



29 March 2016

The Right Honourable Lord Bonomy

Via e-mail: 2002ActReview@gov.scot

Dear Lord Bonomy,

I am writing on behalf of PETA – one of the largest animal rights organisations in the UK – and our hundreds of thousands of supporters, including many in Scotland. We are pleased that you are leading the review into Scottish fox hunting legislation to ascertain whether the Protection of Wild Mammals (Scotland) Act 2002 provides a sufficient level of protection for wild mammals. While the act is an important piece of legislation, there is more that can be done to protect wild mammals in Scotland, and only a strengthening of the law – not better enforcement – will achieve this.

As you know, an exemption in the act allows hunters the use of a full pack of hounds to flush out foxes to guns; however, this allowance makes it extremely easy for groups to hunt illegally with dogs while claiming they are flushing to guns. [Evidence](#) provided to groups like the League Against Cruel Sports over the course of several years shows a pattern of apparently illegal hunting behaviour happening consistently and routinely, often under the guise of flushing to guns. Similarly, trail hunting is also used as a false alibi to continue hunting whilst claiming only the scent of animals is used rather than actually pursuing mammals with hounds. [Evidence](#) compiled by groups like the International Fund for Animal Welfare shows that this is nothing more than a post-hunting ban creation to allow illegal hunting to continue.

This evidence shows that in its current form, the act can be flouted, so more must be done to protect wild mammals in Scotland. This can be achieved by strengthening the legislation in three areas:

1. Reducing the number of dogs who can be used to flush to guns to two. This would bring the legislation in line with England and Wales and would make it much harder for hunters to hunt illegally under the guise of flushing to guns.
2. Introducing a recklessness clause. There is no realistic way to ensure that hounds following the deliberately laid scent of an animal would not come across the scent of a wild animal, so trail hunting is unpredictable and reckless. The act needs to be strengthened to reflect this.
3. Introducing vicarious liability. This would make it an offence for landowners to allow illegal hunts to take place on their land, ensuring that landowners seriously consider their role in any illegal hunting activity and their culpability in subsequent legal action.

The Protection of Wild Mammals (Scotland) Act 2002 is an important piece of legislation for Scotland and indeed the whole of Britain, and we urge you to

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- PETA Germany
- PETA Netherlands

ensure that the act is strengthened so it can truly meet its aim of protecting animals.

Thank you for your time and consideration. I can be contacted at [REDACTED] or on 0207 8376327, [REDACTED], should you require further information.

Yours sincerely,

A handwritten signature in black ink that reads "K. Henderson". The signature is written in a cursive, slightly slanted style.

Kirsty Henderson
Campaign Coordinator