

THE KILLING GAME

OUT OF CONTROL.

PREDATOR CONTROL.



**THE FIRST IN A SERIES OF LEAGUE AGAINST CRUEL
SPORTS REPORTS ABOUT THE BLOODY BUSINESS OF
GAMEBIRD SHOOTING**

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EXECUTIVE SUMMARY

A few chums get together on the weekend to visit a pal who lives in the country. On Saturday they all go out and shoot a few gamebirds that just happen to live naturally on the pal's estate. At the end of the day they take the gamebirds home and cook them for dinner. What's so wrong with this traditional rural pastime?

To begin with, shooting gamebirds is no longer just the pastime of the few. It is a bloody business involving commercial shoots throughout the UK charging thousands of pounds to customers who want to use for live target practice the tens of millions of (mostly intensively-reared and far from wild or natural) gamebirds released onto shooting estates every year.

This is before you factor in the millions of mammals and birds slaughtered on shooting estates in order to minimise predation on gamebirds and maximise profits for the live quarry shooting industry. According to extrapolations from the Game Conservancy Trust's own figures, every year 4.5 million animals (and possibly twice as many) are killed by employees of shooting estates.¹ That's a minimum average of 12,300 mammals and birds shot, poisoned, snared, trapped or clubbed to death every day. This largely unreported and out of control predator control regime is an animal welfare scandal of staggering proportions.

The unregulated shooting industry is supported by the lobbying efforts of groups such as the British Association for Shooting and Conservation (BASC), the Countryside Alliance (CA) and the Game Conservancy Trust (GCT). These groups and the bloodsport interests they represent are desperate to avoid any sort of legislation which might reign in their supporters' activities or interfere with their profits. BASC has produced a voluntary Code of Good Shooting Practice and various other codes, adherence to which, it claims, will address animal welfare concerns arising from the shooting business.

The farcical nature of this claim is graphically illustrated by the findings of League Against Cruel Sports investigators. Indiscriminate predator control measures which ignore the BASC codes were found on shooting estates around the UK, including those owned by the **Earl of Lichfield**, President of BASC, **Sir Edward Dashwood**, Bt, Chairman of the CA Campaign for Shooting, and **Andrew Christie-Miller**, Chairman of the GCT.

If these three men, who represent organisations supposedly committed to upholding the BASC codes of practice, cannot or will not end the slaughter of wildlife on their estates, why on earth would the owners of the thousands of other UK shooting businesses behave any differently?

In April 2005, PC James McGovern, Scotland's first full-time wildlife crime officer, admitted that "gamekeepers have been adopting pretty desperate measures to help keep their estate afloat".² Undercover League Against Cruel Sports investigations conducted throughout 2004 and the spring of 2005 and detailed in this report illustrate just how desperate these measures are.

Many of the activities described in this report are wholly legal. They are also wholly unacceptable."



Cover photo: This snared fox was photographed on the Stanhope Estate in Northumberland in 2004. It is believed to have hung itself while climbing over the fence where the snare was anchored in a bid to escape.

SNARES

Snares, one of the most popular forms of predator control measures on shooting estates, are little more than wire nooses, intended to capture and immobilise animals that might naturally prey on gamebirds. In theory, targeted predators captured in snares are meant to be humanely 'dispatched' (killed) by estate employees. In reality, the wire nooses are traps which can cause tremendous suffering to both target and a variety of non-target animals, including protected badgers, livestock and household pets. For example, at the Edwinstord estate in South Wales, a League investigator found (and released) a very distressed cat which had been caught in a snare.

Section 1 of this report details the widespread use of snares found across the UK by League investigators. Many snares were attached to 'dragpoles' or set so as to recklessly endanger protected badgers, in violation of both the voluntary BASC code of practice on snaring and the spirit of the Wildlife and Countryside Act (1981). Some, including those found on the Earl of Lichfield's Ranton Abbey shooting estate, were amateurish snares made of sharp wire likely to cause even more injury and pain than 'approved' snares. Others were set by holes cut in fencing around a pen containing decomposing gamebirds, luring both target and non-target species into traps.

The Wildlife and Countryside Act states that snares must be checked once every day. BASC goes further, recommending snares be monitored every 12 hours. Despite this, investigators found dead and decomposing animals in snares.

BIRD OF PREY PERSECUTION

On 21 April 2005 a magistrate in High Wycombe found two employees of Sir Edward Dashwood's Bradenham estate guilty of illegally killing a protected buzzard, which was battered to death after being trapped in a cage on the estate. The magistrate rejected the men's defence and fined both £2000 plus £500 court costs.⁸

In 2004, a former gamekeeper at Lord Tryon's Perthshire shooting estate stated at an employment tribunal that he was victimised and constructively dismissed after he ignored repeated hints from his employer that he should kill protected birds of prey. Apparently, during inspections of the grouse moor Lord Tryon became irritated at finding piles of grouse feathers and told the gamekeeper that "Eagles have no place on my grouse moor" and "I have bought an estate and I will do what I like."⁴

British birds of prey have been protected since 1954⁶ after persecution by shooting estates pushed many species to the brink of extinction. Despite this protection, some raptors are still having difficulty recovering. English Nature, the Royal Society for the Protection of Birds (RSPB), the Scottish Raptor Study Group and the Kite Trust have all laid the blame for this on the illicit activities of shooting estate employees.

Section 2 of this report details research and investigations highlighting this sorry state of affairs.

FOX HUNTING BELOW GROUND

When it became clear that the British people and their elected representatives would no longer tolerate the cruelty of hunting wild animals with dogs, the shooting industry began lobbying strenuously. Eventually it succeeded in persuading the Government to insert an exemption into the Hunting Act 2004 to permit the use of a dog to hunt foxes to protect "birds which a person is keeping or preserving for the purposes of their being shot".⁹

In February 2005, the Department for Environment, Food and Rural Affairs (DEFRA) approved a statutory code of practice – written by BASC – to govern the manner in which the dogs can be employed. This exemption for terrierwork (sending a dog below ground to flush out a fox that's gone to 'earth') was given despite the fact that this is one of the cruelest aspects of hunting with dogs and despite a survey by BASC of its own membership which indicated that only 9% of foxes killed by shooting estate employees were killed by using terriers.

Anyone who has ever witnessed the understandably well hidden spectacle of fox baiting with dogs can attest to its brutality.

Section 3 details why terrierwork is unnecessary and why it poses inherent risks to the welfare of both fox and dog. It also outlines the potential this unwarranted exemption to the Hunting Act provides for hunts to defy the ban on their bloodsport.

RECOMMENDATIONS

For anyone reading this report, certain conclusions are inevitable.

1. Snaring by its very nature will inevitably compromise animal welfare. The BASC code of practice on snaring is wholly inadequate to avoid this – even if it was being followed by all the shooting businesses in the UK, which clearly it is not.
2. The very survival of British birds of prey is threatened by the activities of shooting estate employees. The testimony of the former Perthshire gamekeeper makes it clear that the demand for this persecution comes from the owners.
3. The exemption to the Hunting Act which allows shooting estate employees to continue using terriers as a predator control measure against foxes causes cruelty and encourages flouting of Government legislation.

These issues must be addressed by legislation to:

- **BAN THE MANUFACTURE, POSSESSION AND USE OF ALL SNARES**
- **HOLD ESTATE OWNERS DIRECTLY LIABLE FOR THE ACTIVITIES OF THEIR EMPLOYEES**
- **REMOVE THE FOX BAITING EXEMPTION FROM THE HUNTING ACT**

SECTION 1: ENTRAPMENT

A number of methods are used by employees on shooting estates to maximise profits by capturing and killing animals that might otherwise naturally prey on the tens of millions of gamebirds released on shooting estates each year. (For more information on types of snares and traps, see [Appendix 3](#).) Of these, snares, which are little more than wire nooses, are one of the most popular. In theory, targeted predators captured in snares are meant to be humanely dispatched by estate employees. In reality, the wire nooses are indiscriminate traps which cause suffering to both target and a variety of non-target animals, including protected species, livestock and household pets.

The League Against Cruel Sports believes that the use of snares is inherently cruel as even so-called 'humane' snaring (approved snares, regularly checked) will cause an animal distress and severely limit its ability to defend itself against predators. We are not alone in this belief.

In 2002 there was substantial cross party support in the House of Commons for an Early Day Motion calling for a ban on the manufacture and use of snares.⁷ A 2008 MORI poll conducted for the League showed that 79% of the population thought snaring should be banned.⁸

The shooting industry and its various lobbying groups are desperate to avoid any sort of legislative interference in the way they do business. In an acknowledgement of animal welfare threats posed by snaring, the British Association for Shooting and Conservation (BASC) has produced a detailed code of practice to be followed by employees on shooting estates engaged in the use of snares. BASC claims that, if their code is followed, snaring is an "effective and humane form" of predator control⁹, suggesting that minimal suffering would be involved. This is a voluntary code. Even if the code could actually address all welfare concerns (which it cannot), there is no legal recourse against those who flagrantly disregard the recommended practices.

Throughout 2004 and spring 2005 investigators for the League visited numerous shooting estates in England, Wales and Scotland, including estates owned by individuals who certainly should understand and abide by the BASC code of practice on snaring. At estate after estate they found and recorded evidence of violations of both the BASC code of practice and the spirit of the Wildlife and Countryside Act (for more details on this and other relevant legislation, see [Appendix 3](#).)

In order to make clear how inadequate the code is and illustrate how thoroughly it is ignored by shooting estate employees, we reproduce it in full here.

In the following pages we give details of some of the most high profile and egregious violations of the code.

AN ILLUSTRATED GUIDE TO THE WIDESPREAD DISREGARD FOR BASC SNARING CODE OF PRACTICE¹⁰

Under the Wildlife and Countryside Act 1981 Section 11, and Wildlife (Northern Ireland) Order 1985 Article 12 it is illegal to:

- set in position any self-locking snare
- set in position any trap or snare calculated to cause bodily injury to any wild animal included in Schedule 6 including badgers, pine martens, otters, red squirrels, wild cats, polecats
- set in position any snare and fail to inspect it, at least once a day.

Note: Pine martens, otters, red squirrels and wild cats are now listed in Schedule 5 of the Act and are therefore fully protected. Badgers and their setts are also protected under the Protection of Badgers Act 1992. Wild cat and polecat are excluded from the Order.

Under the Deer Act 1991, Deer (Scotland) Act 1996 and Wildlife (Northern Ireland) Order 1985 Article 12 it is also an offence to:

- set in position any trap or snare calculated to cause bodily injury to any deer coming in contact with it
- use traps or snares for the purpose of taking or killing any deer.



A kink in this snare found on the Bradenham estate makes it essentially self locking.



Snared badger, Llanthony estate 2004



Badly decomposed rabbit in snare, Llanthony Court February 2004



BASC SNARING CODE (CONTD)

SETTING SNARES

To snare humanely, adhere to the following rules:

1. Only free running snares which contain a 'permanent stop', 9" (23cm) from the eye of the snare should be used.
2. Use good quality snares which incorporate a strong swivel. The wire must not be less than 460lbs (208 kilos) breaking strain.
3. Snares should be supported by a suitable 'tealer' or set-stick and set firmly in the ground. Tealers made from fence-wire are easy to conceal, set and make.
4. Snares must be firmly anchored.
5. Ensure that snares run freely and are free of 'kinks'. Snares which are frayed or damaged should be discarded.
6. Snares should be set so that the bottom of the loop is at least 9" (23cm) off the ground under normal conditions and up to a height of 12" (30cm) or more, on open ground. When setting snares at these heights the loop should be 6" to 7" (15/18cm) at its deepest point.
7. The law requires that snares should be checked at least once a day. BASC recommends inspection at least twice a day and as soon after dawn as is practical.
8. Foxes should be dispatched quickly and humanely by a shot from a rifle, shotgun or pistol and the body disposed of responsibly e.g. by burying.
9. The displaying of carcasses serves no useful purpose and can offend other countryside users.



Snares with no 'stop' - one of many found on the Brudenham estate



Snares on draggables - Brudenham estate



Frayed snare, Ranton Abbey Estate, 2005



Snares hanging on ground, Edwinston, May 2005 (limbs were in the field on the other side of the fence)

BASC SNARING CODE (CONTD)

AVOIDING THE CAPTURE OF NON-TARGET SPECIES

When setting snares every effort must be made to avoid the capture of non-target and protected species. A knowledge of the tracks, trails and signs of both target and non-target species is essential. Pay particular attention to the following:

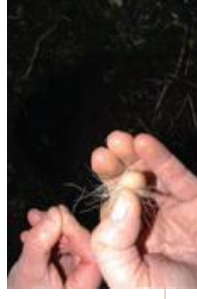


BADGER

- Always look for any signs of badger activity, such as:
 1. Well worn paths.
 2. Badger tracks (footprints).
 3. Coarse grey hairs with black tips, caught on bramble, twigs or wire.
- Do not set snares in the vicinity of badger setts which can be identified by:
 1. Signs of excavation linked by well defined paths.
 2. Signs of bedding near the sett entrance.
 3. The presence of 'dung pits'.
- Avoid setting snares in holes through or under fence lines, in gaps through hedges or under gateways where badgers are present.
- If in doubt do not set a snare !



Snares set on badger run, Brudenham estate 2005



Clear evidence of an active badger sett near snares on Brudenham estate 2005.



Snares set in fence line near badger sett, Brudenham



Badger sett close to snares at Littlecote Estate



Snared fox Park Himation Stanbury

BASC SNARING CODE (CONTD)

DOMESTIC PETS

- Do not set snares in the vicinity of houses.
- Avoid setting snares on or near public footpaths, rights of way, or in areas used regularly for the exercising of domestic animals.
- If in doubt do not set a snare!

DEER

- Always look for any signs of deer activity. The presence of deer will be indicated by the following:
 1. Deer slots (tracks).
 2. Droppings.
 3. Obvious signs of browsing or frayed saplings.
- Avoid setting snares in holes through or under fence lines, in gaps through hedges or under gateways, particularly where roe or muntjac are present.
- Do not attach snares to fences, as this increases the risk of entanglement and injury.
- Avoid setting snares along the back of fence lines, particularly when they pass through woodland, as deer will often travel alongside them.
- If in doubt do not set a snare!



Cat lured into snare by field pheasants, Edwinstford



Muntjac recorded yards away from snares found on Bradenham estate.



Always look for any signs of otter activity



Snares set on riverbank, posing a threat to otters, Edwinstford, May 2006

ENGLAND

RANTON ABBEY, STAFFORDSHIRE

At the Ranton Abbey shooting estate in Staffordshire, owned and used for shooting by the Earl of Lichfield, President of the British Association for Shooting and Conservation (BASC), League investigators found extensive use of snares near gamebird release pens.¹¹ The design of many snares was at best bad practice and at worst deliberately cruel. Both design and placement were in blatant violation of the BASC code of practice on snaring.

The number one item in the BASC code of practice on snaring is: "Only free running snares which contain a 'permanent stop', 9" from the eye of the snare should be used".¹² Without this 'stop' or locking device, the wire noose will cut deeper and deeper as the captured animal struggles until eventually its flesh could be ripped open.



3 snares found on one drag pole



Amateur snare with sharp edges and no stop



Snares set beside deep drop

At Ranton Abbey sharp, homemade snares were found with no 'stop'. The sharpness of these amateur snares is almost certain to cause injury and the lack of a stop increases the likelihood of strangulation. One of these snares showed signs of a previous struggle with an animal: some of the strands on the snare were broken and there was flesh and fur attached to the strands. Clearly, a snare without a stop – particularly an amateur variety such as those found at Ranton Abbey – is much more likely to cause injury.

The BASC code of practice also clearly states that "snares must be firmly anchored".¹³

At Ranton Abbey investigators found snares set on unanchored wooden 'dragpoles', one of which was close to a public footpath where it could have posed a threat to a passing dog. The major concern about snares set on dragpoles is that any animal could become entwined in the snare, drag it off and thus render it impossible for estate employees to find the captured animal. In addition, if the snared animal were to drag the pole to the edge of an overhang, it could die miserably as a result of being hanged.

This makes the further discovery of snares set on two small wooden bridges in woodland used for shooting near to Ranton Abbey particularly alarming. Any animal crossing these bridges and caught in a snare would be left hanging in the ditch.

OTTERS

- Always look for any signs of otter activity, such as:
 1. Otter tracks (footprints).
 2. A regular feeding place such as a rock in midstream, which will be recognised by assorted food remains such as fish bones.
 3. Otters have regular sites where they deposit their droppings or spraints.
- Avoid setting snares on tracks alongside rivers and water courses.
- Do not set snares on footbridges, fallen trees or logs spanning water courses.
- If in doubt do not set a snare!

FARM LIVESTOCK

- Never set snares where livestock are grazing.
- Avoid setting snares along the back of fence lines as cattle often lean over or push through to graze the grass on the opposite side.
- If in doubt do not set a snare!

BADGER BAITING?

The Protection of Badgers Act 1992 makes badgers one of the most protected animals in Britain. Badger baiting has been illegal for many years, but the practice of placing badgers at risk from snares seems to be alive and well at Ranton Abbey. Approximately 300 metres from where many of the snares described above were set there is an active badger sett with several entrances and latrines.

A League investigator reported: "Setting snares just one field away from an active sett recklessly endangers badgers. The area within two miles of Ranton Abbey is ideal badger territory. I would expect a main sett almost every half kilometre. Badgers would be moving around in all the areas and so all snares that are set pose a significant risk to them."

Badgers are protected under both the Protection of Badgers Act and Schedule 6 of the Wildlife and Countryside Act which states that it is an offence to set a snare with the intention of taking or killing one of these protected animals.¹⁴ It is difficult to imagine that the snares set near clearly active badger setts at Ranton Abbey will not, at some point, take or kill badgers.

The reckless and amateurish predator control measures uncovered at Ranton Abbey make a mockery of the BASC code of practice on snaring.

The fact that Ranton Abbey is owned by BASC's President, the Earl of Lichfield, makes a mockery of voluntary codes and self regulation of the shooting industry.

BRADENHAM ESTATE, BUCKINGHAMSHIRE

There is a long history of wildlife abuse at the Bradenham estate in Buckinghamshire. Seasoned League investigators who visited the estate (owned by Sir Edward Dashwood, chairman of the Countryside Alliance Campaign for Shooting) in January and March 2005 and who have extensive experience monitoring legal and illegal predator control on commercial shooting estates throughout the UK, were shocked by what they found at Bradenham: indiscriminate and out of control predator control measures, including more than 70 snares positioned adjacent to gamebird release pens⁶, many without 'stops' and many set on dragoles.

Some snares were set in gaps in fences; this poses a real risk that the captured animal will hang itself while trying to climb over the fence to get away.

The Wildlife and Countryside Act stipulates that any person who, "while the snare remains in position fails, without reasonable excuse, to inspect it, or cause it to be inspected at least once every day" is guilty of an offence.^{15, 17} (The BASC code of practice recommends "inspection at least twice a day".¹⁸) It could prove impossible for an estate employee to find and check a snare set on a dragpole.

In addition, even fixed snares with stops (which were also found in abundance at Bradenham) could cause captured animals to suffer considerably and possibly die if attacked by a predator while restrained. This situation can be exacerbated by a loose interpretation of "once every day" which could, for example, leave an animal struggling from 12:01am on a Tuesday to 11:59pm on a Wednesday – a period of 47 hours and 58 minutes.

The BASC code of practice advises estate employees to avoid setting snares on or near public footpaths. Amongst the snares found at Bradenham some were laid near public footpaths posing a particular threat to dogs.¹⁹

Evidence was found at Bradenham which suggests deliberate targeting of badgers. A wildlife assessment carried out by investigators at the estate revealed snares positioned near active badger setts.²⁰ One was discovered positioned directly on a badger run.²¹

Whether such snares are legal or illegal is open to a very wide interpretation of a law which, in its present form is unfortunately vague. However, legal or illegal, there can be no question, as demonstrated by the predator control measures at Bradenham, that they are indiscriminate and cruel.

On 21 April 2005 two employees of Bradenham were found guilty of illegally killing a buzzard. (See **Section 2** for more details.) In 1998, one of these employees faced 16 charges, including four charges of taking a badger, destroying a badger sett; two breaches of firearms certificate regulations; killing three wild owls; setting snares to injure wild animals; using an illuminating device to assist in the killing of a badger; two cases of killing a sparrowhawk; using a Fenn trap for foxes in a non-approved way; taking an unknown number of badgers and, once again, of killing a buzzard. Although the employee was cleared of all charges other than the breaches of firearms regulations, during the trial an underkeeper told the court that the accused had admitted killing badgers and feeding live fox cubs to his dogs.²²

It remains to be seen if this individual will continue to be employed by Sir Edward Dashwood's estate. Certainly, a flagrant disregard for wildlife is nothing new for the baronet. Last year a League investigation, which featured on Sky News and in the Mail on Sunday, revealed that Dashwood, as a director of top UK sporting agency E.J Churchhill, was selling trophy hunting holidays targeting endangered species. Dashwood initially denied the accusation, then, faced with the recorded evidence, agreed to end Churchill's participation in this barbarous trade.²³

According to BASC's website, its Code of Good Shooting Practice is 'overseen' (i.e. a commitment has been made to adhere to it) by, amongst others, the Countryside Alliance Campaign for Shooting.²⁴ It is, therefore, worth repeating that the chairman of the Countryside Alliance's Campaign for Shooting is: Sir Edward Dashwood, owner of Bradenham.



One of many snares found on dragoles, Bradenham estate.

OUT OF CONTROL PREDATOR CONTROL

CLARENDON ESTATE, WILTSHIRE

At Clarendon Park, near Salisbury, home to Andrew Christie-Miller, Chairman of the Game Conservancy Trust,²⁶ investigators discovered around 50 snares set on dragpoles which had been put down near gamebird release pens by estate employees. The unanchored poles could easily have been dragged away across open fields.



Snares set on dragpole near badger sett, Clarendon

Several dragpole snares were close to an active badger sett. One snare on a light weight pole was in visual distance of a large badger sett, just 200 metres away.²⁸

Investigators also found about 30 squirrel poison hoppers close to the pens. Aside from potential predation of gamebird eggs, squirrels are considered a pest because they eat grain put out to feed released gamebirds.

Another group tasked with overseeing the adherence to the BASC code of practice on snaring, which advises against the use of dragpole snares and endangering badgers, is the Game Conservancy Trust.²⁷ Once again, it is worth repeating that the Chairman of the Game Conservancy Trust is: Andrew Christie-Miller, owner of the Clarendon estate.

ELSEWHERE IN ENGLAND

The three commercial shooting estates above have been highlighted because their owners are prominent members of the shooting groups lobbying to maintain the current voluntary, self-regulated state of the shooting industry. Based on the evidence found at these three estates alone, it is clear that self regulation of predator control on English shooting estates is a farce.

However, these are far from isolated cases. Throughout 2004 and during the winter/spring of 2005, undercover League investigators visited dozens of English shooting estates and everywhere they went they found evidence of irresponsible snaring and trapping. The following are just a few of their discoveries.

- Linkenholt shooting estate (Hampshire/Berkshire border): more than 40 snares set on dragpoles and in the vicinity of badger setts.²⁸ (Only yards from some of the snares is the Linkenholt outdoor activities centre which caters for camping and other outdoor pursuits for children and young people.)
- Faccombe shooting estate (Hampshire): Larsen traps designed to trap birds including magpies, crows and jays deemed to pose a risk to shooting interests.²⁹ (Estate employees use Larsen traps by capturing and placing a "decoy bird" inside the trap to attract other birds down.)
- Eddington shooting estate (Berkshire): Snares set on dragpoles.³⁰
- Littlecote commercial shooting estate (Berkshire): Snares discovered near active badger setts.³¹

- Warter Priory Estate (Yorkshire): A significant snaring programme.³²
- Dalton Estate (Yorkshire): An unprecedented number of Fenn traps set out near to partridge release pens. (The traps had been carefully constructed inside a variety of especially built brick and wood tunnels, each designed to catch passing mammals deemed to pose a risk to game bird stocks.)³³
- Huddington Estate (Worcester): Animals strung up on 'gibbet lines',³⁴ dumped in ditches and strewn on the ground near gamebird pens, and widespread use of traps and snares, including snares on dragpoles.³⁵



SOME GOOD NEWS

Most of the major landowners in West Sussex have asked their shooting and farming tenants to remove all snares.

One of the first was Lord March of the Goodwood Estate near Chichester who banned all snares on his land in 1986 following several unfortunate snaring incidents culminating in the discovery of a badger strangled in a snare (a post-mortem showed the badger had also suffered serious injuries from another snare a year before).



This badger was strangled by a snare on the Goodwood estate and shows the year-old snaring injury around its midline.

Snares were removed from land at Lodsworth in 1999 after a number of snared badgers were found on land near Leggatt Hill Farm, Lodsworth between 1997 and 1999.

In 2001 snares were removed from a large area of Chilgrove after veterinary surgeon Nick Thompson found his cat lucky to be alive when it returned with a snare around its body. In 2003 Mr Robert Jenner of Home Farm, Milland instructed all snares be removed from his land. Later that year Viscount Cowdray, of the Cowdray Estate, Midhurst, followed suit.

In April 2004, Lord Egremont of the Leconfield Estate, Petworth also agreed to stop setting snares.³⁶

If landowners in West Sussex can survive without snares, so can shooting estates anywhere in the UK

WALES

EDWINSFORD ESTATE, CARMARTHENSHIRE

The Edwinstford shooting estate in South Wales is a bit of a Jekyll and Hyde place. On its website it openly promotes shooting packages. It also offers holiday packages in the estate cottages aimed at nature lovers who can observe, amongst other things, red kites, kingfishers, goshawks, barn owls and otters.³⁷ Those who take up the latter offer would be shocked to discover the behind-the-scenes war on wildlife being waged on this estate.

For example, visits by League investigators during 2004 and spring 2005 uncovered a number of snares set along the banks of the River Cothi where they could easily entrap otters. The Wildlife Trust confirms there is a very healthy otter population on the river.³⁸ The BASC code of practice on the use of snares states: "Avoid setting snares on tracks alongside rivers and water courses". This guidance is echoed by the Game Conservancy Trust which advises: "Do not set snares close to rivers where otters are found"³⁹.



Snare near river bank, Edwinstford Estate

Deliberate efforts to lure mammals into snares had been made by dumping dead pheasants and rabbits into a chicken wire pen. Holes were cut in the wire at the base of each fence post and in front of each hole a snare was set.⁴⁰

The effectiveness of this entrapment was illustrated on one visit to the site when the bodies of six foxes were photographed on top of the pheasant pile.⁴¹

The indiscriminate nature of this entrapment was evident on a subsequent visit when the investigator found (and released) a terrified cat captured in one of the snares. It was on this visit that a large, active badger sett was discovered approximately 100 metres from this trap, posing a very real risk to badgers⁴² – once again contravening the BASC code on snaring, which states: "Do not set snares in the vicinity of badger setts".

LLANTHONY

That snares can prove lethal to badgers was tragically demonstrated when the League investigated the Llanthony Court shooting estate, situated between Abergavenny and Hay on Wye. A dead badger was found in a snare laid near an active badger sett. The discovery was reported to the authorities who found, photographed and removed the badger. Although this was a clear violation of the law⁴³, six months later the police announced that no charges would be laid because the estate employee identified by the owner as responsible for setting the snare had subsequently died.⁴⁴



Snared badger found at Llanthony



Dead fox dumped in pen with dead pheasants, Edwinstford, Wales.



Dead pheasants and rabbits used to lure animals into snared enclosure.



A terrified cat captured in one of the snares, Edwinstford

It is clear from this inadequate result that responsibility for wildlife crimes must ultimately rest with the owners of shooting estates.

SCOTLAND

Shortly before the Scottish Parliament voted in February 2004 on provisions in the Nature Conservation (Scotland) Bill that sought to ban snaring in Scotland, the League Against Cruel Sports commissioned a MORI poll which revealed that 73% of people across Scotland supported a proposed ban on snaring and only 8% expressly opposed it.⁴⁵ In the end, the Scottish Parliament voted to allow continued but restricted use of snares.

CAWDOR ESTATE 2004

That same month a widely reported League investigation of the Cawdor shooting estate⁴⁶ near Inverness revealed a widespread programme of wildlife persecution including the use of five illegal gin traps – heavy steel devices with razor sharp teeth which were outlawed over 30 years ago – set in a circle around rabbit carcasses left out as bait. Gin traps do not kill their victims outright, but hold them in place until they are found, causing great suffering and distress. Animals have previously been reported to chew off their own trapped limbs in a desperate bid to struggle out of gin traps.⁴⁷



Sign outside Cawdor Estate



One of five illegal gin traps found on the Cawdor estate in February 2004.



Buzzard poisoned with carbofuran found by League investigators on the Cawdor Estate in 2004.

Investigators also obtained evidence of extensive snaring at the estate with dozens of wire snares filmed near gamebird pens, including snares attached to wooden dragpoles which contravene the BASC code of good practice for snaring and the spirit of the Wildlife and Countryside Act. The League investigator, who obtained video film at the Cawdor Estate, said: "The sheer density of snaring we've witnessed effectively turns this area into a death trap for wildlife. I'd be surprised if there are any wild creatures left in such a hostile environment."

In addition, investigators found a dead buzzard next to partridge release pens and the grouse moor. An analysis by the Scottish Agricultural Science Agency revealed that the buzzard had been poisoned with carbofuran. No charges were laid.

When the League advised police about the illegal gin traps, the estate's factor claimed the traps had been planted there. (Weeks later a cat returned home with a gin trap attached to its leg that is believed to have come from the estate.) This was a familiar excuse from the Cawdor estate. When a golden eagle illegally poisoned with the pesticide carbofuran was found on the estate in 2001, the same estate employee claimed someone must have transported it to the estate in a backpack and dumped it.⁴⁸

A previous investigation at Cawdor revealed the systematic use of snares to trap and kill mountain hares: hundreds of snares were found on paths used by the hares and photographic evidence revealed the bodies of hares left in snares, some just a pile of bones on the path beneath the snare.⁴⁹

CAWDOR ESTATE 2005

In early May 2005 League investigators returned to the Cawdor estate. The gin traps were gone, but the war on wildlife was still being waged.

Two multi-traps were discovered (large wooden and wire traps designed to catch birds such as jays, magpies and crows, which are considered 'peets' on shooting estates). The birds are lured down ladders into the wire frame by live decoy birds placed inside the trap. Once inside, the birds are unable to escape, held hostage to whatever fate awaits them. Like snares, multi-traps are indiscriminate, so birds of prey and other protected species could also be caught in them. Both multi-traps contained two crows. The carcass of a lamb was discovered dumped on the ground inside one trap, along with other animal matter (presumably as bait or food for birds).

In a covert close to the multi-traps investigators discovered a pile of dead animals surrounded by snares on each path and possible animal run leading to the "bait". Eight snares were spotted in the immediate vicinity of the pile of rotting carcasses which contained at least eight hares, magpies, crows and foxes, along with bones including the skull of a sheep. It is reasonable to suggest these animals had been killed elsewhere on the estate and were now being used as part of an effort to target further wildlife.

Not far away, in a small wooded covert next to a stream, a second dead pile was discovered, surrounded by snares set in holes in a wire enclosure. Ten mountain hare carcasses, a fox, a duck and other unidentifiable carcasses were filmed. Elsewhere in the immediate area investigators found another six snares set in wooded coverts and on a wooden bridge over a ditch.

The number of dead mountain hares is of particular concern. Mountain hares are a vulnerable species, listed as 'of community interest' in Annex V of the EU habitats directive (1992).⁵⁰ Various, often spurious, rationales are offered to justify killing mountain hares on shooting estates and grouse moors. Not surprisingly maximising profit by eliminating all perceived threats to gamebird populations is never given as an excuse.



Multi trap, designed to catch birds at Cawdor Estate



Dead hares found surrounded by snares.



Snares set on bridge over a stream – a snared animal would be left hanging in the water

SECTION 2: BIRD OF PREY PERSECUTION



On 21 April 2005, PC James McGovern, Scotland's first and only full-time wildlife crime officer, told the Law Society of Scotland: "We've found that some gamekeepers have been adopting pretty desperate measures to help keep their estate afloat." He warned: "Where birds of prey are being poisoned to protect gamebirds, it's not only the wild birds that are at risk but, as the poison is left lying around, can also mean pet dogs or even children are at potential risk"⁶¹.

On the same day a magistrate in High Wycombe found two employees of Sir Edward Dashwood's Bradenthorn estate guilty of illegally killing a protected buzzard, which was battered to death after being trapped in a cage on the estate. The magistrate rejected the men's defence claim that the buzzard had been found with a broken leg, therefore it was a mercy killing, and fined both £2000 plus £500 court costs.⁶²

Also on that day, *Shooting Times* reported on the 54th meeting of the Standing Conference on Countryside Sports at which Richard Saunders, English Nature's manager of the Hen Harrier Recovery Project labelled the hen harrier as Britain's most persecuted bird, laying the blame firmly with employees of grouse shooting estates. He cited numerous forms of persecution, including disturbance to, removal of and burning of nests, taking of eggs and shooting of adult birds. At the same conference, Julian Hughes, Head of Species Conservation with the Royal Society for the Protection of Birds (RSPB) described the "zero tolerance" approach of upland grouse estate employees towards raptors and questioned whether gamebird shooting was really only sustainable by killing birds of prey.⁶³

In fact, persecution of hen harriers is considered so rife that the Association of Chief Police Officers (ACPO) launched Operation Artemis⁶⁴ to enforce the Wildlife and Countryside Act provision which would see those who deliberately destroy eggs or kill endangered birds face up to six months in jail or a heavy fine. The operation, involving all Scottish and Welsh police forces and 11 English constabularies, encourages shoots to sign up to a statement of principles. Many shoots have refused to do so and both the landowner's group Moorland Association and the National Gamekeepers' Organisation have advised their members they are under no legal obligation to sign the declaration.⁶⁵

In August 2004, an employee of the Bams grouse estate pleaded guilty to what has been described as the worst wildlife crime case in Scotland. In a March raid on the estate investigators discovered the remains of 25 birds of prey. The employee was fined a total of £5,500 after admitting killing 16 buzzards, one goshawk and a crow by intentionally placing dead animals laced with the deadly poison carbofuran in the countryside.⁶⁶

In May 2004, Lord Tryon avoided testifying at an employment tribunal by agreeing to pay an undisclosed sum to a former employee on his Perthshire estate. The employee claimed he was victimised and constructively dismissed

after he ignored repeated hints from Lord Tryon that he should kill protected birds of prey. He stated in his testimony that during an inspection of the grouse moor Lord Tryon became irritated at finding piles of grouse feathers and told the gamekeeper that "Eagles have no place on my grouse moor," and "I have bought an estate and I will do what I like."⁶⁷

This is exactly the attitude that brought many British birds of prey to the brink of extinction in the 19th century. Although reintroduction of some species has been promising in parts of the UK and despite the fact that birds of prey have been legally protected since 1954,⁶⁸ it is clear that on many shooting estates this Victorian mind-set remains entrenched.

Gamebird shooting is big business. The more birds you have on your estate at the beginning of the season, the more money you will make. As soon as you turn one animal into a commodity it is, apparently, an easy step to view any other animal that threatens your commodity as a problem which must be eliminated.

The commercial nature of shooting and the attitude of gamekeepers towards endangered birds of prey is summed up by gamekeepers: "There are many problems facing the shooting industry at the moment and hence the gamekeepers. The fox hunting bill and firearms legislation are two... Problems arise due to hostile public perception in the face of extreme unwarranted negative publicity. However the problem most keepers report is that of raptors."⁶⁹

A 2004 RSPB report reveals that between 1985 and 2003, of all the prosecutions for bird of prey related offences England, Wales and Scotland, 85% were committed by people "with game rearing interests."⁶⁹ The report concludes that "these published figures represent only a fraction of the total number of incidents, as many remain undetected and unreported".⁶⁰

This ongoing persecution by shooting estate employees, aside from being illegal, is threatening efforts by Government agencies and conservation groups to reintroduce and increase populations of raptors in the UK.

For example, by 1870 only 80-100 pairs of **golden eagles** remained in Scotland due to rampant persecution. Since 1982 the population has recovered to an estimated 422 pairs. (Only one breeding pair is known to exist in England.)⁶¹ However, it is clear that persecution – whether by poisoning, shooting or interference with nests – continues to pose a threat, particularly on shooting estates. In northeast Scotland where shooting is common, as many as 75% of golden eagle breeding attempts fail as a result of persecution, compared with 15% on deer forest where eagles breed more than five times as successfully.⁶²

By the end of the 19th century, the only **hen harriers** left in Scotland were on Orkney and the Western Isles. There was a slow recovery of these highly endangered birds during the 20th century, but this has languished well short of the estimated natural level of 1,660 breeding females. In fact, only 10 breeding pairs exist in England. Hen harriers attempting to breed on grouse moors have a substantially higher failure rate than others. The extent of hen harrier persecution by some gamekeepers is widely acknowledged.⁶³

In a BBC interview in April 2005, RSPB investigating officer Guy Shorrocks complained: "**For the hen harrier, persecution is such a problem that it might become extinct as a breeding species in England. The situation is an absolute disgrace and the shooting industry should be hanging its head in shame.**"



Poisoned Red kite
© RSPB
Dead golden eagle
© RSPB



In 2003 more than a quarter of the nesting attempts for hen harriers in England were "lost under circumstances suggesting illegal persecution".⁶⁴

The Scottish Raptor Study Group reports consistently poorer breeding results for **peregrine falcons** on managed grouse moors, even though nests on grouse moors which did succeed produced the same number of young as other upland areas. This, the group points out, makes it clear that failed grouse moor sites were not the result of inadequate food, bad weather or other natural causes.⁶⁵

The **red kite**, another critically endangered bird of prey, was reintroduced in England and Scotland after it was persecuted to extinction in the 19th century. Again, these efforts are being stymied and, again, there seems to be no doubt about the identity of the culprits. Red kites, which eat mostly carrion, are particularly susceptible to poison baits (a favoured form of 'pest control' with many shooting estate employees). Of the Scottish red kites found dead for which a cause of death can be identified, 70% were deliberately poisoned. Of the kites found whose cause of death could not be identified (generally due to state of decomposition), 41% were discovered in circumstances suggesting they, too, had been illegally killed.⁶⁶



Peregrine falcon and chicks © RSPB



Red kite with chicks © RSPB

Evidence of persecution of kites also exists on Yorkshire shooting estates. In 2001, six kite chicks were fitted with radio transmitters by the Kite Trust. Two of the females were subsequently found poisoned. One, found on a grouse moor, was beside a rabbit carcass, which, along with the kite, tested positive for alphachloralose, the other kite was poisoned with strychnine.⁶⁷ Had these birds not been tagged, it is unlikely their bodies would have ever been discovered.

Buzzards, absent from Scotland for decades, have begun to reappear. Populations seem to be thriving with few incidents of persecution in western and central Scotland, where the primary activities are agriculture and forestry. However, illegally killed buzzards are regularly found at the eastern part of their range where grouse moors and low-ground shoots begin to be common, leading the RSPB to conclude that the perpetrators are probably connected with gamebird shooting.⁶⁸

The Scottish executive is being lobbied by both the Scottish Gamekeepers Association and BASC Scotland to issue licenses to shooting estates for a cull of buzzards. So far their efforts have been unsuccessful.⁶⁹

As noted above, in April 2005 two employees of the Bradenham pheasant shooting estate in Buckinghamshire were found guilty and fined £2000 for illegally killing a buzzard.

In February 2004, League investigators pursued an anonymous tip from a member of the shooting community that employees of the Huddington pheasant shooting estate were devastating wildlife and persecuting birds of prey. They uncovered an unprecedented programme of 'predator control' by estate employees, including slaughtered birds strung up on gibbet lines. Three dead buzzards were found on the estate, including one recently killed and carefully hidden amongst pheasant feed sacks. A post-mortem and toxicology test carried out on the buzzard on behalf of the League established that it had been illegally poisoned with carbofuran.⁷⁰

The pesticides carbofuran and alphachloralose are the poisons of choice in the shooting estate war on birds of prey. Carbofuran was banned by the EU at the end of 2001. Alphachloralose is still present in products licensed by the Health and Safety Executive, although it was banned in Scotland in March 2005. The RSPB reports that

76% of the confirmed cases of bird of prey poisoning in 2003 involved alphachloralose or carbofuran.⁷¹

The Scottish Agricultural Science Agency reports that, of the 40 incidents of buzzard persecution in Scotland in 2003, it was possible to confirm the cause of death in 25 cases. Half of these were carbofuran or alphachloralose poisonings. These two poisons were also identified as the cause of a third of the eagle deaths, two thirds of the peregrine falcon deaths and both of the recorded sparrow hawk deaths. A single incident of alphachloralose abuse killed three kites and two buzzards.⁷²

Cost of grouse shooting to the punter? In August 2004 one firm, Hendry Ramsay & Waters (Worldwide) was offering grouse shooting in Scotland for £8,050 + VAT.⁷³

Cost of eating grouse in a restaurant? Last season Rules Restaurant in London was selling "New Season Young Grouse, available from the middle of August" for £19.95.⁷⁴

Cost of grouse shooting to protected and endangered birds of prey? Incalculable.



A buzzard poisoned with carbofuran found by League investigators on the Cawdor estate, 2004.

SECTION 3: FOX HUNTING BELOW GROUND

When it became clear that the British people and their elected representatives would no longer tolerate the cruelty of hunting wild animals with dogs, the shooting industry began lobbying strenuously. Eventually it succeeded in persuading the Government to insert an exemption into the Hunting Act 2004 to permit the use of a dog to hunt foxes to protect "birds which a person is keeping or preserving for the purposes of their being shot".⁷⁶ In February 2005, the Department for Environment, Food and Rural Affairs (DEFRA) approved a statutory code of practice – written by the British Association for Shooting and Conservation (BASC) – to govern the manner in which the dogs may be employed below ground.⁷⁶

The use of dogs to hunt foxes below ground is commonly known as terrierwork. This benign sounding activity is used by shooting estate employees ostensibly to flush out foxes which have gone to earth in order to shoot them when they bolt. It is an unsavoury 'sport' in its own right with a large following employing virtually identical practices to those used in the long banned 'sport' of badger baiting. To all intents and purposes, terrier work is fox baiting.

Anyone who has ever witnessed this understandably well hidden spectacle can attest to its cruelty.⁷⁷

When a terrier finds a fox underground a battle can ensue between the two animals who can 'lock on' to each other and fight in a confined space. They can both suffer terrible injuries, losing eyes, ears and parts of their faces. In one recorded instance a fox was backed on to the dog and the dog chewed off its testicles.⁷⁸ Even if, as terriermen claim, the dog sometimes merely barks to hold the fox in position, this is extremely stressful and can result in fighting. At the end of the process the fox is either flushed from the earth by the dog or it is dug out and killed.

After examining evidence on terrierwork, the Government's Burns Committee of Inquiry into Hunting concluded: "...we are satisfied that the activity of digging out and shooting a fox involves a serious compromise of its welfare, bearing in mind the often protracted nature of the process and the fact that the fox is prevented from escaping".⁷⁹

It is common to find injury scars on terriers – scars that are celebrated in hunting literature and in nicknames, like 'Fang'.⁸⁰ Until recently many hunts had a 'most scarred terrier' class in their annual shows as extensive bite wounds



A 2004 League Investigation exposed the cruelty of terrierwork

were regarded as a sign of a good terrier.⁸¹ Some terriermen have been successfully prosecuted for failing to seek veterinary treatment for terriers injured in such encounters.

The Committee of Inquiry concluded: "We have received evidence of injuries to terriers during terrierwork. This clearly involves some compromise of the terrier's welfare when it occurs."⁸²

IS TERRIERWORK NECESSARY TO PROTECT BIRDS FOR SHOOTING?

Clearly, the League Against Cruel Sports would never endorse this savage activity. Along with all other forms of hunting wild animals with dogs, it should be completely banned.

Shooting organisations such as BASC insist widespread culling of foxes is necessary on gamebird conservation grounds. The Government has endorsed this position. In a foreword to the BASC code of practice, Rural Affairs Minister Alun Michael says "pest control on shoots is necessary to ensure that serious damage to gamebirds or wild birds is minimised".⁸³ (He neglects to mention the profit motive. Shooting estates commonly charge more than £20 + VAT for each gamebird shot.)

Not that terrierwork is necessary. A 1994 BASC survey of gamekeepers in their membership revealed that only 9% of foxes killed by shooting estate employees were killed with the use of terriers.⁸⁴

A 2003 survey of shooting estate employees and others involved with culling various species of animals (collectively referred to as 'practitioners') found that practitioners themselves think the use of terriers against foxes is one of the least acceptable and one of the less effective methods of fox control. They rated it as a relatively unimportant method.⁸⁵

LOOPHOLES IN THE LOOPHOLE

According to the Minister, "The Government recommends that consideration should be given to the full range of non-lethal and lethal alternatives before a decision is made to use a dog under ground in this manner."⁸⁶ Unfortunately, nowhere in the statutory code of practice is this recommendation reinforced, which means shooting estate employees may feel they are under no legal obligation to consider all – or indeed any – other options first.

One of the conditions of the Hunting Act exemption is that anyone using dogs to flush foxes must carry written permission (or proof of land ownership) from the owner of the shooting estate. This evidence that the activity is being conducted to protect birds for shooting must be produced upon request by the police.

The main restrictions (such as they are) in the statutory code of practice are:

- The terrier's role must be to locate the fox and cause it to bolt from underground as quickly as possible, at which point it is to be killed by a 'competent' shot.
- Only 'soft' terriers who do not habitually fight can be used, never 'hard' terriers. (No mention made of dogs that occasionally or even frequently fight.)
- Care must be taken to minimise the risk of injury to the fox or dog. (No suggestion of how to stop a fight underground if one begins.)
- The terrier's time underground should be as short as possible to minimise distress to the fox. (No definition of 'as short as possible'.)
- Terriers must be fitted with an electronic locator so their exact position underground can be tracked.
- Assistance must be given to terriers if it is determined they are trapped.



This last point, whilst no doubt well intentioned, is very open to abuse. 'Digging out' a cornered fox is an often prolonged and terrifying ordeal involving shovels and pick axes. For some reason many terriermen seem to find this a stimulating challenge and the high point of their day. Terriers do, of course, occasionally get stuck in confined places, but will generally manage to free themselves eventually. The failure of a dog to reappear immediately should not be allowed as an excuse for subjecting a fox or other trapped mammal to being dug out.

In an Annex to the code of practice, BASC has produced an extensive 'good practice guide' which contains a number of recommendations, including: consider other options; avoid the use of nets which might prevent a fox from bolting and encourage fighting; keep a contemporary log of fox control work; do not enter a terrier into an earth with only one entrance; and "if in doubt, do not shoot!"

None of these is legally binding in any way.

MAJOR CONCERN

Aside from the fact that this exemption to the Hunting Act which allows fox baiting to continue in the guise of protecting birds on shooting estates inevitably causes unnecessary suffering, it is open to blatant abuse by the hunting fraternity.

Prior to the passage of the Hunting Act there were Government reassurances that this exemption allowing hunting with dogs to continue would apply to 'gamekeepers'.⁴⁷ Unfortunately, anyone can call themselves a 'gamekeeper' and claim they are protecting birds.

Indeed, the Countryside Alliance (CA) in its guide to hunting after the ban suggests a "hunt terrier work service for the benefit of those landowners who shoot will be welcomed by landowners in those many parts of the country where game or wild birds are kept or preserved for shooting."

In a section of the hunting guide called 'How to undertake hunting with terriers legally' the CA reminds terriermen: "Terrier work underground can only be undertaken to protect game birds. If you are using a dog below ground you must have written evidence that the land belongs to you or that you have permission to do so from the occupier and that you can only use one dog below ground at any one time. Other dogs must be kept above ground."⁴⁸

This exemption is being used by bloodsport enthusiasts to allow them to defy the intention behind the Hunting Act. There are already problems prosecuting people charged with digging for badgers who claim in their defence that they were pursuing foxes. This could be exacerbated when fox hunters claim they were acting to protect birds for shooting.

Clearly this potential loophole must be closed. The fox baiting exemption in the Hunting Act must be removed.



APPENDIX 1: THE MAIN PLAYERS

British Association for Shooting and Conservation (BASC)

Although this organisation's name may seem an oxymoron to many, the shooting lobby claims and seems to genuinely believe it plays a crucial role in conservation, despite waging warfare on wildlife in its pursuit for 'sport' and profit. According to its website, the organisation's mission is "to promote and protect sporting and shooting and the well-being of the countryside throughout the United Kingdom and overseas. We represent our members' interests by providing a voice for sporting shooting which includes wildfowling, game, and rough shooting, deer stalking, target shooting and air gunning, pigeon shooting and pest control, gun dogs, promoting practical habitat conservation, training and the setting of standards and undertaking appropriate research."⁴⁹

BASC is the author of a Code of Good Shooting Practice, along with various other codes of good practice which are voluntary guidelines. Violating these guidelines incur no legal penalty.

BASC successfully lobbied on behalf of shooting interests for an exemption to the Hunting Act which allows shooting estate employees to continue hunting foxes with dogs. It has produced a code of practice for terrierwork which is legally binding and a much more detailed good practice guide which is not legally binding.

The Earl of Lichfield, second cousin of the Queen and President of BASC owns the Ranton Abbey gamebird shoot in Staffordshire where League Investigators found flagrant violations of the BASC code of practice on snaring. (See page 11.)

Countryside Alliance (CA) Campaign for Shooting

Originally and more accurately called the British Field Sports Society, the Countryside Alliance changed its name and attempted to transform itself into the voice of rural dwellers who have justifiable concerns about social upheavals in the countryside. Rural citizens were quick to spot and denounce this claim as bogus. In reality, the CA was never more than an organisation campaigning to prevent a ban on hunting wild animals with dogs. The Alliance eventually responded to the inevitability of a ban by taking up defence of another bloodsport – shooting – in an attempt to maintain some relevance. Efforts to force a merger between itself and BASC have proven unsuccessful.

According to the CA website the campaign "promotes and safeguards the legitimate rights and interests of all shooters and shooting sports. The campaign's efforts encompass government lobbying to prevent or amend unjustly restrictive or coercive legislation... countering the propaganda and sabotage programmes of anti-shooting animal rights groups; and a range of initiatives to maximise the numbers of people taking up shooting, especially by women and young people."⁵⁰

The chairman of the Countryside Alliance Campaign for Shooting, Sir Edward Dashwood, is named and shamed in this report for the appalling predator control practices on his Buckinghamshire shooting estate. (See page 12.)

Game Conservancy Trust (GCT)

According to their website, the GCT "conducts scientific research into Britain's game and wildlife. We advise farmers and landowners on improving wildlife habitat and we lobby for agricultural and conservation policies based on science. Many of our supporters take part in field sports. They invest in managing wildlife habitat in the countryside. This improves biodiversity and represents a philosophy of 'conservation through wise use'.⁵¹ Their definition of "wise" is not offered.

Predator control measures which violate the BASC code of practice were found on the Clarendon estate of Andrew Christie-Miller, chairman of the GCT. (See page 14.)

SHOOTING DOES NOT BENEFIT CONSERVATION – IT'S OFFICIAL

Many readers of BBC Wildlife Magazine were appalled by an advertisement in the December 2003 issue in which The Shooting Sports Trust⁵² claimed it was "unambiguous" that shooting benefited conservation. Given that shooting estates are directly responsible for the deaths of millions of mammals and birds every year, this claim could clearly not go unchallenged.

A League Against Cruel Sports complaint to the Advertising Standards Authority⁵³ was upheld. In its judgement, the ASA ruled that, because the advertisers could not show conclusively that shooting enhanced biodiversity conservation, it considered the claim was misleading. The Shooting Sports Trust was instructed not to repeat this claim.

Neither should anyone else.

APPENDIX 2: RELEVANT LEGISLATION

SNARES AND UK LAW⁴⁴

Wildlife and Countryside Act 1981

Under this Act (as amended by the Wildlife and Countryside (Amendment) Act 1991), it is an offence for a person to:

- set a self-locking snare in such a way as to be calculated to cause bodily injury to any wild animal (this includes dual purpose snares set in the self-locking position), or to knowingly cause or permit the setting of a self-locking snare in this way;
- kill or take, or to knowingly cause or permit the killing or taking of any wild animal using a self-locking snare;
- set a snare (or other article) in such a way as to be calculated to cause bodily injury to any animal listed in Schedule 6 of the Act, or to knowingly cause or permit the setting of a snare in this way. (Schedule 6 species include badger, otters, pine martens, polecats, red squirrels and wild cats);
- kill or take, or knowingly cause or permit the killing or taking of any animal listed in Schedule 6 of the Act (e.g., a badger) using a snare;
- set a snare, or knowingly cause or permit a snare to be set, and then to fail to inspect that snare (or have someone else inspect it) at least once every day.

The Nature Conservation (Scotland) Act 2004

This act amends the Wildlife and Countryside Act and makes it an offence in Scotland to:

- set any form of snare which is of such a nature or is so placed as to be calculated to cause unnecessary suffering coming into contact with it;
- set a snare (or knowingly cause or permit a snare to be set) that is likely [rather than calculated] to cause bodily injury to any animal listed in Schedule 6 of the Act;
- fail to inspect a snare every day at intervals of no more than 24 hours (other than with reasonable excuse);
- fail to remove any animal (whether live or dead) caught in a snare during such an inspection;
- be in possession of a self locking snare without reasonable excuse;
- be on land in possession of a snare, or to set a snare, without the authorisation of the owner or occupier of the land

In addition, the Nature Conservation (Scotland) Act also empowers Ministers to propose regulations to:

- specify other types of snares (in addition to self-locking) the setting or use of which is prohibited;
- specify requirements governing the use of snares; such that any person who uses a snare otherwise than in accordance with such requirements would be guilty of an offence;
- specify criteria which different types of snares must meet to be treated as articles of that type, and to specify circumstances under which such snares are to be treated as having been set or used in a manner which constitutes an offence

The Deer Act 1991

Under this Act to set in position a snare which is of such a nature and so placed as to be calculated to cause bodily injury to any deer coming in contact with it, or to use a snare for the purpose of killing or taking any deer, it is also an offence to attempt to commit either of these offences, or to possess a snare for the purpose of committing either of those offences (HMSO, 1991).

The Conservation (Natural Habitats &c.) Regulations 1994

The use of various specified methods of taking or killing certain wild animals are prohibited by these Regulations. Prohibited methods include 'traps which are non-selective according to their principle or their conditions of use'. The SSPCA takes the view that this definition includes snares. The mountain hare (*Lepus timidus*) is included in Schedule 3 of these regulations as one of the species of wild mammal which may not be taken or killed by this and other specified methods (along with the pine marten, polecat and otter, which are also protected by the Wildlife and Countryside Act – see above). (HMSO, 1994). The snaring of mountain hares in Scotland is now licensed.

Protection of Animals Act 1911 & Protection of Animals (Scotland) Act 1912

A person who sets a snare in such a way as to catch domestic animals may be guilty of an offence under section 1(1)(a) of the Protection of Animals Act 1911 in England and Wales, and section 1(1)(a) of the Protection of Animals (Scotland) Act 1912 in Scotland (HMSO 1911, HMSO 1912). These Acts make it illegal to cause unnecessary suffering to a domestic or captive animal through the wanton or unreasonable commission or omission of any act, or by causing or procuring the commission or omission of any act.

BIRDS OF PREY AND UK LAW⁴⁵

Wildlife and Countryside Act 1981

The Act states that all wild birds, their nests and eggs are protected and it is thus an offence to:

- kill, injure or take any wild bird
- take, damage or destroy the nest of any wild bird whilst it is in use or being built
- take or destroy the egg of any wild bird or have in one's possession or control any wild bird, dead or alive, or any part of a wild bird, which has been taken in contravention of the Act or the Protection of Birds Act 1964
- have in one's possession or control any egg or part of an egg which has been taken in contravention of the Act

The maximum fine that can be imposed in respect of a single bird, nest or egg receiving ordinary protection is £1000. For offences involving a

Schedule 1 species or an illegal method of killing (e.g. poisoning), the maximum is £5000.

Schedule 1 includes buzzards, eagles, goshawks, harriers, red kites, ospreys and peregrines.

APPENDIX 3: TYPES OF SNARES AND TRAPS

TYPES OF SNARE

Free-running snare

This is the basic type of legal snare. The wire is threaded through a simple eyelet at one end, allowing free movement of the wire in both directions - hence the term free-running. The snare should tighten as a captured animal struggles, but releases when the animal stops pulling. The purpose of free running snares is to hold the target animal alive until the operator returns within a daily period to humanely dispatch it, usually by shooting. Free-running snares therefore may have a 'stop' which prevents the noose from closing too tightly.

Free-running (rocking eye) snare

This is a variation on the free-running snare. It has an eyelet which is heavier than normal, and does not allow the noose to slacken off so easily. The intention is that this type of snare does not allow a fox to back out of the noose once caught. The use of free-running snares is legal in Britain.

Self-locking snare

A self-locking snare has a small metal device at one end and the wire is threaded through two holes in the metal. The effect of this is that the wire will only run one way. When an animal is caught in a self-locking snare, the noose tightens, but does not slacken off when the victim stops struggling. Animals caught by self-locking snares are usually caught around the neck and die through strangulation or by dislocation of the neck. The use of self-locking snares is illegal in Britain.

Dual-purpose snare

This type of snare has the same kind of small metal device at one end as the self-locking snare. When the wire is threaded through one of the two holes in the metal, the snare acts as a free running snare and is legal. However, when the wire is threaded through the other hole, the snare becomes self-locking and its use is illegal.

'AB' snare

Newer types of snare, such as those manufactured by AB Country Products, are said to be legal free-running snares. However, some authorities are of opinion that these snares are really self-locking in nature. The 'AB' snare for example features a V-shaped metal device at one end; the wire is threaded through two holes, one on each side of the 'V'. It seems that the wire does not run as freely as in a free-running snare - but neither does it lock fully. Expert opinion is divided as to whether these snares should be treated as free-running (and therefore legal) or self-locking (and therefore illegal).

TYPES OF TRAPS

Larsen traps

The Larsen trap is a wire and wood framed cage into which a live bird (e.g. a crow or magpie) is placed to encourage another bird, not always of similar species, to come down to it. The visiting bird falls through a false door into a compartment where it awaits its fate with the gamekeeper. Investigators have witnessed crows left in these legal traps to die without food and water. They have also witnessed birds with broken beaks and cut heads where they have tried desperately to escape. Decoy birds routinely have their wing feathers cut to prevent them from escaping. Larsen traps are normally found near game bird rearing pens or on the edge of woodland where the game bird rearing pens are located.

Fenn traps

Fenn traps, also legal, are spring traps targeted at small animals (rats, weasels, rats etc.) which should break the animal's back but often fail to do so, catching the animal on its leg. They are indiscriminate and can take protected hedgehogs and polecats.

Pole traps

A pole trap is a Fenn trap set up on a fence post to catch birds of prey such as owls. The bird comes down to settle on the post and its legs are broken, leaving the bird hanging from the trap. These traps are illegal, but continue to be used by shooting estate employees.

Gun traps

Gun traps are heavy steel devices with razor sharp teeth. Their use was banned more than 40 years ago (30 years ago in Scotland). Gun traps do not kill quarry animals outright but hold them in place until the animals are found, causing great suffering and distress.

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 - 4 'Shooting row, lard agrees settlement', The Scotsman, 06/05/04
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 - 6 Hunting Act 2004, Schedule 1, paragraph 2, chapter 37.

Section 1: Entrapment

- 7 EDM 1502 was signed by 142 MPs: http://edm.ats.co.uk/webink/html/printable.html?EDML_SES=01&ref=1502
- 8 MORI Social Research commissioned by the League Against Cruel Sports, October 2003. A nationally representative quota sample of 2,053 adults (aged 15 and over) was interviewed between 9 and 14 October 2003. 47% strongly supported and 39% tended to support Parliament passing a law to ban the snaring of wild animals.
- 9 <http://www.basc.org.uk/content/foxsnarepractice>
- 10 <http://www.basc.org.uk/content/foxsnarepractice>

English estates:

- 11 Video footage obtained at Ranton Abbey, November 2004
- 12 <http://www.basc.org.uk/content/foxsnarepractice>
- 13 <http://www.basc.org.uk/content/foxsnarepractice>
- 14 Wildlife and Countryside Act (1981), Section 11 (2)
- 15 Data collected from on-site investigation at Bradenham Estate, January and March 2005
- 16 Wildlife and Countryside Act (1981), Section 11 (3) (b)
- 17 A current review of the Wildlife and Countryside Act proposes "To amend section 11 (3) (b) to make it an offence whilst any snare or trap remains set in position, to fail without reasonable excuse to inspect it, or cause it to be inspected, at least once every day at intervals of no more than 24 hours, taking into account the stress tolerance of the target animal, its vulnerability to the prevailing weather, and access by predators". However, the League questions whether there is any animal that might be caught in a snare that would not be caused serious stress during 24 hours in a snare. Any prey animal trapped in a snare would automatically be at greater risk from attack by predators, owing to its inability to get away.
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- 30 Video footage obtained at Eddington Estate, Berkshire, March 2005
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- 32 Video footage obtained at Warrter Priory Estate, Yorkshire, September 2004
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- 38 Personal conversation with Wildlife Trust
- 39 www.gct.org.uk
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- 41 Ibid.
- 42 Ibid.
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Scottish estates:

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- 47 'Cat snarks two weeks in trap', BBC News, 11/03/04.
- 48 http://news.bbc.co.uk/2/hi/uk_news/england/ymwear/3603930.stm
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Section 2: BIRD OF PREY PERSECUTION

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Section 3: TERRIERWORK

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Appendix 1: The main players

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- 91 www.gct.org.uk

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Appendix 2: Relevant legislation

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THE KILLING GAME: OUT OF CONTROL PREDATOR CONTROL



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