

RESEARCH STUDY ON USING A PACK OF HOUNDS VS. A PAIR OF HOUNDS TO FLUSH OUT FOXES FOR PREDATOR CONTROL

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ISSUE: Research study on using a pack of hounds vs. a pair of hounds to flush out foxes for predator control

TIMING

1. **Routine.** For information only.

RECOMMENDATIONS

2. **No recommendations this is for information only**

BACKGROUND

3. On the 13th October the Daily Telegraph published an article (attached at Annex A) highlighting a new research report (attached at Annex B) which examines the effectiveness and animal welfare issues associated with using a pack of hounds to flush out foxes vs. using a pair of hounds to flush out foxes.
4. Using up to two dogs to flush out a wild mammal is currently allowed (subject to very specific conditions) under the 'flushing and stalking' exemption of the Hunting Act 2004 (see paragraphs 13 – 16 below for further details of this exemption and differences with Scotland). However some farming and pro hunting groups argue that limiting this to the use of two dogs is ineffective and does not allow them to protect their livestock from fox predation. Defra has received letters from farmers highlighting an increase in the loss of lambs to predation from foxes this spring.
5. Conversely anti hunting groups continue to argue that the Hunting Act is effective. They argue that any change to the exemption allowing more than two dogs to be

used for flushing would in effect bring back hunting by the back door. They also argue that the high levels of lamb losses this season was mainly due to the bad weather conditions. Reactions to the study from the Countryside Alliance and the League Against Cruel Sports are attached in Annex C.

6. It is important to note that amendments to the Hunting Act 2004 can only be made by affirmative resolution in each House of Parliament.
7. This submission circulates the study for information and provides an initial assessment of its methodology and findings.

DEFRA'S INITIAL ASSESSMENT OF THE RESEARCH METHODOLOGY AND FINDINGS OF THE STUDY

8. The study funded by the Federation of Welsh Farmers Packs¹ has been produced by JRJ Naylor² and JG Knott³. It has not yet been subject to formal peer review. Whilst the study is an interesting effort to try to fill an evidence gap, our initial assessment has flagged up some concerns about its scientific robustness. We are also concerned about the lack of evidence underpinning the paper conclusions about welfare impacts.
9. The study does provide some evidence that a pack of dogs are quicker/more effective at flushing out foxes than just a pair of dogs. However, whether this leads to improved animal welfare outcomes for the fox from reduced pursuit times is a contentious issue that this particular study is not seeking to address. Moreover the study does not provide any information on the fate of the foxes (including how many were shot and how many were inadvertently killed by the pursuing hounds). The study in any case focuses on flushing effectiveness and does not go on to assess whether using packs of hounds will reduce predation of lambs by foxes compared to pairs of hounds.
10. Our initial assessment of the report has flagged the following concerns and questions:
 - **The study has not yet been peer reviewed:** whilst the research report has been made public on the FWFP website it has not yet been peer reviewed or published in a scientific journal. The press release for the report says that "it will be submitted for peer review" but does not identify which journal it will go to. Before the research can be taken as credible evidence it is important that it is rigorously scrutinised by scientists who are independent leaders in their field

¹ The FWFP represents gun hunting packs across Wales with an economic interest in the use of packs of dogs for flushing. They are campaigning for a change to the flushing exemption in the Hunting Act to allow the use of more than two dogs to flush out foxes to be shot as part of predator control.

² JRJ Naylor is a Vet and racehorse trainer based at [REDACTED]

³ JG Knott is a Biologist based at [REDACTED]

(and not associated with any campaign groups on either side of the debate). The researchers should be encouraged to submit their paper for publication to a journal that has high quality peer review processes. This is particularly important given the contentious nature of the topic. It is of course possible that high quality journals may refuse to publish this paper if it is not considered suitable by the editors, however this should not deter the authors from aiming for such journals.

- **There is no evidence provided to support the paper's central assumption that vocalising is a proven sign that a fox is being pursued:** central to the findings on the pursuit times presented in the paper is the assumption by the authors that vocalising of the dogs is a proven sign that a fox is indeed being pursued. However the paper includes no references or supporting evidence of this assumption. In the discussion section the authors also flag that *"it is possible that hounds on some occasions may have spoken when following the scent of a mammalian species other than the fox"* although they go on to say it was likely to have been a fox in most cases no evidence is provided to support this. Some would argue that this puts a question mark over the validity of the pursuit times presented in the study and that further evidence is needed to support this central assumption.
- **There is no data on how many of the flushed out foxes were shot or how cleanly they were killed:** whilst the study implies that all foxes flushed during the study were shot there is no evidence on this aspect. As the authors are addressing animal welfare issues in their comments, it is surprising that no data or discussion has been included on the following questions:
 - Whether all the foxes included in the study were in fact shot and, if so, whether they were killed 'cleanly';
 - Whether any foxes were inadvertently killed by the pack of hounds or by the pair of dogs; and
 - If any foxes were in fact inadvertently killed by the dogs, whether there was any significant difference in the numbers killed by the pack versus those killed by the pair.

The study also does not discuss or present data on how the hounds were controlled so as not to continue to pursue the fox after it had been flushed out. The lack of information on these questions is a strange omission in terms of the completeness of the evidence. It also of course opens up the research to criticism from animal welfare groups.

- **The paper contains inconsistencies and statements about welfare impacts that are not supported by the evidence:** Throughout the paper there are repeated implications that using a pack of hounds provides improved welfare

outcomes for foxes due to reduced chase times. However the authors finally conclude that *“while we have been able to provide objective data on the duration of pursuit, no firm conclusion can be drawn as to the impact of duration of pursuit on fox welfare”*.

11. In addition to these main concerns we also note that the evidence base provided by the study could be usefully expanded in the following ways:

- The study is limited to observations on the use of hound dogs for flushing out. Fox hounds have a natural ability and training to pursue a fleeing fox. Some might argue that this makes them more difficult to control making it harder to avoid unintended pursuit after flushing out has taken place. Other dogs such as flushing gun dogs have a natural ability and training to flush out game and then sit or “hup” once the animal is flushed. It could be argued then that further studies are needed to examine pack control issues, where flushing out ends and pursuit begins and the use of different dogs (other than hounds).
- The study would have provided a fuller evidence base had it been carried over several seasons with varying weather conditions: the study was conducted over just one season extending it over several seasons could deliver more robust evidence (if the other weaknesses noted above were also addressed).

CONCLUSION

12. From our initial assessment would advise you to treat the study with caution until it has been properly peer reviewed by independent scientists who are leaders in this field. We feel that it would be particularly important for the authors to address the current gap in the paper in terms of information about the fate of the foxes, and to ensure that statements about welfare implications of different flushing approaches are consistent with what their evidence actually says. Until a process of independent peer review has reached a satisfactory conclusion it would be premature for this report to be regarded as an evidence-based justification for a review of current policy. Even if the paper was ultimately published in a peer review journal it would not per se address all the evidence questions associated with fox predation controls.

CONTEXT: THE 'FLUSHING AND STALKING' EXEMPTION OF THE HUNTING ACT 2004 AND DIFFERENCES WITH SCOTLAND

- 13.** The Hunting Act 2004 sets out several classes of exempt hunting under which dogs may be used to hunt wild mammals, subject to strict conditions. One such exemption relates to 'stalking and flushing'. This exemption states that up to two dogs may be used to flush out a wild mammal if it is done for one of the following purposes and in compliance with the following conditions:
- Preventing or reducing serious damage which the wild mammal would otherwise cause to livestock; to birds or other property; or to the biological diversity of an area;
 - Participation in a field trial in which dogs are assessed for their likely usefulness in connection with shooting;
 - Provided the stalking and flushing out does not involve the use of a dog below ground (unless the requirements of the 'gamekeepers' exemption' are complied with); and
 - All reasonable steps are taken to ensure that as soon as possible after being found or flushed out the wild mammal is shot dead by a competent person.
- 14.** The Hunting Act does not apply in Scotland – it applies only to England and Wales. Scotland has its own legislation which bans hunting with dogs. This is the Protection of Wild Mammals (Scotland) Act 2002, which makes it an offence deliberately to hunt a wild mammal with a dog but provides for various exceptions. These cover roughly similar ground to the exemption in Schedule 1 to the Hunting Act, but with significant differences in detail.
- 15.** One key area of difference relates to the exemption permitting the use of dogs for stalking and flushing from cover. The Scottish Act does not limit the number of dogs to be used and has been interpreted by some as allowing full scale hunts to continue under the guise of flushing foxes to guns.
- 16.** The wording of the exemption for 'stalking and flushing out' in the England and Wales Hunting Act 2004 is much more tightly drawn and does not allow the chasing of wild mammals after they have been found or flushed out.