

# Cotswold Hunt Political Notes      Jan - April 2003

## Committee Stage - 7th January - 13th February 2003

The Hunting Bill's committee stage started on Tuesday with at least 100 hours to follow. The Committee will consider each clause and schedule of the Bill as well as amendments, new clauses and new schedules. The Standing Committee has 32 members so for an amendment to be accepted it must be supported by at least 17 members.

The membership reflects the party composition of the House and views expressed at Second Reading. Labour 20, Conservative 8, Liberal Democrat 3, Plaid Cymru 1. The Government Minister Alun Michael is in charge of the Bill; James Gray (Conservative) and Andrew George (LibDem) are the front bench spokesmen.

The Committee will sit twice a day in Standing Committee F Room 14, on Tuesdays and Thursdays 8.55 am -11.25 am and 2.30 - 5.30 earliest. Our supporters on the Committee have already tabled over 100 amendments all of which highlight the fact that the Bill as drafted is an unacceptable and unworkable piece of draft legislation.

The CA Political Department is keeping our Parliamentary supporters fully briefed on all aspects of the Bill and its implications, as well as attending each sitting to advise and monitor how the Committee Stage is developing.

## Statement regarding Hunting Bill Committee - 23rd January

**Statement by John Jackson, Chairman of the Countryside Alliance and Sam Butler, co-Chairman of the Council of Hunting Associations, to members and supporters.**

Tuesday's session of the Hunting Bill's Standing Committee has set back, by decades, confidence in ministerial consultation, parliamentary democracy and the cause of animal welfare. The Committee voted for Clause 8 as amended - the tests of least suffering and utility - to remain part

of the legislation, and other amendments during the Committee stage have also resulted in a significant change to the thrust of the Bill. These changes have been made with the full Ministerial support of Alun Michael and apparent stage managed cooperation with hard line anti hunting MPs on the Committee.

As expected Labour Party members are showing their true colours and the reaction of Ministers is indicative of the tensions within the Parliamentary Labour Party. There is no doubt therefore that it is absolutely right for the Countryside Alliance to scale up its protest plans.

This Bill originally had two main flaws.

1. It ignored the basis of the Minister's consultation and with no justification narrowed the core definition of 'utility' so as to exclude all economic, wildlife management and social benefits of hunting.
2. It pre-judged different forms of hunting: hare coursing and stag hunting were not allowed to make their case for registration whilst 'ratting' and 'rabbiting' would not be required to. The Minister has attempted to defend this by citing "incontrovertible evidence" which he has still not produced.

With sensible amendments, based on clear evidence, we could have had a Bill which offered a fair solution whilst advancing animal welfare. Instead, (with Alun Michael's cooperation) the anti hunting dominated Commons Committee has ensured the Bill would do neither. Amongst many unjustified amendments the Committee has stacked the cards against license applicants by requiring them to prove hunting 'causes the least suffering'.

Most seriously the Committee has now manipulated the central premise of the Bill to ensure the only criteria for registration for hunting would be pest control. As it stands this Bill now makes a sad mockery of the Minister's pledge to base any hunting legislation clearly on 'principle and evidence'. The Minister's stated intention to find an honourable and fair solution appears now to have been surrendered to party political expediency.

The Alliance has done everything in its power to cooperate with the Minister on this issue. Sadly it has become apparent that he is prepared to betray that trust. We will be making clear to the Minister why he has lost the respect and confidence of the Alliance and hunting community because of these developments. Meanwhile we will focus all our own efforts on an uncompromising campaign to spotlight the political prejudice, irresponsibility, and dishonest perversity driving this legislation.

We are urging all who support fairness and social justice to make clear their own disgust at the way that the Minister and the House of Commons are riding roughshod over a decent rural minority. For our part, and that of the Council of Hunting Associations, we will mobilise supporters in lawful protest, not calculated to inconvenience the innocent public, so as to ensure that the Bill fails to reach the statute book in a disgraceful form.

**John Jackson - Chairman, Countryside Alliance**

**Sam Butler - Co-Chairman, Council of Hunting Associations**

### **What are we going to do about it?**

**Many of our initiatives cannot of course be made public in advance. However the following is a flavour of campaigning initiatives either "in play" or being planned:**

**\*\* A significant advertising proposal for national, broadcast and print media exposing the way in which Alun Michael has flouted his own pledge to base legislation on "principle and evidence."**

**\*\* A major expose of public attitudes to the hunting issue and in particular, Government and political handling of it.**

**\*\* Developing the coalition of support for the hunting movement through the fishing, shooting and agricultural communities.**

**\*\* Development of a youth movement in respect of country sports and hunting in particular.**

**\*\* Development and implementation of 'Families for Hunting', an initiative highlighting the damaging social consequences of Mr Michael's stance on the hunting issue on British families.**

**\*\* A range of high profile, visible and audible events timed to coincide with key political or media opportunities during the process of the Bill.**

**The objectives of these initiatives are to secure and continue positive media coverage for the campaign; to secure and promote increased public awareness and sympathy for the cause and to expose the unfair way in which Mr Michael has dealt with this Bill. The communities involved in all country sports, wildlife management and farming will demonstrate their opposition to unjust legislation and will invite all fair-minded people throughout the nation to join them.**

## Hunting Bill update - 7th February

It is worth taking stock at this point to look at what provisions were originally intended in the Hunting Bill and what changes have now been agreed at the committee stage.

### THE HUNTING BILL

The Standing Committee scrutinising the Hunting Bill continues, but three key themes have become clear.

\* It is unlikely that there will be time to complete the scrutiny of all of the Hunting Bill by the time it must leave committee on 13th February. There are so many areas of contention and confusion within the Bill that the Committee is unlikely to be able to consider all of its parts.

\* Alun Michael has surrendered all attempts to produce a fair and workable compromise. Amendments proposed and supported by the Government have created a Bill which is a ban in all but name.

\* Whilst they have lost nearly all the votes in the anti-hunt dominated committee, pro-hunting MPs have consistently won the arguments, culminating in a defeat for the government on the minimum age for individual licensing after a rousing speech by Adrian Flook MP.

Despite the above, and whatever the eventual shape of the Bill that leaves the House of Commons with its established hostile majority, we are confident that the Lords will recognize the strength of our arguments, the logic of our case and the incoherence of our opponents' arguments. We will demonstrate that Alun Michael's stated intention of finding an honourable and fair solution has been surrendered to party political expediency.

The Bill has the support of the Prime Minister, the Deputy Prime Minister (John Prescott), the Chancellor of the Exchequer (Gordon Brown), the Home Secretary (David Blunkett), the Secretary of State for Wales (Peter Hain), the Secretary of State for DEFRA (Margaret Beckett) and the Rural Affairs Minister (Alun Michael).

### THE HUNTING BILL ORIGINALLY PROPOSED:

- A ban on hare coursing events and deer hunting;
- Other forms of hunting could be carried out under a national registration system;
- Licences would be valid for three years and can be applied for on an individual or group basis;
- A registrar, appointed by the Secretary of State, can grant or refuse a licence following tests on the grounds of utility and least suffering;
- Animal welfare organizations will be able to submit evidence to the registrar;
- Should a licence be refused, the applicant can then proceed to a National Appeals Tribunal;

- Should a licence be granted, the animal welfare bodies can also appeal to the Tribunal;
- The Tribunal works under a President, appointed by the Lord Chancellor.

Hunting not requiring a licence under this legislation are:

- stalking and flushing out wild mammals above ground (not involving more than two dogs);
- the hunting of rats and rabbits;
- falconry;
- recapture or rescue of diseased wild mammals;
- recapture or rescue of escaped wild mammals;

Offenders of the Bill, will receive a £5000 fine.

### **THE HUNTING BILL AMENDMENTS:**

Amendments made to the Hunting Bill in Standing Committee include:

#### **Amendments to the Utility Test for Registration**

· The Minister moved an amendment to expand the list of species in Clause 8(1)(b) afforded protection from predation by quarry species to include 'wild birds'. This amendment was accepted without opposition.

· An amendment was also made which makes it explicit that the only hunting that can take place is hunting for pest control. Upon division, the amendment was made by 19 votes to 8, being supported by everyone on the Labour bench including the Minister. This amendment does not recognise the other utility aspects to hunting and further narrows the test of utility in the Bill. This contradicts the findings of both the Burns Report and the Portcullis Hunting Hearings of September 2002.

#### **Amendment to the Least Suffering Test**

· Rob Marris moved an amendment, with the support of 13 Labour backbenchers, including the Minister's PPS, Peter Bradley, which toughened the least suffering test to ensure that hunting would cause significantly less suffering than any other method:

"it is likely to cause significantly less pain, suffering or distress to the wild mammals to be hunted than would be likely to be caused by any other reasonably available method of achieving the contribution mentioned in subsection (1)."

Rob Marris disingenuously, upon questioning by Lembit Opik, said that he could not see what difference the wording made, other than being more "elegant". The Minister enthusiastically welcomed the amendment. It was accepted.

#### **· Minimum age of application for registration by individuals**

Adrian Flook successfully moved an amendment which lowers the minimum age of application for registration by individuals from 18 to 16. An

associated amendment was made which requires the application forms of people below 18 to be countersigned by a parent or guardian. It was confirmed that under group registration, people below the age of 18 could hunt under the supervision of a person named on the group registration. This will be important for school packs.

**- Renewal of applications**

Michael Foster successfully moved a group of amendments which extend from six to twelve months the period before which an unsuccessful individual or group applicant can reapply for registration or an individual or group can reapply following cancellation of their registration.

## **Hunting Committee update - 14th February**

The Committee scrutinising the Hunting Bill will now sit for a further week and the Committee Stage will now end on the 27th February. The full wording of the Bill can be downloaded from the Library and all stages of the Hunting Bill Committee Sessions are available above, to download.

**This week was dominated by:-**

(a) Alun Michael has been branded 'scientifically illiterate' by Professor Patrick Bateson, whose work the Minister cited to justify a ban on deer hunting. Professor Bateson, Provost of King's College, Cambridge, has carried out extensive research for the National Trust and the Government's Burns Inquiry. He also provided evidence to Alun Michael's consultation process. Adrian Flook MP (Taunton) quoted from a recent email written by Professor Bateson stating that, "Only somebody who was scientifically illiterate could argue that evidence from a new area of research was 'incontrovertible'. I shall write to Michael to distance myself from that view". James Gray MP (North Wiltshire) also revealed that Professor Bateson intended to write to the Minister to: "...spell out where I think the economic, social and cultural benefits have to be brought into the political equation".

**(b) Ministerial duplicity.**

\* A new clause put forward by Michael Foster to make hare hunting illegal was passed. 8 months of consultation and evidence gathering had resulted in Alun Michael proposing a Registrar system and tribunal for this form of hunting. A 3 minute speech from Michael Foster was apparently more compelling. Alun Michael abstained on the vote. John Gummer MP said that in 25 yrs he had never seen a Minister fail to vote for

his own original proposals.

\* Any lingering credibility Alun Michael might have in respect of this Bill was blown out of the water yesterday. By giving in to Mr Foster and others in order to cling to the remnants of his Bill, Alun Michael has betrayed everyone engaged in this debate and kissed goodbye to principle and evidence.

\* MP's also confirmed that the future of foxhunting - the symbol of this debate - was best debated on the floor of the whole house at Report, the clearest signal yet that the Bill would be turned into a total ban then.

John Jackson commented: "When the Bill entered the House of Commons it was badly flawed. However, it could have been amended so that it was compliant with the Minister's promise that it would be based on "principle and evidence". It is now clear that it will leave the Commons in a very different state. Although the Minister's performance has been very disappointing this is not unexpected. We are confident that the House of Lords will perform its constitutional duty both of revision and of protecting the nation against prejudice and perversity in the elected chamber."

## Hunting Committee Update - 28th February

### Tuesday 25th February - Discussions centred on the use of terriers to control foxes, particularly by Gamekeepers.

\* Michael Foster's amendment sought to make all use of terriers in pest control illegal. Nearly half of the UK keepers use dogs to control mink, foxes, stoats and weasels. Professional pest controllers also extensively use dogs for these activities. The Government has a manifesto commitment to ensure that this Bill does not impact on shooting. Yet by accepting this amendment the Minister has reneged on this commitment. Worse, he even voted for it.

\* Alun Michael attempted to comfort keepers by saying that amendments might be brought forward at a later stage to exempt them from this Bill. But he did not say when or what they would be. At Report Stage? No one seriously expects amendments to 'un-ban' something being successful there.

\* Almost every shooting group is seeing vivid warning signs. So far the Bill has placed big question marks over the use of dogs out shooting, the pursuit of mammals, the precedents set by tests of 'least suffering' and 'utility', and now the abolition of one of the shooting industry's most vital tools. Shooting is witnessing the same acts of Ministerial deceit that hunting has.

### **Thursday 27th February - Principle issues were:-**

\* Dog walkers. It was clear that an innocent dog walkers, taking their dogs out in areas where wildlife is known to reside, could come under suspicion, be stopped, questioned and even charged under this Bill. Although Alun Michael attempted to pacify concerns, it was clear that this possibility exists and that enforcement by stretched rural police forces is an issue.

\* Rob Marris attempted to push an amendment that would have guillotined applications i.e. if applications had not been processed within 12 months then those who had not been processed would have to stop hunting. The amendment was rounded on as vindictive, and withdrawn.

\* Alun Michael confirmed that the Registrar would be able to explore new areas of research and areas of hunting that are currently 'grey'.

\* In an ill tempered finale Alun Michael made snide comments about the 'hunting community, Countryside Alliance and the Conservatives' as well as suggesting that those whose jobs are lost could always go to a local job centre for help. Tony Banks favoured a compensation package for those whose jobs would be lost as a result of this Bill.

A fuller critique of this Bill will be issued later. However for now the Bill has been so heavily tampered with, and so totally dismembered that it is a shambles, and with Alun Michael's connivance. The concepts of principle and evidence - which Alun Michael claimed were the 'golden thread' that ran through the bill - have become somewhat tarnished and long since been abandoned in favour of political expediency.

Report stage should be announced soon (where further hostile ambushes are expected) from where the battle will move to the Lords. Technically the committee, with Alun Michael's connivance has banned almost everything, leaving the 'symbolic' issue of foxhunting to the floor of the Commons at Report.

The date for the Report Stage and Third Reading will trigger the Women's Vigil - please stand by for a date.

**COUNTRYSIDE ALLIANCE - News Release - 28th February**

## **ALLIANCE ATTACKS HUNTING BILL AS 'CHRONICLE OF DECEIT'**

**"Alun Michael's Hunting Bill has brought the Parliamentary process into disrepute", says Countryside Alliance Chairman John Jackson today. In an attack on the Rural Affairs Minister, following the conclusion of the Bill's committee stage, the Alliance accuses Alun Michael of:**

- deliberately producing a 'Trojan horse' Bill driven by prejudice and cynicism rather than by 'principle' and 'evidence'**
- rigging the Bill's central definitions to load the dice against hunting**
- pre-emptively outlawing certain forms of hunting while consistently failing to produce evidence to justify his decision**
- playing fast and loose with the balance of the evidence established his own public hearings**
- reversing the burden of proof by requiring hunting, rather than its detractors, to prove its case**
- pre-judging the issue before embarking on his consultation and public hearings - the conclusions of which he has consistently flouted**
- bringing the Parliamentary process into disrepute by supporting amendments which contradict his own Bill**

**Countryside Alliance Chairman John Jackson said:**

**"Throughout the committee stage the Minister has colluded with his backbenchers to subvert this Bill into a travesty of fairness. The last few weeks have been a chronicle of deceit from a Minister who clearly does not understand animal welfare issues, but is an expert in political expediency".**

**Ends**

**A detailed critique of the committee stage follows:**

**Hunting Bill - Review of Committee Stage**

- Alun Michael has consistently failed to define the 'incontrovertible' evidence of cruelty which he claimed as justification for outlawing both deer hunting and competition coursing. The Minister's attempt to use the work of a leading scientist to back his claims about deer hunting have led to him being branded 'scientifically illiterate' by Professor Patrick Bateson, who carried out the work.
- Those forms of hunting which are allowed to apply for a license will have to pass a 'utility' test defined solely as pest control. None of the environmental, economic or social benefits of hunting can be considered in support of an application, in contradiction of the 'Rio Declaration'. Nor can hunting be judged for what it is - a tool for managing sustainable populations of quarry species at a level which is acceptable to local farmers and land managers.
- Applicants will also have to prove that hunting would 'cause significantly less pain, suffering or distress' than other methods of pest control. In the absence of any conclusive scientific research in this area this test poses an almost unique reverse burden of proof, which will effectively prohibit all of those activities which can still be the subject of licence applications.
- Despite the protestations of the Minister, and an election manifesto commitment to the contrary, the Bill will have a significant impact on shooting sports. The complete prohibition of terrierwork will have a devastating impact on vermin control since gamekeepers use terriers to kill nearly half the 70-80,000 foxes culled on shoots annually. Any shoot with more than three dogs which flushes deer, foxes or hares - for instance rough shoots with more than three dogs where hares are shot, or even flushed without being shot - would also come within the remit of the Bill. The Bill also sets a precedent for future regulation of all fieldsports, based on the twin tests of 'utility' and 'least suffering', which poses a serious and real threat of restriction and prohibition.
- The Hunting Bill raises questions about the legitimacy of consultation, the use of public funds and ministerial responsibility for legislation. Briefings to journalists before the initiation of the six month consultation period, which concluded with three days of public hearings at Portcullis House, accurately predicted the shape of the Bill and its passage through committee. If the Minister had already decided the shape of the Hunting Bill prior to the consultation process and if, as reported, it was for him never a question of 'if' hunting should be banned but 'how' it should be banned, the public purse has paid a heavy price for the Minister's duplicity. Alun Michael also voted for an amendment to his own Bill, an event so rare that researchers in the Commons Library have been unable to find any other example.

## **The Donoghue Bill - 21st March**

The Alliance has argued for some time now that UK animal welfare legislation is piecemeal and incoherent. We believe that the basic tenet of animal welfare legislation should be that it is unlawful for anyone intentionally to inflict unnecessary suffering on any animal, by any means.

Alun Michael's Hunting Bill fails to achieve these aims, and would, if passed make things worse. The Hunting Bill would remove openness and accountability from population management, as it is based on restricting human behaviour rather than improving animal welfare.

Lord Donoughue, a former Labour Farming Minister, has introduced a Private Members Bill which would remove anomalies in current animal welfare legislation, as it applies to wild mammals, and provide a framework for statutory regulation based on existing codes of conduct. The Alliance supports the principle of the Bill, as do the NFU, CLA and Middle Way Group, and does not believe that properly conducted country sports have anything to fear from

Lord Donoughue's proposals. The Bill will reach its committee stage later this year where there will be opportunity for detailed scrutiny.

## **The Times - Hunting Bill may be war victim - 1st April**

A key parliamentary debate on foxhunting has been blocked by government business managers. They have privately ruled that MPs cannot discuss issues that might be deemed trivial whilst coalition forces and Iraqi civilians are losing their lives in the Gulf.

The Times today reported a senior ministerial source saying "Everyone accepts that whilst we want a ban [on foxhunting] it would not be appropriate to do it now. This is not the most pressing legislation at the best of times and at the worst of times it should not be on the radar." The article notes 'as a result, the long-awaited Bill to ban hunting with hounds could be shelved. It had been scheduled for its final Commons stages in the next week'.

Sources indicate that we will not see Report Stage and Third Reading until after the Easter Recess (beginning May) at the earliest. Clearly, whilst the war is continuing, this will not be scheduled.

## **Alliance condemns Minister's attempt to destroy 'only national carcass disposal service' - 8th April**

The Countryside Alliance has criticised Rural Affairs Minister Alun Michael's refusal to confirm, at Westminster today, whether the implementation of regulations relating to disposal of fallen stock would be deferred. The EU Animal By-Products Regulation will introduce new controls on incinerators, as well as banning the routine burial of fallen stock from 1st May.

Simon Hart, Director of the Campaign for Hunting, said: "Not only are DEFRA Ministers ignoring the advice of everyone in the livestock industry by bringing in these regulations, but at the same time they are actively trying to destroy the only national carcass disposal service - hunt kennels - with Alun Michael's illogical Hunting Bill."

"Ministers have consistently turned a blind eye to the contribution that Hunts make by way of skilled humane destruction of animals and the careful handling of sensitive situations for which hunt staff have many years experience. In addition, the vast majority of the 400,000 carcasses collected annually by Hunts are small and stillborn calves, lambs, piglets and other stock that could never be removed by rendering companies because of the prohibitive cost. Because of the goodwill that exists between Hunts and the agricultural community these items are currently disposed of for nothing, or for a charge that is way below anything that could be described as commercial."

"Tens of thousands of farmers already rely on the very Hunts Alun Michael seems determined to ban, and from the 1st May there will be even more demand for their fallen stock disposal service. Once again the Minister seems determined to do things to, rather than for, rural Britain."

## **Hunting Bill Profile - 17th April**

The climactic events in the Middle East continue to influence domestic politics and Ministers are said to believe that it would be "inappropriate" for the Hunting Bill to return to the floor of the House of Commons while British forces are still engaged in Iraq. The Alliance has responded by putting major protest plans on hold. Whilst the profile of the campaign may have been lower, work has continued behind the scenes: the 'Women's Vigil', which will mark the Third Reading of the Bill in the Commons, is prepared and a massive lobby of peers awaits the arrival of the Bill in the House of Lords.

This is not a time to take our eye off the ball - the Bill will resurface and we must be ready to oppose it. Nor is it a time for despondency - preparations have been made and the House of Lords has consistently rejected restrictive legislation. Be alert and be ready because when this Bill

**does return it is our job to ensure that everyone in the country is aware of exactly how illogical and prejudiced the proposals are, and that no-one but a handful of obsessives places hunting legislation anywhere near the top of the list of national priorities.**