

From: [JFRobins](#)
To: [2002 Act Review](#)
Subject: Review of the Protection of Wild Mammals (Scotland) Act 2002
Date: 30 March 2016 06:54:10
Attachments: [ACAL Respondee Form re Review of Protection of Wild Mammals \(Scotland\) Act 2002.doc](#)

E-MAIL FROM: John F. Robins, Secretary, Animal Concern Advice Line (ACAL), [REDACTED]

Animal Concern Advice Line (ACAL) is a recognised Scottish charity: No. SC030982. Animal Concern Advice Line was established in 2001 to take on the charitable work of Animal Concern which was founded as the Scottish Anti-Vivisection Society in 1876.

E-MAIL: [REDACTED] Website: <http://www.adviceaboutanimals.info>

Rt. Hon. Lord Iain Bonomy,
Review of the Protection of Wild Mammals (Scotland) Act 2002,
Wildlife Management Team,
Natural Resources Division,
Directorate for Environment and Forestry,
The Scottish Government,
1-C North,
Victoria Quay,
Edinburgh EH6 6QQ

Dear Lord Bonomy,

I write on behalf of Animal Concern Advice Line and our supporters throughout Scotland to ask you to take all necessary steps to fully investigate whether or not the Protection of Wild Mammals (Scotland) Act 2002 (hereafter referred to as "the Act") is being adhered to by those who use dogs to flush out foxes to be shot.

I must admit I was astonished to read the list of items ruled "Out of Scope" for your review. I do not see how you can properly deal with the issue if you cannot consider whether predator control is necessary to protect livestock or wildlife; cannot take a view on any particular incident or allegation and cannot consider other types of predator or pest control. All these are crucial elements in this issue and ruling them "out of scope" of your review is a bit like telling the legal teams at Nuremberg not to mention the war.

I believe it is time to consider whether or not lethal control of foxes is necessary or justified and, if it is deemed necessary, whether or not using hounds to chase foxes out to be killed by people using shotguns is the most efficient and humane way of killing them.

Given the ridiculous restrictions put on this review the only way I can see for you to ascertain if the Act is working or not is for you to ask for your review to be extended for another 12 months and that you send undercover investigators to conduct unannounced observations on the activities of Scottish fox hunts during the 2016/17 hunting season.

When I was a lot younger and fitter I took part in protests against fox hunts in Scotland. I have seen exhausted live foxes literally ripped apart after being caught by the lead hounds in a pack. I

have witnessed hounds chasing foxes across railway lines and busy rural roads. On one occasion in Stirlingshire I was laying a false scent to confuse hounds as they chased a fox when a farmer shouted to the attending police; "Get those f'ing idiots out of my fields." As the police moved in to detain me the farmer shouted again; "Not that f'ing idiot. The f'ing idiots on horses chasing their dogs through my pregnant ewes."

When the Protection of Wild Mammals (Scotland) Bill was being drafted I hoped that hunts would switch to drag hunting with hounds following a scent trail laid by a human runner. Drag hunts can avoid dangerous areas such as roads, railways lines and terrain which could prove injurious to horse and rider. The runner can ensure the trail does not take the hunt through fields of crops or livestock. Best of all no fox, other wild animal or unfortunate pet is going to be ripped apart. I predicted that by replacing blood spilling with drag hunting the number of people participating in the sport would increase.

Sadly our politicians could not come out and simply ban hunting with hounds. They had to follow their instinct to try and be all things to all people and came up with a compromise and produced the Protection of Wild Mammals (Scotland) Act 2002 which banned hunting with hounds without actually banning hunting with hounds. In the tradition of political compromise creating useless legislation it was right up there with the Dangerous Dogs Act.

The main change brought about with the introduction of the new Act was this. Before the Act, even on Saturdays when Celtic were playing Rangers in Glasgow, Strathclyde Police could send several uniformed officers with cars and vans plus a few plain clothes officers out to Renfrewshire to act as protection for the hunt. Hunt Saboteurs were regularly locked up in various police stations only to be released without charge when the hunt had finished.

After the new Act came into force and hunt sabs stopped protesting, the Police couldn't even be bothered to send out PC Murdoch on his bike to check if hunts were complying with the new legislation which allowed them to use their packs of hounds to flush out foxes to be shot by waiting guns. I understand members of the hunting community have said that they "Have never had it so good" as they can carry on unfettered by the attentions of either protestors or the police.

A few years after the new Act came in I witnessed a pack of hounds putting up and chasing a hare in Dumfries and Galloway. I don't know if the hounds killed the hare but on that occasion I witnessed two breaches of the Act as the huntsmen made no attempt to call off their hounds which continued to chase the hare and I could see no sign of the guns which should have been present had the hounds flushed out a fox.

I raised my concerns with the police and asked them to monitor hunts to ensure they kept within the law. I suggested it might be a good use of the mounted branch. However the police made it clear that they would only investigate any incidents if hard evidence was provided. Within the last few weeks it was reported in the Sunday Herald that during recent attempts by activists and journalists to monitor the activities of hunts in Scotland the police yet again took on the role of hunt protectors and harassed both the hunt monitors and the journalists.

I understand that several alleged incidents of hunts breaking the new Act are to be presented to you by hunt monitors from the League Against Cruel Sports. Am I to assume Lord Bonomy that,

as taking a view on any particular incident or allegation is out of scope in this review, you will have to ignore any such evidence presented to you by hunt monitors?

Given the very restricted remit of this review I would like to make just three suggestions of how legislation might be tightened to ensure that wild mammals are no longer killed by hounds in Scotland.

- 1: Ban the use of hounds to deliberately chase wild mammals and allow only drag hunting in Scotland.
- 2: Restrict the number of hounds which can be used to flush out foxes to a maximum of two.
- 3: Make it compulsory for hounds to be fitted with suitable muzzles when being used to flush out foxes.

Yours sincerely,

John F. Robins,
For Animal Concern Advice Line

PS A completed Consultation Respondee Form is attached.

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