The Committee will meet at 2.00 pm in Committee Room 2.


2. **Protection of Wild Mammals (Scotland) Bill**: The Committee will take evidence from—
   
   Bill Swann – Scottish Campaign against Hunting with Dogs,
   
   Alan Murray – Director, the Scottish Countryside Alliance and
   
   Mike Watson MSP.

3. **Protection of Wild Mammals (Scotland) Bill**: The committee will consider their conclusions on the evidence received in the preceding agenda item.

4. **Protection of Wild Mammals (Scotland) Bill**: The Committee will consider the need for fact finding visits in connection with this Bill.

5. **Salmon Conservation (Scotland) Bill (in private)**: The Committee will consider a draft stage 1 report.

Richard Davies
Clerk to the Committee
The following papers are relevant to this meeting:

**Agenda item 1: Subordinate Legislation**
SSl 2000/347, designation form and executive note attached
SSl 2000/364, designation form and executive note attached
SSl 2000/365, designation form and executive note attached.

**Agenda item 2: Protection of Wild Mammals (Scotland) Bill**
The following papers are attached:
Summary of main arguments by Scottish Campaign against Hunting with Dogs
Biographical notes of SCAHD witness and advisers

Summary of main arguments by the Scottish Countryside Alliance
Biographical notes of SCA witness and advisers

The following papers have previously been included in the written evidence circulated:
Written evidence from Scottish Campaign against Hunting with Dogs
Written evidence from Scottish Countryside Alliance

Members should also have a copy of the Protection of Wild Mammals (Scotland) Bill (SP Bill 10) and the explanatory notes and other accompanying documents (SP Bill 10 – EN)

**Agenda item 4: Protection of Wild Mammals (Scotland) Bill**
Copies of relevant correspondence will be sent to Committee Members only.

**Agenda item 5: Salmon Conservation (Scotland) Bill**
A draft report will be sent to Committee Members only.
Scottish Countryside Alliance

Oral Evidence to the Rural Affairs Committee

Stage One: Protection of Wild Mammals (Scotland) Bill

- The SCA is opposed to any Bill which aims to ban hunting, but this Bill in particular is flawed, will indiscriminately outlaw many everyday countryside activities and fundamentally undermine the delicate balance of wildlife management.

- The Bill will end hare coursing, all uses of lurchers, make it illegal to use terriers to flush out mammals and will end the services of the Scottish Hill Packs. As presently written, the Bill states that anyone using more than one dog to flush out quarry (e.g. rough shooting or falconry) without a special licence will be committing a criminal offence.

- There is NO such thing as a natural countryside. The countryside, as we understand it, is managed. It is a complex issue, in which all constituent elements are interconnected, removing one aspect (such as hunting) will have knock on effects overall.

- Effective wildlife management requires that farmers and landowners be allowed to deploy a range of pest control methods. Hunting with dogs is a necessary and effective pest control method.

- This Bill will impose fundamental changes to the fabric of rural life, country sports and the rural economy and seeks to criminalise activities that have been lawful for centuries.

- The Bill will endanger policing by consent, for example by introducing stop and search powers or confiscation and criminalizing an important aspect of countryside management. These are the sort of powers that might be appropriate in the fight against terrorism or organised crime, but they are hardly appropriate in the context of a traditional countryside activity.

- Country sports, vermin control services and their allied trades tend to centre themselves in rural districts and add revenue to local communities. The impact of a ban will have catastrophic consequences on individuals and families, often in tied housing. Job loses without suitable compensation, or re-employment packages will devastate communities where hunting is an integral part of the local economy.

- The burden of proof must be placed on those who seek to ban hunting with dogs, to demonstrate that it is against the public interest.
• Hunting is a legitimate sporting activity. It may or may not result in the dispatch of an animal, in the same way as fishing, shooting and falconry. As in these sports the enjoyment is not in the kill but rather in the challenge, skill and experience involved in the activity.

• It cannot be conclusively proved that hunting is cruel or involves ‘unnecessary’ suffering.

• The test of what is termed ‘unnecessary’ suffering, or cruel, should be considered in the context of best practice in animal husbandry, the management of different kinds of rural estates and wildlife management.

• Evidence, which suggests that hunting with dogs is a crueller method of dispatch than other methods, is circumspect. Examination reveals that there are many ill informed assumptions based on stereotype and prejudice.

• We ask the members of this Committee in their consideration of this Bill to recognise the wide-ranging and divisive implications that its enactment will have on rural communities and the rural economy.
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D.O.B: 15th August 1963  

- Director of the Countryside Alliance’s Campaign for Hunting.  
- Ex-PRO of Wales and West Midlands.  
- Principal spokesman for the Countryside Alliance during the Burns Inquiry  
- Huntsman of South Pembrokeshire for 10 years.  
- Huntsman of beagles for 3 years.  
- Worked for Llewellyn Humphreys – Chartered Surveyors, Land Agents and Valuers, for 10 years.  Agent to the Environment Agency in Wales and Assistant Regional Secretary of the CLA Wales.  

Allan J. Murray  
C/o Scottish Countryside Alliance  
East Gate, Royal Highland Showground  
Ingliston  
Edinburgh EH28 8NF  

Tel: 0131 335 0200  
Email: info.sca@virgin.net  

D.O.B.: March 1950  

- Farmer  
- SCA director

Peter Watson  
C/o Levy & McRae Solicitors  
266 St. Vincent Street  
Glasgow  
G2 5RL  

Tel: 0141 307 2311  
Fax: 0141 307 6857  
Email: peterwatson@lemac.co.uk  

D.O.B: January 1954
• Senior Partner and Head of Litigation at Levy & McRae, one of the most respected law firms in Scotland.
• Under his leadership, Levy & McRae have built up a worldwide reputation in areas of expertise such as media law, licensing, aviation, international claims, public inquiries, employment law and tax revenue investigations.
• Temporary Sheriff (Judge) in Scotland.
• Has published a range of material on legal matters.
• Among the posts he holds are:
  - Official Collaborate, International Labour Organisation, Geneva
  - President of the Society of Solicitor Advocates (1997)
  - Chairman, Association of Mediators
  - Member of the Criminal Rules Council
  - Member of the Board of the Sports Law Centre, Anglia University
  - Member of the Association of Trial Lawyers of America and the International Bar Association
  - Visiting Scholar Nova University, Fort Lauderdale, Florida
  - Honorary Citizen of Nashville, Tennessee
William Swann

William (Bill) Swann graduated ‘magna cum laudae’ from the Royal Dick Veterinary College, Edinburgh, in 1974 and was awarded the College’s most prestigious academic award, the William Dick Gold Medal, together with the McCaughey and MacGillivray prizes for medicine and surgery and zoology respectively.

Bill entered general veterinary practice, working both overseas and in Britain and he established and directed one of Britain’s flagship Royal College of Veterinary Surgeons registered Veterinary Hospitals. Bill’s practising career concentrated on small animals and farm animals, particularly sheep. A member of the sheep veterinary society, Bill’s interest in sheep reflects his family background in upland farming. He has been a member of advisory groups concerned with the management of upland pastures and heather moor.

After a period in the Isle of Man, Bill took part in an audit of welfare and hygiene standards in the British meat industry. He co-wrote an audit procedure for a survey of welfare standards in the meat industry in 1995 and was short-listed for the prestigious Caroline Walker award for food science.

In 1996, Bill took over the management of the RSPCA's Veterinary Department as Assistant Chief Veterinary Officer and later Head of Veterinary Division. He carried responsibility for the Society's Veterinary Hospitals and clinics and advised the Society on ethical policy in Britain and overseas.

In 1996 he was invited to join the British Delegation to the International Whaling Commission (Humane Killing Workshops) and helped to produce an ethical paper that succeeded in opposing the use of the electric lance. He has addressed the All Party Parliamentary Group for Animal Welfare and has been a member of a number of committees relevant to animal welfare.

Bill is now retained as veterinary consultant to the RSPCA, as an ethical policy advisor and technical consultant on issues of humane killing, cruelty and farm animal welfare. He is an elected member of the Animal Welfare Science, Ethics and Law Veterinary Association. He lives with his family in Ross-Shire.

Bill was contracted by the Campaign for the Protection of Hunted Animals (RSPCA, IFAW, League Against Cruel Sports) to lead their submissions to the 'Burns' Inquiry into Hunting with Dogs in England and Wales. He prepared many of the ethical and scientific presentations from those organisations to the Inquiry. He was contracted by IFAW to produce their written submission to the Rural Affairs Committee of the Scottish Parliament.
D Batchelor

Curriculum Vitae

Douglas Batchelor  Chief Executive League Against Cruel Sports

Born  Edinburgh 1946
Educated  Edinburgh Academy and North of Scotland College of Agriculture
Qualifications  Scottish Diploma Agriculture. Scottish Diploma Farm business Organisation and Management

Further Education  MBA Kingston University

Positions held
Farms Manager 10,500 acres hill beef and sheep farming estate
Manager 5 farmers Weekly Farms, including farms in Scotland, Linconshire, Northumberland and Wales.
Manager 8 hill beef and sheep farms in Wales.
Manager National milk Records providing farm management information systems and services.
Chief Executive League Against Cruel Sports.

Additional Information
Vice President International Committee for Animal Recording 1996 to 2000
Chairman BSI UK delegation to ISO committee on electronic animal identification 1996 to 2000
Contributing Consultant to Scottish Office study on Electronic Identification for Scottish Cattle and sheep.

Personal Position  Believes that it is morally wrong to chase wild animals for sport. Believes that it is morally wrong to kill animals by methods that involve unnecessary suffering. Believes that Scottish morality deplores the cruel and unnecessary practices of hunting and killing wild mammals with dogs and the use of dogs to find fight and kill wild mammals underground.
CURRICULUM VITAE

LES WARD

Advocates for Animals
10 Queensferry Street
Edinburgh EH2 4PG

Born 12 January 1951

Education Dunbar Grammar School

Employment

1968-1977 Royal Air Force
1977-1979 McDermott (Scotland) (American Oil Fabrication Yard)
1979-1989 Deputy Director Scottish Society for the Prevention of Vivisection (later renamed Advocates for Animals)
1989- Director, Advocates for Animals
1984-1994 Assistant Secretary, St Andrew Animal Fund (sister organisation of Advocates for Animals)
1994- Secretary, St Andrew Animal Fund

Other Professional Posts

Founder member of “The Boyd Group” on animal experiments
Trustee, Lord Houghton Memorial Fund
Trustee, Marchig Animal Welfare Trust
Advisory Director, World Society for the Protection of Animals
Patrol, Felix Cat Rescue

Vocational Achievements

Member, Home Secretary’s Animal Procedures Committee

Awarded Winston Churchill Travelling Fellowship in 1984. Travelled to the USA and Canada to investigate the success of already-established low-cost spay/neuter clinics.
Is regularly invited to take part in television and radio programmes dealing with animal welfare issues, and to speak in debates, write articles and provide information to the press on these issues. He is the author of and contributor to a number of reports and articles on various animal welfare/protection matters.

**Personal Information**

Les Ward is married with one daughter and is a passionate campaigner on behalf of animal welfare and protection. He believes that the animal protection movement has a moral obligation to work in the most effective way possible to achieve greater protection for animals since to campaign for the unattainable does animals a disservice. In support of this view he believes in making contact, where possible and appropriate, with those using animals, whether they are in the laboratory, on the farm or elsewhere, in an attempt to find common ground which might at least result in better welfare today for the animals involved.
WILD MAMMALS (SCOTLAND) BILL
Prepared by the Scottish Campaign Against Hunting with Dogs

- SCAHD opposes hunting with dogs because it causes unnecessary suffering, the definition of cruelty in British law. SCAHD accepts that farmers and landowners perceive a need to cull foxes, hares, mink and deer and that they have a legitimate right to protect their property and interests. We are, however, convinced by the scientific and ethical arguments that those methods of culling hares, foxes, mink and deer that involve the use of dogs to pursue and kill the quarry are less humane than other methods that are practical in their application.

- We contend that the use of dogs to chase and kill animals for sport is immoral. Mounted fox hunting has been shown beyond reasonable doubt to play little or no part in the management of the fox population. The chase subjects the fox to extreme mental distress that concludes in capture by the hounds, at which point the welfare of the fox could not possibly be worse. The chase has no justification other than to provide sport. The kill is not instantaneous and represents the end point of a continuum of deteriorating welfare and increasing distress.

- Hare coursing has no purpose other than to provide sport and we contend that the practice of coursing causes unnecessary suffering.

- In respect of terrier work, we are convinced that a substantial proportion of this activity is carried out as a 'sport', concealed behind the justification that it provides 'necessary' fox control. We believe that terrier work is often no more than dog fighting or baiting.

- Terrier work results in protracted underground encounters between the fox and the terrier. The effort that the fox will make to try to escape is demonstrated by the wounds that it may suffer in confronting the terrier. Again, it is the mental distress caused to the fox in this threatening situation, trapped by the terrier, that SCAHD wishes to see stopped. The fox is often trapped underground for extended periods, averaging 40 minutes but sometimes considerably longer. The distress experienced by the fox is exacerbated when the terrier men dig out the earth. There is also the consequential physical damage to the fox, in what is essentially an unequal contest and the damage that can occur to the terrier to consider. We are convinced that terrier work is inherently cruel and cannot be justified, either as a working practice or a sport.

- Necessary and legitimate control of foxes is carried out by farmers, gamekeepers and their contracted agents. Generally, most culling methods are effective in controlling localised outbreaks of damage to livestock or game, but not in effecting control of the population. Several studies have shown that the fox population is resilient and empty earths are rapidly re-colonised by inward migration of foxes.

- A special circumstance is the effort made to cull foxes in spring to reduce the impact of predation on game. Predation is likely to be highest when foxes are feeding cubs. The spring cull is intended to protect stocks for the shooting season. SCAHD is convinced that the overall resident breeding fox population is limited by winter food availability and that general management measures, such as sheep carcass removal are more effective in restricting the fox population.

- The vast majority of foxes killed by individuals with a legitimate interest are shot. Some are snared, a practice which SCAHD disapproves of. Snaring has declined
in recent years and there is no evidence to suggest that snaring would increase in the event of a ban on hunting with dogs. SCAHD is satisfied that terrier work carried out by farmers, gamekeepers or those contracted by them, representing no more than an estimated 12-15% of the total fox cull, can be replaced by methods that are effective, more humane and practical in their application.

- SCAHD is confident that the findings of the Committee of Inquiry into Hunting with Dogs in England and Wales are correct: that lamping, i.e. rifle shooting a fox immobilised in a beam of light is the most effective and humane way of killing foxes and that flushing to guns, i.e. using dogs to disturb a fox from cover so that it can be shot at close range, is a viable and practical alternative in remote upland areas. Flushing involves neither a chase nor a kill by dogs and can be conducted humanely if reasonable measures are taken to ensure that the flushed animal is shot dead as soon as possible.

- We contend that shooting at the earth has the potential to replace terrier work carried out in the spring by those with a legitimate interest. Where spring culling is shown to be necessary, rather than culturally habitual, shooting at the earth can be carried out ethically to avoid orphaning fox cubs. Pre-weaning fox cubs begin to explore the mouth of the earth, where food caches are often left and can be shot humanely prior to the shooting of adult foxes in the same area. We believe that terrier work is an anachronistic game-keeping tool, a survivor of a raft of Victorian and Edwardian predator control measures, most of which have long since been banned: gin-traps, leg-hold traps and cruel poisons such as strychnine are examples.

- SCAHD contends that those who are required to kill animals, whether domestic or wild, as part of their normal employment should be afforded the protection of clear guidelines for their work, sanctioned by society. Slaughter-men working in abattoirs have unambiguous procedures to follow, backed by legislation. At present, some game-keepers and others employed by landowners are expected to kill animals as part of their work, using methods that have not been subjected to the scrutiny of animal welfare science. Legislation to prohibit methods of killing that are inhumane would provide a degree of comfort for employed staff in that they could not subsequently be required to carry out procedures that are cruel.

- In SCAHD's view there is little need to cull hares; when it is necessary, shooting is more humane and avoids the chase. Mink can be shot or humanely trapped and shot.

- SCAHD broadly supports the findings of the Macauley report and agrees that the economic impact of a ban on mounted hunting will be minimal. However, we believe that the economic impact on landowners is overstated largely because some of the data relied upon was provided by those with a vested interest in supporting hunting as it presently exists.

- SCAHD has taken legal advice from senior Scottish counsel and is satisfied that the Bill, with amendments, is capable of being enforced and is compatible with the European Convention on Human Rights.

- SCAHD, along with 74% of Scottish residents, believe that the cruelty inherent in hunting with dogs, where the quarry is pursued and killed by dogs has no place in a moral, just and democratic society that the new Scottish Parliament has made possible.