



March 31st 2016.

Review of Fox Hunting Laws.

Dear Lord Bonomy,

The Scottish Gamekeepers Association represents 5300 members across Scotland. This review is of great importance to our members, many of whom carry out legal fox control on a daily basis as a requirement of their employment, to prevent predation of livestock and ground nesting birds and to protect property. We value the opportunity, therefore, to respond to this review. Our members have significant practical experience in this field.

It should be noted that, in this submission, we answer from the perspective solely of those who have occasion to utilise foot packs as the best available method for fox control in areas of large forest plantation with wind-blown trees, or in assisting with the protection of Spring lambing fields. We note, however, that, rightly, there is no distinction made between foot or mounted packs in present legislative provisions.

The scope of this review is about inquiring whether the current legislation continues to offer appropriate protection to foxes while also enabling effective and humane control.

To our knowledge, there haven't been any cases brought against foot packs in Scotland. There is also a wide acknowledgement of the effectiveness and necessity of this service. An appropriate number of marksmen or women to ratio of hounds are assembled and organised at strategic points in and around forest or on the periphery of a lambing field, in radio communication, with the specific objective of undertaking management humanely and efficiently. It can cost between £400 and £500 per day to hire a pack of foxhounds. It is in no one's interest, therefore, to have anything other than efficient flushing followed by humane control by guns, undertaken as swiftly as is practicable.

From our perspective, there is no requirement or evidence to support a change to the present law in Scotland. There is a high degree of public

confidence in the method deployed and that control is being carried out with due respect to the wording of the law and with the welfare of the fox in mind.

We understand there have been some instances where possible breaches have been investigated and that some may be ongoing. This will be the same with any law and does not provide reason for the law to be changed. If sufficient evidence is there to support a conviction under the act, then we have every confidence that Police Scotland and the relevant authorities will do so. The law, as it stands, makes clear what is, and what is not, an offence and graded penalties, up to a maximum of 6 months imprisonment, exist for an offence under the act.

In our view, the law in Scotland is, at present, strikes a better balance between protecting foxes and enabling humane control than English and Welsh legislation. We feel strongly that suggestions of amending the legislation to mirror these countries, specifically using two hounds as opposed to a pack would be self-defeating both in terms of the welfare and protection of the fox and the ability to carry out effective and humane control. This view comes from our understanding of the purpose of the legislation and our practical knowledge of what is required in successfully controlling foxes.

Our understanding is that the point of the legislation is to outlaw the chasing and killing of a fox by hounds. The legislation does permit, however, the use of hounds to flush a fox from cover to waiting guns in order for it to be quickly and humanely dispatched by shooting.

If it is accepted that the welfare of the fox is best respected by minimizing the chasing (and stress on the fox) following a flush, followed by a clean dispatch, it is necessary that the legislation continues to permit the use of a pack of hounds as opposed to two.

Large forest blocks can be considerable in size and can be littered with wind-blown trees and thick uncut wood. These are inaccessible to a marksman, as is forestry at pre-thicket stage (forest of less than 10 years old). Foxes choose these spots as they are warm and out of the wind.

The key to minimizing the duration of the chase once the fox has been flushed from cover is to ensure enough pressure is created by the hounds to cause the fox to break from the wood to guns positioned around the periphery, ready for dispatch.

With only two hounds in a large wood, a fox could be chased for lengthy periods by hounds in pursuit which, in our view, is not the intention of the law in terms of protecting the fox, nor is it in the interest of effective and humane control as the fox is not driven to the standing guns for dispatch.

A pack of hounds, by numbers and vocalizing, creates enough pressure, firstly, to cause the fox to break from cover and, secondly, to force the fox out of the wood to standing guns on the periphery, or to walking guns in the wood. This is effective and limits the time in pursuit, enabling guns to dispatch the animal cleanly, quickly and in clear sight.

Our members are often called out to assist as guns on farms when lambs are being killed in Spring. Successful protection of the livestock depends on hounds being able to detect scent around the lambing field. Scent is best detected in the damp conditions of morning and the ability for hounds to pick up scent diminishes as the heat of the day grows on. It is important, therefore, that this can be done quickly and a pack of dogs is essential in this regard. Only having two hounds to detect the scent will greatly limit the potential success of the operation which is of no use to the farmer whose livestock is being preyed upon.

To recap, therefore, we do not feel the present legislation requires amendment, nor do we feel there is sufficient evidence to suggest the law is not working in terms of what it sets out to do. Mirroring legislation in England and Wales by limiting the number of hounds used to two instead of a pack would be counter-productive as it would be to the detriment of the welfare of the fox and would serve to limit greatly the effectiveness of essential fox control.

Yours Sincerely,

Kenneth Stephen. Communications Officer, on behalf of Alex Hogg,
Chairman, The Scottish Gamekeepers Association.