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## Hunting Act 2004 The Case For HUNTING

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#### INTRODUCTION

his document sets out briefly why the management of wild mammals in the British countryside is essential. The proper use of dogs as part of that management is at least as humane in welfare terms as any alternative and has unique welfare benefits. Given that man has a responsibility to manage wildlife, the use of dogs is a natural method of managing species and balancing populations. There is no evidence that it causes unnecessary suffering and is indeed a selective and humane method. A Scottish Parliamentary Committee put the position extremely well when it concluded its investigation into hunting in 2001 by noting:

It is not the use of a dog in itself that implies cruelty; but the method and intent with which it is used.

Properly conducted hunting is a natural and humane method of wildlife management. This document makes the case for hunting. Arguments against the Hunting Act 2004 are set out in a sister document, The Case for Repeal.

Cover shot by Nico Morgan Photography www.nicomorgan.com

#### THE NEED FOR WILDLIFE MANAGEMENT

he British countryside has been created by man over centuries to meet human needs. In this man-made environment wildlife has to be managed. Mankind cannot abdicate its responsibility for the ongoing management of the countryside it has created. This is especially important where natural wildlife predators no longer exist.

A healthy wildlife population will not result from a 'hands off' approach. Wildlife management is best achieved by a combination of methods undertaken by farmers, gamekeepers, landowners, conservationists and huntsmen with their divergent interests using the appropriate methods of control for their particular circumstances. Wild animals and domestic animals live in different states. The management of wild mammals is necessary for a variety of reasons that do not apply to domestic animals. (1)

A lack of management threatens vulnerable populations, biodiversity, habitat conservation and the production of food. It is widely accepted that certain species have to be controlled and the question therefore is not whether management is undertaken, but how?



# THE DIFFERENCE BETWEEN PEST CONTROL AND WILDLIFE MANAGEMENT



Laurie Campbell www.lauriecampbell.com

Any of those opposed to hunting with dogs accept the need for pest control, while condemning what they perceive to be the 'sport' of hunting. Such a view fails to understand that hunting involves pest control, wildlife management and recreation. The recreation element pays for the management and pest control function and is irrelevant in animal welfare terms.

The aim of population management should be to maintain healthy and balanced populations of wild mammals at levels which can be sustained by their local environment, and which are acceptable to farmers, landowners and the overall balance of all other wildlife.

Pest control, in contrast, is about efficiency and maximising numbers killed. When the reason for killing a wild animal is cited as being 'pest control', then welfare can be compromised, as biologist Dr Nick Fox stated in a report in 2003:

<sup>66</sup> In pest control, welfare is treated as a secondary priority over efficiency in many cases... it appears, across the board, that 'pest control' has been the justification for some of the worst excesses in animal welfare. <sup>97</sup> (2) Dr Nick Fox, Welfare Aspects of Shooting Foxes Report, 2003

### HUNTING WITH HOUNDS

References to hunting with dogs in this document apply either to hunting before the passing of the Hunting Act or to activities that currently remain legal under the Act.

All methods of control and management should be evaluated in terms of their effects on the health and fitness of the species as a whole, as well as the welfare of the individual guarry animal.

Hunting with hounds offers distinct advantages to the health and fitness of populations as well as individual welfare:

- A closed season which respects the breeding period;
- Reproducing the natural selection process by the chase whereby old, weak and sick animals are culled in direct relation to their debility, thereby promoting the health and vigour of the species;
- Dispersal of high concentrations of quarry species thus reducing local impact.
- The quarry is either killed outright or escapes unharmed. There can be no wounding.

Hunting gives the quarry species a 'status'. In the case of fox, hare and deer they are an important part of the overall balance of the UK's wildlife as indigenous species. Were they merely classified as pest species they might face eradication in some areas.





#### The Chase

Hunting with hounds is much more than simple tracking and pursuit. The scenting power of the dog enables it to locate and track the quarry and the period of pursuit reproduces the natural selection process. It is natural for both the hunter and hunted.

Opponents of hunting tend to attribute human characteristics to wild animals which is not supported by science. Indeed, were wild animals to have these characteristics it would compromise their very survival. Quarry species have developed various tactics to avoid being caught by predators. Their instinct is to remain alert at all times. Without this instinct they would cease to be wild and if their natural flight response were to be based on a human conception of fear they would live in a permanent state of terror. Comparative neuroscience has demonstrated that wild animals, apart from possibly the primates and cetaceans, almost certainly lack the complex brain and mental abilities necessary to perceive the human concepts of fear and death.

<sup>44</sup>Anxiety is a state of mind that is initiated and perpetuated with very little external assistance. Anxiety, one might think, is far closer to fear than is pleasure, but in brain terms, it could be the exact opposite. After all, pure fear, as pleasure, is very much in the here and now. Anxiety, on the other hand... depends on the ability to forsake the present moment and anticipate an uncomfortable future. It is hard to imagine that the rabbit in his burrow dwells on past times when it manages to escape a fox and is now worrying about whether a fox is going to pass that way once more.<sup>39</sup> (3)

Neuroscientist Professor Susan Greenfield, 'The Private Life of the Brain', 2000

#### The Chase

Fear is one of the most useful properties of the conscious mind because it is conducive to survival. Sentient animals are born curious because they need education to survive and aquire this education usually while under the protection of a parent or parents. They learn to discriminate between real and apparent dangers and, as they mature, become progressively cautious. Having lost the protection of a parent, they rely on their own sense of fear to direct their actions towards survival. When the gazelle learns that the charge of the leopard is truly frightening, but once again manages to escape, it may come to recognize fear as a constructive motivating force that produces its own reward, not as a source of suffering. **1** (4)

#### Professor John Webster, 'Animal Welfare – a Cool Eye towards Eden', 2005

With hunting, the quarry species is hunted in territory with which it is familiar. For most of the duration of the hunt a fox, for instance, will be hunted by scent and be out of sight of the hounds and may even be unaware it is the quarry. Animals cannot distinguish the initial stages of a hunt from the repeated disturbances from other factors with which they are regularly faced.

In the absence of psychological stress, the physiological stress during hunting is no more than is natural to the quarry and for which it is naturally adapted.



#### The Kill



Kay Thompson Photography www.kaythompsonphotography.co.uk

What matters is how quickly death occurs. When a fox or other small guarry is caught, it is killed almost instantaneously. This is made possible by the considerable power to weight ratio of the dog over the guarry, similar to a terrier compared to a rat. There is no chance of the quarry being wounded and escaping. The subsequent breaking up of the carcass, if it occurs, is not a welfare consideration as the animal is already dead.

In assessing the means by which wild animals are culled, whether using dogs or other methods, it must be appreciated that death in the wild, in the absence of natural predators and without hunting, involves protracted pain, sepsis, gangrene, starvation, hypothermia for days or even weeks before death.

Arguably the precise cause of death is irrelevant. What is more critical is how quickly insensibility and death result... There seems little doubt that in the vast majority of cases the time to insensibility and death is no more than a few seconds. <sup>11</sup> (5)

The Burns Report, June 2000

#### **CONSERVATION AND BIODIVERSITY**

he use of dogs is beneficial to the health of the species; it is natural and humane as a method in welfare terms for the individual quarry animal. It also has distinct conservation benefits.

The hunting community undertakes wildlife management across the UK. As a community they are uniquely placed to observe changes in wildlife demographics.

<sup>44</sup> The hunting communities have the potential to become the most effective contributors to the monitoring, management and conservation of wildlife in England and Wales by virtue of their numbers, their widespread distribution and their commitment. <sup>99</sup> (6)

John Webster, Emeritus Professor of Animal Husbandry at Bristol University

Hunting with hounds is organised and adaptable in a controlled fashion over areas of adjoining properties. The majority of landowners and farmers within hunt areas are largely content to leave fox management to the hunt, at least in the first instance. The Game and Wildlife Conservation Trust concluded that hunting was the method of control most favoured by farmers in two of their three research areas. In the third area hunting ranked second below the rifle, but in this area shooters and gamekeepers predominate and there is consequently a low density of foxes.





The report also states, 'Several discretionary aspects of present-day foxhunting influence the number of foxes killed. The amount of land any pack attempts to hunt, the number of meets per season, the distribution of meets in relation to fox abundance and the length of the hunting season all determine culling intensity – as do the decisions as whether to dig out foxes that have gone to ground and the proportion of the season run under early season rules. For many hunts, current choices on these aspects can only be interpreted as a policy of moderation, implying that the impact of hunting could be increased if desired! (6) In other words, hunting with dogs has the ability to raise or reduce the number of foxes killed.

Professor Robin Sharp addresses what appears to be an anomaly regarding hunting and conservation.

Yet it may come as a surprise to those whose understanding of wildlife conservation is shaped by beguiling television images of 'wild nature' that field sports, as practiced over the last 50 years, have been almost universally good for the hunted species and the non-hunted, non-predators that thrive in the same habitat. **11** (7)

#### MORALITY

The question of whether hunting is moral or ethical only arises if it is not accepted that wildlife management, involving the killing of individual animals is necessary; or that, even if animals need management, hunting is measurably worse than the alternatives.

As the need to manage wild animals is accepted, even by many of those who support a ban on hunting, the real question is whether the use of dogs is worse than the alternatives such as shooting, trapping and snaring. If it cannot be shown that hunting is worse, and in fact has distinct advantages both for the species as a whole, the individual quarry animal and in broader conservation terms, then far from being unethical or immoral, it is at least as ethical as the alternatives and in many situations might be viewed as the preferred ethical choice.

An accusation often made against hunting with dogs is that it is 'inefficient', implying that efficiency somehow relates to the more humane treatment of the quarry species. There is no direct link and 'efficient' methods of culling can often cause suffering whilst also being unselective. The effectiveness of control should be judged on maintaining sustainable and healthy populations with the minimum of suffering and not on the numbers killed.





There are not and never were any scientific grounds for banning hunting with hounds on the grounds of morality or cruelty. Lord Burns, Chairman of the Committee of Inquiry into Hunting with Dogs in England and Wales said, 'Naturally, people ask whether we were implying that hunting is cruel. The short answer to that question is no. There was not sufficient verifiable evidence or data safely to reach views about cruelty' (8). A view echoed by inquiry committee member and veterinary surgeon Lord Soulsby,

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.

Professor Sir John Marsh and Professor Michael Winter, members of the Committee of Inquiry into Hunting with Dogs, wrote to the then Environment Minister Margaret Beckett, in May 2005 stating: 'Describing, as we did, the final moments of a hunt as 'seriously compromising the welfare of the hunted animal' should not be taken as a suggestion that hunting was measurably worse than other legal methods, or that abolition would improve the plight of wild animals in the countryside.'

#### MORALITY

A Veterinary Opinion on Hunting with Hounds, supported by over 560 members of the Royal College of Veterinary Surgeons states, 'Hunting with hounds is the natural and most humane method of managing and controlling foxes, hares, deer and mink in the countryside' (10). This opinion is reached after careful consideration of all the various methods of control and their implications for the wild animal.

The sporting or recreational element of hunting is irrelevant to the central issue of welfare except in so much as it happens to be what pays for this particular method of humane control. It is totally immaterial to the hunted animal whether opponents or proponents of hunting regard it as a sport. Hunting must be judged solely on what is best for the welfare of the quarry species and individual hunted animal.

An analysis of hunting with dogs indicates an activity that is a selective, non-wounding and natural method of managing wild mammals in the knowledge that suffering will be kept to the minimum. The charge of cruelty is the only legitimate charge to be answered. As such, in the absence of objective evidence of cruelty and the evidence of the benefits of hunting, if animal welfare is the issue then hunting is as ethical as any alternative.



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