

Q&A on the Hunting Act 2004

- **Why should hunting with dogs remain illegal?**

The practice of chasing and killing live animals with dogs, purely in the name of sport, is a barbaric and outdated pastime. Hunting wild animals with dogs became illegal in 2005, a move supported by the majority of the public. Recent polling showed that 75 per cent of people did not want fox hunting to be made legal again.

- **What would it mean if the Act was overturned?**

The Hunting Act does not just prohibit traditional fox hunting – it also outlawed the activities of those who used terriers and lurchers to hunt foxes, deer, hares and mink. Repeal would not only give a green light to resuming hunting of foxes by dogs, but also deer, hare and mink hunting, as well as hare coursing.

- **Is the Hunting Act an effective and enforceable law?**

Certainly, the Hunting Act 2004 has now been in force for nearly eight years and has already proven to be an effective and integral piece of the legislative framework protecting wildlife in England and Wales. Of the 333 defendants prosecuted for offences under the Hunting Act, 70% were found guilty. A high success rate particularly compared with other wildlife crime legislation which nobody is suggesting be repealed. It's no surprise that those who enjoy chasing and killing animals for fun cite the law as unenforceable.



- **But aren't people still hunting foxes and other animals despite the law?**

Unfortunately so, some hunts claim to be flouting the law and continuing to engage in this cruel sport, but banning an activity doesn't mean it will cease instantly, as education and awareness is necessary to ensure compliance with such laws. Many activities deemed socially unacceptable are prohibited, for example, smoking in public, driving without wearing a seatbelt, etc. The fact that criminals break the law, does not provide a good reason to legalise outlawed activities. Some people engage in illegal dog fighting, but that does not mean there's cause for legalising this cruel pastime.

The issue at stake here is whether we believe it is right, in this day and age, to accept the chasing and killing of wild animals for sport. Most do not.

- **But don't fox numbers need to be controlled?**

The idea that fox hunting is a wildlife management service is completely unfounded. There are two separate issues here, the management of foxes and other wild animals, and the killing of animals for sport. They are not the same thing.

The Hunting Act specifically includes exemptions under which legitimate pest control is allowed. The Act makes illegal the chasing and killing of wild animals for sport, i.e. those activities that are not a legitimate form of wildlife management.

There is no scientific evidence to support the argument that hunting with dogs is necessary for controlling the fox population. In fact, some hunts have even encouraged foxes to live and breed in their area by building artificial earths to make sure there are enough foxes to be hunted for 'sport'. This argument is merely a smokescreen for hunters to attempt to justify a barbaric pastime.

- **Isn't there a middle way? The Master of Fox Hounds Association (MFHA) has set up a 'Hunting Regulatory Authority' to oversee and discipline hunts. Couldn't that be the solution?**

Absolutely not. Cruelty is cruelty and any backwards step would be a travesty for the animals and the compassionate people of this country. Furthermore, any regulatory authority set up and paid for by hunters themselves cannot be considered independent or transparent. It's rather like asking the tobacco industry to take the lead on the National Health Strategy, there's a clear conflict of interests.

This would appear to be nothing more than a poor attempt by the hunters to throw a veil of respectability around their cruel and outdated hobby. It merely means licensing cruelty. The public will not have the wool pulled over their eyes.

- **Isn't this an issue of freedom and civil liberties rather than animal welfare?**

Let's be clear, this is not a civil liberties issue; there is no right to be cruel to animals. Challenges to the Hunting Act have been thrown out by the European Court of Human Rights and the House of Lords before that. The European Court of Human Rights concluded that "the bans had been designed to eliminate the hunting and killing of animals for sport in a manner causing suffering and being morally objectionable".¹

The Law Lords unanimously ruled that the Hunting Act 2004 must "be taken to reflect the conscience of a majority of the nation"². (para 45)

The Hunting Act does nothing to stop people going out with their dogs and horses and riding across the countryside. The ban doesn't stop the spectacle and the excitement; it just outlaws the chasing and killing of wild mammals for sport.



Those who want to bring back the cruel sport of hunting with dogs are simply trying to confuse the issue because they know that the majority of the public do not want to see a return to cruelty.

- **Isn't a new Parliament entitled to have a vote on this issue?**

Parliament has already spent over 700 hours debating this issue. There is simply no reason to reopen the debate unless, like those who support repeal of the Hunting Act, you want to see a return to the cruelty of wild animals being chased to exhaustion and ripped apart by dogs purely for sport. The issue is settled.

Public support for the ban remains as high as it was before the Act was passed. In December 2010 the League Against Cruel Sports commissioned Ipsos MORI to conduct a public survey about hunting (including fox, deer and hare hunting and hare coursing)³.

The results show for the general public that:

- Three quarters (76 per cent) support the ban on fox hunting
- Over eight in ten (84 per cent) think the ban on deer hunting should stay in place
- A similar number (84 per cent) say hare coursing and hunting should remain illegal

¹ European Court of Human Rights, 24/11/09, Application nos. 16072/06 and 27809/08

² R (Countryside Alliance) v Attorney General [2007] UKHL 52, [2007] 3 WLR 922

³ http://www.ipsos-mori.com/Assets/Docs/Publications/sri_public-opinion-on-hunting-topline_tables_%20dec2010.pdf (accessed 01.12.11)

In rural communities this equated to seven in ten (71 per cent) people who wanted fox hunting to remain illegal, 81 per cent who believe deer hunting should remain illegal and 84 per cent who believe hare hunting and coursing should remain illegal.

Repealing such an important piece of legislation would also have an impact internationally – how can Britain urge countries like Japan to stop whaling if we bring back hunting with dogs for sport?

- **What has been the impact on rural communities since the ban was introduced?**

Since hunting with dogs was banned the fox population hasn't changed significantly; hunting jobs have not been lost, nor have thousands of horses and dogs had to be shot en masse, yet this is the scenario the hunting lobby predicted. Suggestions that the hunt ban would end the livelihoods of many in the countryside were rightly dismissed by the courts and would appear to be nothing more than false rhetoric.

Fox hunts have continued to meet in much the same way as before – the big difference is that hunts now follow an artificial scent rather than chase and kill a live fox.

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