

Rt Hon George Eustice MP
Secretary of State
Department for Environment, Food & Rural Affairs

By email

21 January 2021

Dear Secretary of State,

Re: Welfare opportunities for wildlife

I am writing to you as Chair of the Wildlife and Countryside Link Wildlife Crime Working Group, a coalition of organisations working to improve the conservation and protection of wild animals threatened by domestic wildlife crime and associated welfare issues.

Working Group members share the excitement of the wider animal welfare sector about the progress that could be secured in 2021, following the Government's commitment to pioneering post-Brexit welfare measures. It was encouraging to see proposals on live animal exports brought forward at the turn of the year, as an early delivery on that promise. We keenly anticipate a possible Animal Welfare Bill, which we understand could be prepared for the early summer, as a vehicle to deliver further measures and to set a global lead for animal welfare standards.

In setting this lead, it is important to recognise that well over 200 million wild mammals live on our island¹, compared to around 30 million farmed mammals² and around 20 million pet mammals³. Animal welfare standards cannot stop at the barn door or garden gate – if the UK is serious about reducing the suffering of animals from human activities, new measures must include protections for domestic wildlife put at risk by human behaviours, including criminal behaviours.

We believe there are several practical opportunities to deliver such protections, two of which we set out in detail below. We hope that you and your team can give these proposals due consideration, with a view to their inclusion in a possible Animal Welfare Bill.

A ban on snares

Animal suffering: A 2019 paper from the League Against Cruel Sports (LACS) estimates that snares in the UK have the potential to trap up to 1.7 million animals every year.⁴ The paper sets out the

¹ <https://www.mammal.org.uk/wp-content/uploads/2018/06/MAMMALS-Technical-Summary-FINALNE-Verision-FM2.pdf>

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/599912/structure-dec2016-uk-16mar17.pdf

³ <https://www.pdsa.org.uk/get-involved/our-campaigns/pdsa-animal-wellbeing-report/uk-pet-populations-of-dogs-cats-and-rabbits>

⁴ <https://www.league.org.uk/snares#:~:text=Many%20illegal%20snares%2C%20which%20are.Wildlife%20and%20Countryside%20Act%201981> (see 'Problems of Snaring' Report)

suffering caused to those animals that are trapped, covering both snares designed to kill at once and those designed to restrain⁵. Associated injuries include deep cuts inflicted by wire and slow strangulation from restraints to the neck and chest. In the words of an animal welfare expert quoted in the paper: *"Snares are primitive, indiscriminate traps which inflict severe – and in some cases, extreme – suffering on any animals unlucky enough to be caught in them"*. Such suffering affects a large range of species. LACS analysis of Defra's 2012 report on the humanness of snares⁶ concludes that only 25% of animals caught in snares are from the species targeted by the snare. As a former serving Police Force Wildlife Crime Lead, and National Wildlife Crime Unit Head, I could cite a number of examples of this.

Insufficient protections: Snares are legal across the UK, with some restrictions. In 2019 the Government implemented the Agreement on International Humane Trapping Standards (AIHTS), which requires snares used on five species (otter, badger, beaver pine marten & stoat) to be licensed, and to meet set standards designed to result in swifter death. This EU led agreement, brokered with Canada and Russia, was designed to address international fur trade concerns and has little relevance to the situation in the UK, nor does it adequately protect the welfare of those animals trapped using methods permitted under the agreement. The five protected species amount to 1% of targeted snaring in the UK, which is primarily focussed on foxes and rabbits.⁷

Practical action: A ban on snares would see the UK go beyond the limited EU welfare agreement and end the use of *"cruel and primitive devices have no place in a civilised society"*.⁸ As set out in the LACS paper a range of more humane alternatives to snares are available to landowners and managers, including inexpensive tunnel traps and the use of guard animals. An outright ban would be more effective than the current patchwork of different restrictions (which have low compliance rates) and would allow for easier enforcement, something of particular interest to the Wildlife Crime group. As well as being effective at reducing animal suffering and limited in financial impact, such a ban would also be popular with the public – 77% support for a ban was recorded by Ipsos Mori in 2014.⁹ This is a practical and popular opportunity for Britain to set a global animal welfare lead.

Additional action: The UK Government should also withdraw from the Agreement on International Humane Trapping Standards, which currently enables the import of products from animals killed in other countries using methods that would not be permitted in the UK.

⁵ For more information on the suffering caused by trap and the supposedly more humane kill snares see this 2017 comparative study https://www.researchgate.net/publication/313796877_Steel-Jawed_Leghold_Traps_and_Killing_Neck_Snares_Similar_Injuries_Command_Change_to_Agreement_on_International_Humane_Trapping_Standards

⁶<http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=14689>

⁷<http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=14689> p38

⁸ Andrew Knight, professor of Animal Welfare and Ethics & Director of the Centre for Animal Welfare, University of Winchester, as quoted in LACS paper

⁹<https://www.league.org.uk/snares#:~:text=Many%20illegal%20snares%2C%20which%20are,Wildlife%20and%20Countryside%20Act%201981.>

A close season for hares

Animal suffering: We know you are familiar with this subject, having brought forward the Hare Preservation Private Members Bill in 2019. As you stated when proposing the Bill, up to 300,000 brown hares are estimated to be killed every year, out of a population of 800,000¹⁰. Leverets (infant hares) are highly dependent on their mothers for a month after birth and those orphaned through shooting in the breeding season face a slow death from starvation. A 2017 paper published in Wildlife Biology estimates that around 7% of leverets die in this manner in England and Wales each year.¹¹

Insufficient protections: The Hares Preservation Act 1892 is typical of the outdated legislation that forms the majority of wildlife protection law in England. The Act prevents the sale of hare meat from March to July – a partial remedy at best, even in 1892, made even less useful by the subsequent invention of refrigeration. The breeding season for hares runs from February to September and there is currently nothing to prevent the shooting of hares during this period, and the resulting starvation of thousands of orphaned leverets. Scotland and Northern Ireland have each successfully introduced a close season for hares, but no such season currently exists in England and Wales.

Practical action: A ban on hare shooting from January to October (the breeding season, with a precautionary month on either side) would prevent unnecessary suffering amongst orphaned leverets. A close season would not rule out shooting as an animal control option for landowners and managers, it would instead move the time window for it to a specified two months (November and December). A reduction in leveret deaths would help hare populations recover from their continuing decline, a concerning trend that led to the inclusion of hares within the UK Biodiversity Action Plan.¹² The close season should also cover the small and extremely vulnerable English population of mountain hares, as well as brown hares.¹³

Additional action: Illegal hare coursing is also contributing to the decline in hare populations, as well as causing unnecessary animal suffering on its own account.¹⁴ The National Farmers Union has suggested that the Game Act 1831 could be amended to allow police forces to seize the dogs of those convicted of hare coursing, charging kennelling costs to the offender.¹⁵ Amending the Game Act in this way, through an Animal Welfare Bill, would provide an effective deterrent against hare coursing and address this further cause of unnecessary suffering and population decline amongst hares. Another effective method of action would be to place both brown hares and mountain hares on Schedule 5 of the Wildlife and Countryside Act 1981. This would not only afford hares greater protection but also ensure that the full range of police powers under the legislation could be used. This would include seizing the cars and dogs of coursers, as well as obtaining warrants for evidence of

¹⁰ <https://hansard.parliament.uk/commons/2019-05-14/debates/CD64A08F-AA23-48A7-894B-1E7884229A7E/HaresPreservation>

¹¹ https://www.researchgate.net/publication/313778397_Minimising_orphaning_in_the_brown_hare_Lepus_europaeus_in_England_and_Wales_Should_a_close_season_be_introduced

¹² <http://adlib.eversite.co.uk/adlib/defra/content.aspx?id=000IL3890W.16NTC1CVLGS2VW>

¹³ <https://ptes.org/grants/uk-mammal-projects/mountain-hares-peak-district/>

¹⁴ https://www.wcl.org.uk/docs/Link_Annual_Wildlife_Crime_Report_2018.pdf (see the chapter in hunting for more information on hare coursing)

¹⁵ <https://www.nfuonline.com/news/latest-news/inadequate-hare-coursing-legislation-in-need-of-urgent-reform/>

arranged coursing, as it is well known this occurs prior to meeting at rural locations. Adding hares to Schedule 5 would also introduce the possibility of a short-term custodial sentence (up to six months) as a deterrent, something which is not yet available under current legislation used. Finally, there have also been instances of hares being accidentally killed by dogs owned by hunts, which should also be considered with a view to additional action.

The above measures are high-impact and low-cost ways to reduce the unnecessary suffering of wild animals caused by human activity, including criminal activity. As you have had personal experience of in the case of hares, historically these measures have floundered not on content concerns, but on the lack of legislative opportunity to progress the proposals. An Animal Welfare Bill would provide just such an opportunity.

We would be delighted to work with you and your animal welfare team to progress these new protections for our wildlife, at this opportune time for action. Please do not hesitate to let us know of any further evidence that we can usefully provide.

Thank you for your consideration of these proposals.

Yours sincerely,



Martin Sims
Chair, Wildlife Crime Working Group

CC: Marc Casale, Defra Deputy Director for Animal Welfare