

From: [Penny Little](#)
To: [2002 Act Review](#)
Subject: submission for consideration
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Dear Sirs

I attach herewith a submission to the Review of the Scottish Hunting Act, from the Hunt Monitors Association, which is an information exchanging group of people who monitor hunts in England and Wales, and which includes those monitors (of which I am one) who collected the evidence which enabled the RSPCA to successfully prosecute the Heythrop Hunt, as a corporate body, on multiple charges of illegal hunting, in 2012.

Penny Little
Hunt Monitors Association

The hunt monitors are uniquely placed as they are repeatedly watching and witnessing what is happening in the hunting field. Most of these people have extensive experience of watching hunting pre-ban, and are thus able to compare what is happening now to what happened before the ban. The answer is that the very same thing is happening, over and over again, the hunts being protected by their supporters' aggressive and obstructive behaviour towards the monitors.

The Hunting Act 2004 which relates to England and Wales has, over the 11 years since it was passed, proved to be wholly and completely ineffective in curtailing the hunting of wild animals.

The monitors are the only people trying to collect evidence of illegal hunting, as the issue is ignored by the police. Despite the difficulties put in the monitors' way by the hunters and their supporters (which in many cases straightforwardly amounts to illegal activity being protected by menaces), the monitors valiantly persist and do succeed in collecting extensive amounts of footage of foxes (and deer and hares) being chased and/or killed by hunts.

And yet this footage has almost invariably failed to result in prosecutions because of the need under the present Act to prove "intent".

The same principle applies to the Scottish law. The indifference, not to say hostility, of the police and prosecuting authorities when investigating illegal hunting, also works very strongly in favour of the hunts. However, both hunts and indifferent authorities are at present greatly helped by the weakness of the law both in Scotland and in England and Wales.

A simple comparison which can be made, and which illustrates the absurdity of the present hunting laws, is this: a person whose dogs worry sheep cannot escape responsibility by saying they did not "intend" their dogs to attack the sheep. Hunts take out packs of around 35 dogs and REPEATEDLY escape any consequences when their hounds chase and kill foxes or other proscribed quarry species, by claiming it was an "accident". This is fatuous and farcical.

The hunting of live quarry is an organised event with pre-planning, and continual co-ordination and assistance by hunt officials and members. In the case of fox hunting it involves the blocking of fox refuges before the hunt begins; prolonged searching by hounds for quarry while the hunt officials watch and encourage; continuing encouragement of the hounds during the chase; "information" relating to sightings of the quarry etc. provided by all participants, all being factors involved in the finding and hunting of the animal. Terriermen driving quad bikes loaded with terriers in small boxes are invariably present at fox hunts, and they carry out dig outs and flushing out of foxes for the continuation of the chase, as they did pre-ban. Such clear evidence of illegal activity is ignored and excused away by the police.

The Scottish law allows a pack of hounds to chase a fox out of cover to be shot - the practicalities show this is a nonsense. A fox is a small animal that could emerge from any point of a wood, which can be of considerable size. A huge number of guns would have to be positioned all around the covert in order to observe and shoot the fleeing fox.

Also, the idea that a pack of excited, baying hounds would simply put on the brakes when the fox emerged from covert is, frankly, ludicrous. This is the sort of nonsensical wording that hunters revel in and exploit mercilessly to continue subjecting foxes to horrific cruelty.

The Hunt Monitors Association asks that any strengthening of the Scottish law takes into account the absolute ruthlessness of the hunters, and their determination to exploit to the maximum any exemptions and loopholes the law contains. The law needs to be watertight in order to restrain them. It needs to be very carefully and explicitly worded so that abuses of the law such as that demonstrated by the exploitation of the Falconers Exemption (England and Wales Act) - i.e. the taking out of a bird of prey by fox hunts as a cover for illegal cub hunting - cannot happen.

Stronger penalties are also essential to deter hunts from their present orchestrated conspiracy to break the law, which, currently they are carrying out with impunity in all three countries where a ban exists.

Nobody should be allowed to demonstrate so successfully their total belief that they are above the law and have that belief confirmed time and time again by the authorities which, even if they have the will to prosecute, are not helped by weak law. The fact that the individuals who repeatedly demonstrate that they are, uniquely, above the law, are conducting animal abuse of a particularly cruel and brutal nature makes this situation all the more deplorable and in need of urgent rectification.

People living in rural areas repeatedly tell the monitors that they support them but that they are too nervous to openly say so because of the power the hunts have over their livelihoods, or their tenancies, or their ability to live without harassment in their own homes and villages.

The hunt monitors of England and Wales strongly support the Scottish Government's determination to see this matter resolved and desperately hope that the Scottish Hunting Act will be dramatically strengthened, and that this in turn will lead to a similar strengthening of the law in England and Wales.

Illegal hunting is not only wholly wrong on an animal welfare basis, it also demonstrates a total lack of respect for the law, for democracy and the democratic will of people, which in

both England and Wales and in Scotland, is overwhelmingly in favour of the ban. The hunters' defiance and their ruthless, cynical and aggressive exploitation of the weakness of both the Acts, must be dealt with firmly and unequivocally, to give the hunted animal the legal **and enforceable** protection of a ban which is effective and not, as at present, a ban in name only.

Penny Little

On behalf of the Hunt Monitors Association (England & Wales)

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