just a place-holder, says [...], while they wait for a return to sanity [...] [...]
<b>Flint and Denbigh Hunt</b>	<a href="http://www.denbigh-shirefreepress.co.uk/news/144579/hunting-debate-still-rages-10-years-on-from-ban.aspx">http://www.denbigh-shirefreepress.co.uk/news/144579/hunting-debate-still-rages-10-years-on-from-ban.aspx</a>	Master of the Flint and Denbigh Hunt, says he would like the law overturned [...] [He] wants a return to the days where fox hunting was fully legal. He believes despite what critics say, fox hunting is an effective way of controlling the population. He said: “When we set hunting trails, I use fox urine imported from America. That way we didn’t need to re-train the hounds and if the law changes we won’t need to re-train them then.”
<b>South Shropshire Foxhounds</b>	<a href="http://www.southshropshirehunt.com/">http://www.southshropshirehunt.com/</a>	A trail is laid using a fox based scent – usually founded on <b>fox urine</b> . This is important because the aim is to keep the hounds focused on the scent of their historical quarry during the time of this ban.
	<a href="http://www.bbc.com/news/magazine-30940176">http://www.bbc.com/news/magazine-30940176</a>	Trail hunting, on the other hand, did not exist until the ban. It involves laying a fox’s scent, <b>usually its urine</b> , for the dogs to follow. Hunt supporters say trail hunting means hounds, which are not trained by humans to hunt but pick it up from senior members of the pack, will not have forgotten to chase foxes if and when the ban is lifted.
<b>Essex Foxhounds</b>	<a href="http://www.essexfoxhounds.com/hunting-options/">http://www.essexfoxhounds.com/hunting-options/</a>	A trail is laid using a fox based scent – <b>usually founded on fox urine</b> . This is important because the aim is to keep the hounds focused on the scent of their historical quarry during the time of this ban.
<b>College Valley and North Northumberland Hunt</b>	<a href="http://www.berwick-shirenews.co.uk/news/local-news/all-local-news/hunt-members-convicted-for-illegal-fox-hunting-1-3572511">http://www.berwick-shirenews.co.uk/news/local-news/all-local-news/hunt-members-convicted-for-illegal-fox-hunting-1-3572511</a>	Joint Master Timothy Wyndham Basil Smalley, Huntsman Ian Robert McKie and Kennel Huntsman Andrew John Proe were found guilty of hunting a wild mammal with a dog following a two-day trial at Berwick Magistrates Court. [...] McKie, 56, of Wooler, Proe, 52, of Cornhill-on-Tweed, and Smalley, 53, of Lowick, claimed they were following a legal scent trail of <b>fox urine</b> laid that morning.

Also, the same report quotes the Masters of Foxhounds Association mention of the use of the fox urine:

*“SCENT. A trail is laid using a fox based scent – **usually founded on fox urine**. This is important because the aim is to keep the hounds focused on the scent of their historical quarry during the time of this ban.”*

The report also states that other hunts use other type of animal based scents, such as liquid composed of mashed dead foxes. For instance:

HUNT	WEBSITE PAGE	QUOTE MENTIONING URINE
<b>Ashford Valley Tickham Hunt</b>	<a href="http://ashfordvalleyhunt.co.uk/">http://ashfordvalleyhunt.co.uk/</a>	The difference this time was that hounds were hunting an artificial line – a bundle of rags steeped in a pungent, fox-scented mixture of the huntsman’s devising, dragged across country behind a quad bike. It was the first time the Ashford Valley hounds had hunted an artificial scent, but it wasn’t the first time that the hunt had reinvented itself in order to keep hunting alive by adapting to changing times.

<sup>37</sup> <http://www.ifaw.org/sites/default/files/2015-IFAW-Trail-of-Lies-full-report.pdf>

Regarding where this fox urine comes from, hunts can buy it online from the US as there are companies that produce it commercially for fox deterrent purposes or to mask the scent of wildlife stalkers when they approach their victims. It is easy to buy on the Internet, and it is quite cheap (the cheapest one found in 2015 was £11). Hunts have not hidden that they have obtained their urine this way<sup>38</sup>.



Whether this urine is imported from abroad or obtained locally, it is in effect an animal by-product, and questions should be asked about whether hunts using it follow the current regulations of animal by-products, and whether the spread of such urine or other animal scents in the countryside constitutes biological pollution that may have a negative effect in the environment.

This is what we know about the current regulations from the research that Cumbria Huntwatch has done and from Freedom of Information requests<sup>39 40</sup>: We know that the importation, use and disposal of animal by-products such as urine is controlled by EU Regulation and UK Law. All animal by-products are categorised under EU Regulations in accordance with the risk that they pose to Public and Animal Health. There are three categories

with Category 1 being the highest risk and Category 3 being the lowest. Imported fox urine falls into Category 2. Premises handling and storing Category 2 material must be registered. Registration must take place in accordance with Article 23 of Regulation (EC) 1069/2009<sup>41</sup>. They must comply with the requirements of Article 20 and Annex IX Chapter IV of Regulation (EC) 142/2011<sup>42</sup>. Article 13 of Regulation (EC) 1069/2009 sets out the disposal routes for Category 2 material. All Category 2 material can also be pre-surrendered and disposed of in an authorised landfill site. During transportation a commercial document, or in certain circumstances, a health certificate must accompany the animal by-products, in accordance with Chapter III of Annex VIII.

Importation from a country outside the EU is controlled by EU Animal By-Product Regulations, however, this applies only to 'manure' (faeces or urine) from farmed animals. Foxes are not farmed animals in the UK therefore the importation of any waste product from foxes is controlled by two different instruments: one is a 'General Authorisation' and the other is a 'General Licence'. General authorisation IMP/GEN/2014/04<sup>43</sup> can only be used to import urine from specific animal species born and bred in laboratories which are not known or suspected to be infected with specified animal pathogens and imported for non-resale for research and diagnostic purposes only. There is also General Licence IMP/GEN/10/12 in place which permits imports of urine from animals of the Family *Canidae* from animals born and bred in captivity, and not known or suspected to be infested with specified animal pathogens, and intended for research, testing diagnostic and/ or educational purposes only. This licence may only be used for imports from specific non EU countries and cannot be used for resale of the product.

The General authorisation and General licence mentioned above have specific conditions attached for usage and disposal of any residues and packaging. These do not include spreading into the open environment. Disposal of waste products from non-farmed animals which were not imported as research or diagnostic samples would fall under the Environmental Permitting (England and Wales) Regulations 2010<sup>44</sup>, which are intended to monitor and control the disposal and discharge of material into the environment.

<sup>38</sup> <http://www.telegraph.co.uk/news/uknews/1510706/Lakeland-hounds-stay-on-the-scent-as-followers-pray-for-change-of-law.html>

<sup>39</sup> <https://www.whatdotheyknow.com/request/239372/response/602057/attach/3/RFI%207025%20response.pdf>

<sup>40</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/613005/ATIC1075.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/613005/ATIC1075.pdf)

<sup>41</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:300:0001:0033:EN:PDF>

<sup>42</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:054:0001:0254:EN:PDF>

<sup>43</sup> <https://www.gov.uk/guidance/importing-live-animals-or-animal-products-from-non-eu-countries-general-licences-and-authorisations>

<sup>44</sup> <http://www.legislation.gov.uk/ukxi/2010/675/contents/made>

Some low risk activities may not require a permit under the Regulations, if an applicable European Directive allows it, however, the organisation carrying out the activity is still required to register their exemption. There is no European Directive which allows the release of imported biological material into the open environment.



Despite all this, it is possible that it is legal to import such liquids once all the paperwork has been done correctly and it may not constitute a health risk if they have been properly sterilised, tested and regulated. But have they? If the urine has been certified as safe but it is used for purposes other than those intended when produced or exported, or if those using it are not licensed or registered if they should be, hunts may be committing an infraction when using it for trail hunting.

Regarding the hunts obtaining fox urine in the UK rather than importing it, there are also regulations that cover this. To get the urine from live foxes they would have to be held captive, and as such they would then become protected animals under the Animal Welfare Act 2006. So, to capture and keep a wild fox in captivity to collect its urine is going to cause fear and distress to the animal, against the provisions of the Act, unless it is done for research with the appropriate permits following regulations for scientific procedures under the Animals (Scientific Procedures) Act 1986.

It is also possible that hunts may falsify documentation or mislead landowners or authorities in order to prove that the urine they use is safe. For instance, the following case may be an example of this: In 2016 the **Melbreak Hunt** produced a 'Certificate of supply' to the landowner United Utilities (UU) to reassure them that the urine they were using for trail hunting was legal, after animal protection organisations raised the issue with UU. The certificate is from a company called *Adrian's Fox Scent*, which apparently no longer exists, as according

to Companies House, *Harrier Contracting* – the trading name at the bottom of the certificate – was dissolved in February 2017 having only ever filed accounts worth £1. *Adrian's Fox Scent* used to have a website<sup>45</sup> but it seems that has now disappeared. The **Cambridgeshire Hunt with Enfield Chace** states at the bottom of their webpage<sup>46</sup>, that they use their products to lay a trail, and they also show a leaflet from a company<sup>47</sup> that claims they are the "UK's only 'Lepto free' animal urine supplier" (meaning 'Leptospirosis free'), which suggests that if there are other UK suppliers of animal urine they are not safe. This of course raises questions about whether the urine claimed to be used by these hunts is actually real, legal or safe.

If a person who contravenes animal by-products or animal welfare regulations commits an administrative or criminal offence, similarly any corporate body who 'consents or connives' a contravention may also be committing such offence. Therefore, organisations and landowners like the National Trust or the Forestry Commission which license trail hunts, may also be committing an infraction if unsafe and unregulated fox urine or other animal by-product is spread in the environment under the license they gave to the hunts.

## Historical site disturbance

Sometimes the damage and disturbance is caused in sites that are protected for different reasons other than biological conservation. Here are a couple of examples:

### Portman Hunt trespass on Hambledon Hill

The press reported in 2015 that the **Portman Hunt** did damage to Hambledon Hill, which belongs to the National Trust<sup>48</sup>. The Trust wrote to the hunt amid claims made locally that its horses and hounds damaged this



historically important Iron Age hill fort in Dorset. Local resident Jerry Broadway, stated to the press that this was the second time the hunt has damaged the hill fort. He said: "After leaving the bridleway the hunt scattered livestock which were panicked by the hounds who were completely out of control. On this occasion extensive damage was done by the horses to the hill generally, and most worryingly the Neolithic Longbarrow which is over 3,000 years old. They have now twice been guilty of damage to a scheduled ancient monument. What, I wonder will it take to make them actually take real notice?"

#### Carmarthen Foxhounds trespass on Laugharne

Intelligence report from November 2015 suggested that the **Carmarthen Foxhounds** were seen running out of Hunt territory and so trespassed on National Trust land and land owned by the Ancient Council of Laugharne.

## Conclusions

So, despite the ban on hunting with dogs in England and Wales, registered hunts have not stopped going out into the countryside with big packs of hounds let loose, and the conservation benefits of stopping hunting altogether did not occur. Instead, the activities the hunts created to circumvent the ban have caused all sorts of additional conservation problems other than the mere threat that hunting poses to the animals the hunts are targeting.

## The problems

Four main activities the registered hunts now undertake that can have negative conservation implications:

1. The use of "trail hunting" (not to be confused with drag hunting) as a form of simulated hunting where the hounds are set to follow a trail of an animal-based artificial scent (often urine) in areas where wild animals live, without those controlling them knowing where the trail has been laid
2. The use of "exempt hunting" as an excuse to continue hunting wild mammals pretending to be controlling wildlife, doing research or rescuing animals, and by abusing several of the exemptions of the Schedule of the Hunting Act 2004 which were not created for them
3. Claiming to be "exercising their hounds" in areas far away from their kennels in pre-arranged meetings where hunts supporters turn out as they always have done to observe actual hunting

4. Illegally hunting either blatantly or under the cover of the other activities mentioned above

These activities are causing the following disturbances that can have negative implications for conservation:

1. Disturbance to habitats by packs of hounds on the loose, riders or vehicles entering protected areas and potentially doing physical damage to the vegetation, soil or wildlife
2. Disturbance to animals belonging to protected or endangered species, or otherwise, by interfering with their shelters, disturbing their natural activities, injuring them or even killing them.
3. Disturbance to the environment by spreading contaminated dog faeces all over the countryside, and potentially biologically polluting the environment by spreading animal by-products such as fox urine that may be unsafe or illegally imported or produced.
4. Disturbance to historical sites by potentially damaging soil or structures when trespassing

## The solutions

Various actions can be taken to solve these problems. For instance, strengthening the Hunting Act 2004 to facilitate enforcement, and both prevent trail hunting from being used as a cover against allegations of illegal hunting, and its exemptions being abused, would go a long way to help solve these problems. However, this may take some years and more actions may be needed sooner to eliminate the threat the hunts pose to natural ecosystems and protected sites.

We advise those conservation organisations which own land in the countryside, big landowners which have conservation and environment protection policies such as the National Trust or the Forestry Commission, and Governments at all levels, to do the following as a matter of urgency:

1. Stop licensing registered hunts to undertake trail hunting, exempt hunting or exercising hounds on their land
2. No longer allow hunts entering their land when they are going out with any dog or horse

<sup>45</sup> <http://www.adriansfoxscent.co.uk>

<sup>46</sup> <http://www.cambridgeshirehuntwithenfieldchace.co.uk/>

<sup>47</sup> <http://www.cambridgeshirehuntwithenfieldchace.co.uk/images/files/Adrian's%20Fox%20Scent%20Leaflet.jpg>

<sup>48</sup> [http://www.bournemouthecho.co.uk/news/14021300\\_\\_Out\\_of\\_control\\_\\_hunt\\_did\\_\\_extensive\\_damage\\_to\\_3\\_000\\_year\\_old\\_hill\\_fort\\_\\_says\\_National\\_Trust/](http://www.bournemouthecho.co.uk/news/14021300__Out_of_control__hunt_did__extensive_damage_to_3_000_year_old_hill_fort__says_National_Trust/)



New Sparling House, Holloway Hill, Godalming, Surrey, GU7 1QZ  
Telephone 01483 524 250 Email [info@league.org.uk](mailto:info@league.org.uk)  
[www.league.org.uk](http://www.league.org.uk)

[f/LeagueAgainstCruelSports](https://www.facebook.com/LeagueAgainstCruelSports) [@LeagueACS](https://twitter.com/LeagueACS)

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