

2002 Act Review

Natural Resources Division,  
The Scottish Government,  
1-C North, Victoria Quay  
Edinburgh, EH6 6QQ

31 March, 2016

Dear Sir;

I am grateful for the opportunity to contribute to the opportunity to input to the Scottish Government's legislative review of The Protection of Wild Mammals (Scotland) Act 2002 by Lord Bonomy.

I write to you as a farmer in my own right and the manager for other farming businesses in rural southeast Scotland, principally in Berwickshire. Foxes interact with the businesses and communities that live in the surrounding area in a number of ways:

1. There are lambs in the spring that are subject to the unwanted attentions of foxes. The majority of the farms' pasture is adjacent to river banks and the more heavily wooded areas of the farms.
2. Ground nesting indigenous grey partridge and other ground nesting birds that benefit from a grey partridge reintroduction project undertaken across the farm. Grey partridge populations are fragile in many places but with current management practices we have had success in sustaining a breeding population. Ground nesting birds are particularly susceptible to the dangers of fox populations. A key component of the tools used to re-establish the current grey partridge population has been blocks of dense vegetation to provide shelter for the birds over the winter when other vegetation becomes scarce. Likewise the partridge benefits from the landowners' continued investment in hedges and field margins/conservation headlands to provide interlinking networks through a mainly arable landscape. The dense winter vegetation and the hedge network provide camouflage for hunting foxes.
3. A number of the families that live locally in the community, particularly those adjacent to woodlands, have chickens that are at risk to the local fox population.
4. I am involved in the operation of a shoot with pheasants and ground nesting wild duck. Both these quarry species are particularly at risk from the attentions of foxes; especially when they are young in the autumn when there is a lot of vegetation for foxes to hunt in. The shoot also utilises river banks and areas of commercial and amenity woodland managed by the landowners for commercial, environmental benefits and wood fuel.

The linking feature of all the above is the prominence of thick vegetation and trees/woodland in areas, where there are clear management reasons to control foxes, but line of sight is impaired for lamping or shooting in covert. Flushing foxes from the woodland and thick vegetation to guns is in these circumstances is effective, when the fox leaves the covert, and is killed by gun.

A single hound or a pair of hounds would not be effective for flushing purposes in the thick vegetation and trees/woodland as the Federation of Welsh Farmers Packs research carried out between 2012–2013 evidenced showing that using more hounds was more efficient and the time between the find/flushing and a successful kill was reduced. Of further note is Douglas Batchelor former Chief Executive of the League Against Cruel Sports comment in relation to foxes that “pairs of dogs are utterly useless in flushing to guns.” August 2005.

When hounds are hunting in covert for foxes to flush, the number of hounds in use to flush, will depend on the development the pack and type hounds, and thus there is not a one size fits all measurement to define the number of hounds. In many cases the breeding for this has developed over many generations, and is a process worthy of protection, with pedigrees of individual hounds possible to trace back to the early 1700's and documented in published stud books from 1841.

There is no danger of hounds not being humane and effective method in woodland control as a pack of hounds will never injure or maim a fox. A pack of hounds will flush a fox or if the pack directly encounters a fox it will kill the fox almost instantaneously with no risk of injury. Lord Burns “the time to insensibility and death is no more than a few seconds”.

Before the Protection of Wild Mammals (Scotland) Act 2002 over many years of observing hunted foxes, out in the open, crossing the countryside, it was remarkable that right until the end, the fox inevitably went gently in short bursts, often waiting on a wall or tree, and only moving on when it felt harried but certainly they did not run like a desperate animals in a state of fear. I feel confident that a fox being flushed from a wood will leave with the same easy nonchalance and without any undue suffering.

There can be no relevance to the humaneness or otherwise if the people involved are on horses, motorbikes, ATVs or the way they are dressed unless. Those managing hounds should use what is the optimum mode of transport for effectiveness of their duty; which will depend on the country and conditions expected to encountered on a given day.

There are parts of Scotland where the areas of woodland and thick vegetation are so extensive, dense or difficult to cross, that hounds are the only practical means of control.

Packs of hounds that are normally supported by communities in lowly populated rural areas which are socially supportive communities that promotes social interaction and often operate a number of other events in the local communities equestrian, social etc that also promote social interaction and development of equestrian and animal husbandry skills where there are few alternatives compared to those found in more densely populated urban areas.

Given the aforementioned it is my view that further legislation designed to reduce or restrict the use of hounds will do nothing to improve the welfare of foxes; and quite possibly the opposite.

*Yours Sincerely*  
*Henry P. Gattis*