

Trevor Adams



Submission to Lord Bonomy's Review of 2002 Act

To: Lord Bonomy

As the Huntsman of the Buccleuch Foxhounds (the man in control of and responsible for the hounds) in the 10+ years before the Protection of Wild Mammals Act and the 10+ years until 2014 after the Act, I feel that I am in a good position to make a submission to your Review.

In 2002, we were faced with the fear that we would have to destroy our foxhounds, have to dispose of our horses and lose our jobs (including my own) and yet there was a real need to control foxes for farming and game shooting interests. However, if we could change the purpose of the Buccleuch Foxhounds from traditional foxhunting to offering a fox control facility by flushing to guns, it would mean that there was a future for the pack of hounds.

After much discussion especially with the Police, we established our Fox Control Protocol. I would like to point out that the Police's biggest issue was over safety. They were concerned by the number of guns that might be present and that less experienced individuals would be getting guns and gun licences so as to facilitate shooting the flushed foxes. We operate in a range of different terrains from arable areas with small coverts near populated areas and main roads to hill ground and intensive forestry. It was agreed with the Police that, depending on the terrain, guns would be limited to the minimum required and that experienced marksmen with a local knowledge of the ground and the regular routes of the foxes would be used.

We have always had to seek permission from the landowner and farmer to cross their land. This became increasingly important in that the Act specifically makes it an offence "for an owner or occupier of land knowingly to permit another person to enter or use it to commit an offence". With the trust developed between us over many years, our commitment to operate under the terms of our Fox Control Protocol gave them the confidence to use our services – and has done so over the past 14 years without issue.

It also became apparent that there was a role for mounted followers to turn foxes away from populated areas and roads towards the guns as part of the fox control activity. The funds raised from them by subscriptions or fund raising events has made it possible to offer the fox control service free in return for organised access to farmland for recreation as well as to maintain such things as the level of insurance that the farmers require from us.

The establishment of the Fox Control Protocol agreed by the Police back in 2002 was tested when I was charged under the Act and the subsequent Test Case was held at Jedburgh Sheriff Court of which you will be aware. After lengthy deliberations, Sheriff Drummond made a full statement and

all charges were dropped and I was found not guilty. This showed that the Protocol and my understanding of it had stood up.

The need for a pack of hounds to flush foxes to guns has been shown to work well with foxes found quickly and pushed out of covert to waiting guns to be dispatched when safe to do so. Also, importantly, on the occasion when a fox is wounded by gunshot, the ability to track it and humanely dispatch it in the minimum time is a great asset. It has been suggested that only two hounds should be used to flush foxes from covert. This would be totally ineffective especially on hill ground or in large woodlands which requires a large number of hounds to find a fox. A pack of hounds work like a team, each with individual qualities ie. finding ability, voice, drive, scenting but all working together to flush quickly.

I would also make the following general point. All of the Scottish mounted foxhound packs are registered with the Masters of Foxhounds Association (MFHA) and their Masters are members of the Association. The MFHA oversees the operation of all registered packs in the United Kingdom and its members are bound by its rules. This gives farmers a great deal of confidence that their activities will be carried out in a professional manner, within the Law and that hounds will be steady with livestock. This must be regarded as a positive rather than lots of little private packs operating without rules.

There is no demand for a change to the present Act in this part of the world where the need to control foxes is recognised and the method used by the Buccleuch Foxhounds is fully understood and supported.



Trevor Adams

Past Huntsman of Buccleuch Foxhounds

23st March 2016