

Introduction

Policy proposals and consultation questions - About you

1. Would you like your response to this consultation to be confidential in the event of an access to information request (see confidentiality and data protection above)?

No

If you answered 'Yes' please give your reason(s). :

2. Provide your full name

Provide your full name:



3. Provide your email address or, alternatively, your full postal address

Provide your email address or, alternatively, your full postal address :



4. In what capacity are you completing this consultation?

as an individual

If other, please specify:

5. If you are responding on behalf of an organisation, what is the name of that organisation?

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None

6. This consultation is for proposals that would apply only in England and Wales. Where are you, or the organisation you are representing, located?

England

If other, please specify:

Policy proposals and consultation questions - Proposed Legislative Approach

7. Do you agree with the proposed definition of "trail hunting"?

No

Please explain your reasons including, if applicable, your preferred definition of "trail hunting":

I agree with the definition of 'animal-based scent', but the rest of the proposed working does not reflect the established fact that 'trail hunting' is the hunting community's code for 'fox hunting'. For this, I'd suggest:

'Trail hunting' is an alternative name for fox hunting coined by the hunting community in response to the Hunting Act. The activity involves laying, or claiming to have laid, a scent trail, either animal-based or synthetic, for dogs to find and pursue. Hunt members are not usually party to the route of the trail, if there is one, while the public cannot inspect it in advance. The activity happens in areas known to be inhabited by wild mammals, and often leads to dogs flushing out foxes and killing them.

8. What types of conduct should be covered by 'engagement' or 'participation' in trail hunting?

Please explain the reasons for your answer:

Those who engage in the following types of conduct should be guilty of an offence:

- using terriers to search areas inhabited by wild animals (e.g. to find a fox hiding in a badger sett)
- involving foot followers as active helpers
- assisting the hunt as a foot follower (e.g. blocking the path of a fleeing animal/indicating its position)

- taking hounds into wildlife habitats
- losing control of hounds/not recalling them when they stray (e.g. by allowing distance to build up between the pack and whoever's meant to be in control of it so that, in the event of a chase/kill, huntsmen can in retrospect excuse themselves by claiming it was impossible to prevent - this is often a deliberate tactic)
- directing hounds into areas that inaccessible to human beings (e.g. bramble)
- exercising hounds in residential areas
- blowing horns and calling out to encourage hounds to locate/pursue a wild mammal
- obstructing observers (e.g. hunt monitors)
- hunting secretly (e.g. in areas that the public, police and/or drones can't access)
- trespassing specifically in the context of unlawful trail hunting
- blocking up shelters likely to be sought by a fleeing fox (e.g. badger setts)
- breeding foxes to hunt (e.g. by creating artificial earths in privately owned woods)
- Boxing/New Year's Day meets in towns and displays at county shows etc. (this give hunts the aura of splendour and legitimacy, even though almost all (if not all of them) engage in suspect activity - councils and event organisers should not support/be seen to support them at all)
- cub hunting, an activity designed to train young hounds to hunt foxes - this should be explicitly outlawed.

9. In relation to offences or conduct which would assist unlawful trail hunting to take place, we intend that it should be an offence for the owner or occupier of land to knowingly cause or permit another person to engage or participate in trail hunting on that land. Do you agree?

Yes

Please explain the reasons for your answer:

Owners/occupiers who cause or permit unlawful trail hunting in future must be subject to a legal deterrent like this.

It must be noted, however, that the Hunting Act also contains landowner offences, but has not resulted in any successful prosecutions. For this measure to work, it is imperative to identify and remove any provision that frustrates both the successful prosecution of hands-on perpetrators in the first place and, in turn, that of offending owners/occupiers. This is because the latter necessarily depends on the former. Addressing the six-month time limit on bringing hunting offences to court would be a good start.

The need to review sporting rights is also relevant here (see my response to Q12), as is dealing with trespass legislation specifically in the context of hunting (trespass puts owners/occupiers who do not give hunts their blessing in a very difficult position).

10. In relation to offences or conduct which would assist unlawful trail hunting to take place, we intend that it should be an offence for the owner or person responsible for a dog to knowingly cause or permit another person to use the dog for trail hunting. Do you agree?

Yes

Please explain the reasons for your answer:

Some pack owners lend out their dogs to escape direct liability for fox hunting offences. They are likely to repeat this practice for trail hunting, so it must be specifically banned.

11. Are there any other forms of conduct which should be considered as possible offences in relation to offences or conduct which would assist unlawful trail hunting to take place?

Yes

Please explain the reasons for your answer:

Any existing laws/regulations relating to the following should be reviewed and, if necessary, updated, so that they explicitly refer to trail hunting activity:

- pursuing any wild mammal, except for demonstrable welfare purposes, over any distance (no permissible distance should be specified)
- killing a wild mammal at any point during a hunt, whether by hounds or gunshot
- taking hounds into areas inhabited by wild animals
- worrying livestock
- interfering with badger setts
- allowing hounds onto roads and into residential areas
- obstructing the highway
- illegally directing road traffic
- failing to fit hounds with collars
- hunting in no-drone zones

If nothing relevant or sufficiently robust exists, fresh legislation should cover the above.

12. Do you consider that any other legislative changes are necessary to ensure that a ban on trail hunting is effective?

Yes

Please explain the reasons for your answer:

Exemptions and defence

- Every single exemption should be deleted from the Hunting Act because hunts exploit them
- The law should treat hounds exactly as it does other dogs. Any exemption for 'working dogs' should no longer apply to them.
- The 'no intention to hunt' defence should be removed. This is because intentions are very challenging to prove or disprove in this as in other areas (e.g. traffic law), so abolishing this defence would simplify enforcement considerably. Claims of accidental or reckless chases/kills would then no longer result in perpetrators escaping justice.

Penalties

- Legislative changes should strengthen penalties into a truly effective deterrent which fines (usually derisory) are clearly not. The changes should include the possibility of imprisonment, and life-time bans on hunting in all shapes and forms
- Hunts must be held legally accountable as organisations and, ideally, banned in perpetuity for any instance of illegal activity. The law's current focus on individual members alone is not effective.

Hound management and welfare

The changes need to ensure that hounds are effectively controlled to stop them chasing/killing wild mammals and causing nuisance in residential areas. The dogs' welfare also needs to be better protected in law. This means, for example,

- keeping hounds on leads in residential areas
- limiting the number of dogs in a pack
- introducing a clear legal definition of 'pack'
- facilitating the humane impounding of hounds used for illegal activity
- outlawing the practice of taking dogs into risky environments (principally roads).

Sporting rights laws

These need to be overhauled - archaic covenants held by third parties mean that some landowners cannot say no to hunts, even if they want to. This is patently wrong.

Enforcement

- the police should be empowered to access private land if they, or others, suspect that hunting is in progress
- legislation should explicitly and robustly address trespass by hunts
- hunts should ensure that they can be readily identified on sight (e.g. by all members bearing the hunts' name on a hi-vis jacket).

Acts and Orders to revisit

- Road Traffic
- Dangerous Dogs
- Deer Act
- Protection of Livestock
- Public Space Protection Orders (if these impose any restrictions on dogs in any locality, they must not exempt hounds)

(See also answer to Q11 above).

13. Do you think that it is possible for dogs to be appropriately trained for specific purposes other than trail hunting without the use of either animal based scents or artificial scents which mimic an animal based scent?

Do not know

Please explain the reasons for your answer and, if applicable, explain the circumstances where you think it necessary to continue to permit the use of such scents in training dogs.:

This is a very confusing question to answer because it alludes to two different scenarios in one, hence my 'do not know' response.

Yes, I believe dogs can be appropriately trained for specific purposes, other than trail hunting, without these scents.

But no, I don't believe any purpose, other than those genuinely concerned with animal welfare, should be exempt from a ban on these scents for the reasons I outline in my response Q14 below.

14. Do you think that it should remain lawful, in certain circumstances, for animal based scents, or scents which mimic animal based scents, to be used in training dogs for certain purposes?

No

Please explain the reasons for your answer and, if applicable, what training purposes should be permitted.:

Allowing the use of these scents to remain lawful is likely to gift hunts with yet another smokescreen for fox hunting. Experience suggests that, if their dogs happen to chase and kill a fox, they'll simply allege they were using any scents involved to re-train them for other purposes.

Should the use of these scents be restricted rather than outlawed, however, legislation should be absolutely clear that the ONLY permitted purpose is to allow suitably qualified people who are demonstrably not associated with any hunting activity to trace and treat an injured animal for its demonstrable benefit. It should also specify that:

- only one dog can be used for one entire search (the use of reserves should be banned)
- it must not be a fox hound (these dogs should be specifically excluded from any exemptions)
- the dog must be soft-mouthed.

15. Do you agree that this is an accurate description of drag hunting?

Yes

Please explain the reasons for your answer and, if you wish, propose a different description.:

16. Do you think that there is a risk that dogs engaged in drag hunting will deviate from the pre-laid trail by the scent of a wild mammal and then pursue the wild mammal?

Yes

Please explain the reasons for your answer:

Many dogs are excited by both seeing and smelling a wild animal, and their instincts are often to give chase. Dogs engaged in drag hunting are no exception. If (as is probable) they are not held on a lead, if their handler is not nearby or exercises poor control, they may well deviate from the pre-laid trail, pursue a wild animal and, potentially, kill it.

17. Do you agree that this is an accurate description of 'clean boot' hunting?

No

Please explain the reasons for your answer and, if you wish, propose an alternative description.:

This definition should refer to the use of bloodhounds in clean boot hunting. This is crucial because, unlike fox hunting, a legitimate clean boot hunt employs soft-mouthed dogs who are most unlikely to injure their quarry - a human runner. A clean boot hunt that does not employ this kind of dog would be suspect.

The definition should also refer to the fact the runner chooses open routes that are fully accessible to humans and, indeed, the public, avoiding bramble patches etc., where wild animals are likely to live and shelter.

18. Do you think there is a risk that dogs engaged in clean boot hunting will deviate from their pursuit of human runners to the pursuit of wild mammals?

Yes

Please explain the reasons for your answer:

Please see my response to Q16 - the same applies.

19. Do you think that a new law to ban trail hunting would need to include any additional provisions in relation to drag hunting or clean boot hunting?

Yes

Please explain the reasons for your answer:

Both drag and clean boot hunting should be strictly regulated through:

- government-issued licences, revoked in the event of illegal hunting, regardless of intention
- clear and high standards on, for example: training, competence, public transparency about plans, routes and meets; the use of GPS tracking; dog control; detailed records on any scent trails, and how the scent was procured (drag hunting)
- regular monitoring
- enhanced powers for the police to inspect records, live tracking, receipts, maps and other relevant evidence
- mandatory reporting to DEFRA about any encounter with wild mammals
- permanent bans for chasing and/or killing a wild mammal, regardless of claimed intention.

20. Are there any equestrian activities other than drag hunting, for example point to pointing, which you think are at risk from being affected by the proposed ban on trail hunting?

No

Please explain the reasons for your answer:

Although point-to-point is closely associated with hunting and its rules require participating horses to have hunted, the proposed ban on trail hunting is most unlikely to kill it off unless that's what the organisers and participants want. In any case, point-to-pointers can easily amend their own rules.

21. How do you think the introduction of a ban on trail hunting will affect dogs used for trail hunting? For example, will they be able to be re-directed to other activities?

Please provide your answer:

The hunts are, quite clearly, trying to persuade the British animal-loving public that hound redundancy will affect the dogs adversely, maybe even leading to mass euthanasia. This is rich. Several hunts are far from averse to mistreating, neglecting, endangering, abandoning and, when they've outlived their use, shooting their hounds, while kennel conditions are by no means universally ideal.

Banning trail hunting is, therefore, in this type of dog's best interest. Moreover, the affect should in theory be short-term and contained. This is because breeding fox hounds for hunting purposes on anything like today's scale should prove pointless once the ban is in force. If, however, breeding continues at the present (irresponsible) rate, the government should seriously consider banning it.

For dogs immediately affected by the proposed trail hunting ban, animal welfare charities are already rallying to help re-home or retrain them - the RSPCA, for instance, says: "Hunts need to ensure the welfare of hounds in the event of a ban on trail hunting. We will support rehoming organisations who may take hounds into their care with our welfare expertise, and help to ensure the welfare of the hounds is protected, in coalition with other NGOs working on this issue".

22. Do you think that there should be a transition period following the introduction of a ban on trail hunting and if so, how long should that period be?

No

Please explain the reasons for your answer:

The hunts have had quite long enough to phase out chasing/killing wild mammals and phase in benign recreational activities. More than two decades have passed since the Hunting Act, while it's two years since the Labour government committed itself to a ban. What's happening now is hardly a surprise.

The outdated and cruel practice of hunting wild mammals with dogs should have stopped ages ago. But, by exploiting loopholes, ambiguity and exemptions, and benefiting from any biased, incompetent and inconsistent enforcement, the hunts have enjoyed extra time. This should never have happened.

The ban should be instant.

Policy proposals and consultation questions - Community and Social Impacts

23. Do you think that the proposed legislation to ban trail hunting in England and Wales will affect people and/or communities more widely?

Yes

Please explain the reasons for your answer including, if applicable, which groups of people/communities could be affected and in what way:

Yes, in a positive way.

Many people in rural communities (including relatives of mine) who are directly affected by hunt activity will be hugely relieved when 'trail hunting' is finally outlawed. Witnesses report that riders and their hounds can be disrespectful, noisy, intimidating, chaotic, bloodthirsty, dangerous and invasive visitors, obstructing carriageways, frightening domestic animals, and even encroaching into private gardens. They will not be missed.

As a social activity, mauling and killing mammals appeals to relatively few individuals, while traditional meets (on Boxing Day, for example), attract as much protest as support.

Arguably, the nature and underlying purpose of trail hunting is not widely understood, but if the level of opposition to making fox hunting legal again (approx 80% of Britons according to YouGov) is anything to go by, and as long as the reasons for the ban are well-publicised, the vast majority of people living in England & Wales will be very pleased indeed.

Policy proposals and consultation questions - Business and economic impacts

24. How do you think the proposed ban on trail hunting might affect the income and activities of the hunts currently involved in this activity?

Please explain the reasons for your answer:

Given that they mostly raise funds from themselves to pursue their activities, trail hunters should be better off, surely.

25. How do you think the proposed ban on trail hunting might affect the income and activities of businesses directly linked with hunts which currently engage in trail hunting?

Please explain the reasons for your answer:

There's no excuse for profiting from any illegal activity and recruiting staff on the back of it.

As such, any business directly linked with trail hunting (a guise for illegal activity) should be prepared to take the hit once it's banned, and/or adapt and diversify.

Clean boot and drag hunting offer alternative opportunities for pubs, hotels and country stores, and it's most unlikely that they, or stables and other equestrian businesses, will fold simply because of loss of trade from a niche but cruel pursuit.

26. Do you think that the proposed ban on trail hunting in England and Wales might affect other businesses not directly linked with hunts?

Do not know

Please explain the reasons for your answer including, if appropriate, which types of businesses you think might be affected and how.:

If it does cause problems for another other business, they should do what all good businesses do: adapt to changing markets.

Policy proposals and consultation questions - Environmental impacts

27. How do you think that the proposed ban on trail hunting could affect the environment or wildlife?

Please explain the reasons for your answer.:

It goes without saying that horses and hounds charging through rural habitats damage vegetation, and risk disturbing birds, livestock and wild mammals. Typically, hunts know no bounds and are not respectful of their surroundings, especially when hounds are in full cry.

Recreational fun is their true purpose, not 'pest control'. In any case, they can't claim to be an effective 'pest controller' and at the same time claim that they don't actually ever mean to kill a fox.

For crop farmers and woodland managers, moreover, foxes are not a 'pest'. Instead, they offer a useful, free and natural service by helping to reduce damage and loss by feeding on rabbits and voles.

For sheep farmers, foxes are not a 'pest' either. Contrary to some claims, the vast majority of lamb losses (95%) are due to poor husbandry not foxes (Defra's own figures support this).

Foxes, of course, a wildlife icon, will benefit most from the ban.

Further Considerations

28. Are there any other matters, including possible alternatives to primary legislation, which you feel should be taken into account in developing the legislation to ban trail hunting?

Yes

Please explain the reasons for your answer:

Enforcement of the existing Hunting Act has been compromised in several ways. Loopholes and lack of detail in the act itself have played their part, but so has hazy (sometimes willfully hazy) understanding. The proposed new legislative change must therefore be supported by training and clear, well-informed and unambiguous guidance for the police. Such guidance would be a useful source for other concerned parties too.

All good enforcement depends on objectivity and the fair application of the law. This means it is important to ensure that policing is free from bias (due, for example, to pressure from influential members of the hunts, or personal predilection for hunting). Anti-hunt activists often report that, if officers do respond to calls to attend the scene of hunt (which is by no means always the case), they are blatantly hostile to them and are more concerned with checking protest than investigating wildlife crime.

The role and true purpose of the British Hounds Sports Association as the governing body should be examined. So far, they have utterly failed to tackle illegal hunting activity.

29. Is there any other evidence you would like us to consider?

Please use the box below to tell us briefly what you are going to send and why:

Consultee Feedback on the Online Survey

Overall, how satisfied are you with our online consultation tool? Please give us any comments you have on the tool, including suggestions on how we could improve it.

Very satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it.:

Saving your response along the way is simple - and it works.