

From: [Jamie Foster](#)
To: [2002 Act Review](#)
Subject: FAO Lord Bonomy
Date: 29 March 2016 16:48:06

Dear Lord Bonomy,

I am a solicitor who has represented a number of individuals connected to hunts in in England and Wales who have been prosecuted by the Crown Prosecution Service, the League Against Cruel Sports (LACS) and the RSPCA under the Hunting Act 2004. In several of these cases Professor Stephen Harris has appeared as an expert witness for the prosecution. I have read Professor Harris' 'report' on hunting in Scotland and assume that League Against Cruel Sports will rely heavily on his expertise in its submission to your inquiry. I think it is therefore important that you are fully aware of Professor Harris' involvement in these cases.

The most recent case in which Professor Harris appeared as an expert witness, involving six members of the Lamerton Hunt, was a private prosecution by LACS. The League's case depended heavily on expert witness evidence, due to the fact that no unlawful hunting was captured on film. The only way that a court could possibly find the defendants guilty was by accepting that an expert could analyse the film and determine that hunting was in fact taking place.

Professor Harris was cross examined by Peter Glenser, the barrister instructed by me, who sought to understand why Professor Harris had failed to reveal his long established connections with LACS. We knew that he had written a book published by them, appeared on platforms during their Hunting Act campaign with their vice president, and recently published an academic paper sponsored by LACS. Mr Glenser also asked Professor Harris about an email he had written to the RSPCA about another prosecution of a hunt in which he said it would be "very damaging" if the court knew he had been recommended by the League. In the course of that cross examination Professor Harris revealed that he had had a long-term close friendship with a witness in the case, LACS's head of investigations, Paul Tillsley.

When Mr Glenser asked why he had not included this information in his report he said that he had sought legal advice from the League's solicitor, Rachel Newman, who was also LACS's acting Chief Executive. He claimed she told him that as long as he had not discussed the case with Mr Tillsley he did not need to disclose the fact that they were friends. Legally, either she had given him advice that may have amounted to serious professional misconduct on her part, or Professor Harris was not telling the truth under oath. Devon and Cornwall Police are currently investigating whether this evidence amounted to perjury. The District Judge gave LACS 24 hours to consider its position. The next day the Leagues counsel said that he had been told there was a 'conflict of recollection' between LACS and Professor Harris and LACS chose to drop the case rather than expose itself to further interrogation on this point.

The collapse of the case drew widespread media reporting and comment some of which I reproduce below:

The Times Leader, 7th Dec 2015: “The details of the case are inglorious. The League Against Cruel Sports (LACS) had brought a private prosecution against six members of the Lamerton Hunt in Devon. The charity called as its expert witness a University of Bristol ecologist called Stephen Harris, who, it quickly transpired, had failed to mention his friendship with the league’s head of operations.

“Professor Harris, for his part, maintains that it would be odd for a man in his position not to speak with the LACS “from time to time”. Quite how this translates into publishing a book under their aegis, naming them as the sponsors of an academic paper and speaking at their campaign events is a matter for the courts to decide.”

<http://www.thetimes.co.uk/tto/opinion/leaders/article4634039.ece>

The Times, 7th Dec 2015: ‘Stephen Harris, a leading authority on foxes, testified last week in a prosecution for alleged illegal hunting brought by the League Against Cruel Sports. The case collapsed on Thursday after a defence lawyer accused Professor Harris of being too close to the league to give impartial evidence.’

<http://www.thetimes.co.uk/tto/law/article4633835.ece>

Daily Telegraph, 4th Dec 2015: “Professor Stephen Harris, a leading authority on foxes and badgers, failed to inform the court about his friendship with Paul Tillsley, the head of investigations at the League Against Cruel Sport and his other connections to the group... Prof Harris admitted during cross-examination that he had long-term friendship with Mr Tillsley, who was also a witness in the case.”

<http://www.telegraph.co.uk/news/uknews/law-and-order/12034496/Hunting-convictions-thrown-into-doubt-after-court-case-collapses.html>

In the cases I have been involved in Professor Harris sought to minimise his connections to the League. This is in stark contrast to today's Times report **Times 29 March 2016 "Animal Rights Charity Exposed Over Squandered Fortune"** which indicates two of the League's trustees had expressed concerns that the League was over reliant on Professor Harris.

Professor Harris has acted as an expert witness for the prosecution in several other cases involving hunts and I am aware of at least two in which convictions were secured as a result of his evidence which will now be challenged. Professor Harris has never declared either his professional relationship with LACS or his personal relationship with its employee in any case in which he has been involved. The High Court will consider in due course whether any alleged misconduct on Professor Harris' part ought to result in the League paying the full costs of the Lamerton case.

I thought that it was important for you to be aware of this information. In the spirit of full disclosure I should also point out that I am an elected Board Member of the Countryside Alliance, although I was not acting for the Alliance in any of the above cases.

Yours

Jamie Foster

This email was scanned by the Government Secure Intranet anti-virus service supplied by Vodafone in partnership with Symantec. (CCTM Certificate Number 2009/09/0052.) In case of problems, please call your organisations IT Helpdesk. Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

This email has been received from an external party and has been swept for the presence of computer viruses.
