

# Cotswold Hunt News Item

# January - July 2004

## New Year Message from Simon Hart - 8th January

A very Happy New Year to everyone.

How often have we said that 'this year is critical'? Well, this year probably will be.

The last full year before an election, and heightened tensions and interest in all of our subjects, especially hunting. It is hard to see how we will not be a feature of the political agenda. No one should think that the absence of a Hunting Bill in the Queen's Speech indicated anything more than a momentary pause. Our opponents are suspiciously relaxed and papers are already hinting at the imminent return of a Bill. We are ready for anything that might be thrown in our path.

However, we start the year in good heart. A consistent position in the polls - both in terms of priority and general attitude to hunting - and greater media understanding and awareness. We have solid cases to advance in respect of the Human Rights Act and the use of the Parliament Act should the need arise. We have restructured the Alliance to be leaner and more efficient, spending your money with great care and on matters relevant to the political climate and the needs of you, the members.

Most country people now see and realise why an attack on one country sport is in reality an attack on all. Those country men and women who felt that if they kept their heads down an attack on hunting would somehow pass them by and leave them unscathed have realised that such a route would be fatal, and that political assurances in that regard worthless. The way in which Government treats hunting will reveal precisely what the Government thinks of the countryside as a whole.

Our work on shooting is being significantly upgraded. With the Firearms review imminent, along with a raft of other potential legislation which could directly or indirectly affect shooting or shoot management, we have a range of challenges to address. Our new political, media and campaigns department will be working to analyse proposals, and brief MP's and media alike as to the ecological, environmental and economic benefits of shooting sports. We are continuing our work with the GCT and other shooting organisations on the conservation benefits of shooting and providing an increased advice and back up service for the increasing number of CA members to whom shooting is their prime activity.

**Most importantly, the nation recognises the important libertarian and constitutional issues that now face this Government should it cave in to backbench pressure, and that with every other problem facing the nation a minute more spent on hunting, is a minute wasted.**

**The Countryside Alliance is a household name. I suspect that we will have some turbulent times ahead but that we will emerge intact for the same reason that we always have - our case is sound, our evidence incontrovertible, our resolve undiminished, and our unity unbreakable.**

**Whatever 2004 has in store let's meet it head on!**

**Simon Hart, Chief Executive, Countryside Alliance**

## **The Sunday Times - 15th February 2004**

**MINISTERS are about to clash with the House of Lords again over foxhunting, government sources have disclosed.**

**They plan to introduce a bill proposing a total ban. A similar bill was overwhelmingly backed by the House of Commons last July - but ran out of time in the Lords, where it met entrenched opposition.**

**The new bill is to be introduced within a few weeks and is expected to be received enthusiastically by MPs.**

**It will then be put before the Lords, but only after the next stage of government reforms to the upper house has been completed and the remaining 92 hereditary peers have been excluded. The government believes that this could be before the end of March and the bill would become law later this year.**

**Labour will still be in a minority in the Lords after the hereditary peers, most of them Tories, have gone. However, ministers believe that the hereditaries are the main obstacle to the bill and that life peers would be less likely to block a bill that had been overwhelmingly endorsed by the Commons.**

**The decision to press ahead with new legislation will put the government on a collision course with the Countryside Alliance, which has already organised huge demonstrations across the country against a ban on hunting.**

Ministers have also been warned that if they succeed in imposing a hunting ban they could face a court challenge accusing them of infringing human rights.

The government had considered using the Parliament Act, which allows the Lords to be overridden, to force the issue through. That option has now been put to one side.

“We are determined to do something about this,” said one minister who is closely involved. “We expect to get it back into the lords within the next month or so.”

### Letters to The Times - 16th February 2004

Sir, Peter Hain's assertion that the Hunting Bill was abandoned in “a dire and unconstitutional declaration of war by Tory peers” (interview, January 31) takes “spin” to a new level.

If anyone “abandoned” the Hunting Bill, it was the Government. The Government controls the agenda, not backbench or opposition peers, and after only two days in committee (the Commons had over 77 hours), the government whips refused to allocate any more time.

On behalf of a group of peers from all parties, we had met the government Chief Whip on several occasions to advise him that the Bill would require at least three days in committee. We understand that the opposition whips even offered a programme that would deliver all the Government's business, including the hunting Bill, but it was rejected.

A glance at Hansard clearly shows that, if no Tory or no hereditary peer had voted, the Hunting Bill would still have been defeated - 80 per cent of Labour peers, including a number of ministers, opposed a hunting ban in committee.

The House of Lords did not reject the Hunting Bill: it was dropped, in the face of overwhelming opposition, by the Government, long before the Lords had a chance to reject it.

Yours faithfully,  
BERNARD DONOUGHUE (Minister for Farming and Food, 1997-99),  
ANN MALLALIEU (President, Countryside Alliance),

House of Lords. February 14th

From Mr Mark Fisher, MP for Stoke-on-Trent Central (Labour) and others

Sir, On Friday, February 6th, government minister Alun Michael helped to “talk out” the Wild Mammals (Protection) (Amendment) Bill, introduced by Lembit Opik MP.

This Bill would have protected all wild mammals from all undue suffering in all circumstances and was backed by many pro and anti-hunting MPs from all parties.

We believe the opponents of the Bill should justify the apparent inconsistency between opposition to it and their support for animal welfare. When the Government's recent Hunting Bill is compared with Mr Opik's Wild Mammals Bill, it is clear to us that the latter improves wild mammal welfare, while the hunt ban would worsen it.

Mr Opik's Bill would have enabled alleged cruelty to wild mammals to be tested in court, just as domestic animal cruelty is tested. Do the hunt banners - including the RSPCA (report, February 13th) and the League Against Cruel Sports - believe their arguments would fail in court?

Yours faithfully

MARK FISHER, PETER LUFF (Conservative),

ROGER WILLIAMS (Liberal Democrat),

House of Commons. February 13<sup>th</sup>

## **Simon Hart on the Westminster Rumour Mill - 2nd April 2004**

The situation facing hunting remains as uncertain as ever. Until the end of this session we remain vulnerable to the use of the Parliament Act on the banning Bill and have planned accordingly.

But since 1997 few anti-hunting politicians have missed an opportunity to claim that 'this is the last season of hunting' or 'the last Boxing Day meets'. In recent months our opponents have once again been practising their prophetic skills. First they were confident that a Bill would be announced in the Queen's Speech. Then, in January, the Independent newspaper reported that a Bill banning hunting would be introduced before

Easter. At Labour's Spring conference Gerald Kaufman stated that he had it, by under hand means, that a Bill banning all hunting would be introduced sometime in late May. Last week anti-hunting MPs were claiming 'assurances' that a Bill would be brought back in the Summer.

If anti-hunting MPs were as confident as they suggest then speaking out would be unnecessary. Perhaps this is more about their increasing nervousness that confident predictions of securing a hunting ban are once again in danger of coming to nothing. That is not to say that the Government could not bring back the banning Bill, but if they do one thing is for sure - it won't be announced by Gerald Kaufman or Tony Banks.

The Alliance is prepared for all eventualities and the Government is only too aware that a decision to allow the prejudice and spite of backbench MPs to be expressed through a ban on hunting would provoke fierce reaction. They know that they will face a fight in the courts where we will challenge the use of the Parliament Act and the attack on Human Rights. They know that the media will condemn "one of the most hypocritical Bills of modern times" (The Observer) and question the priorities of a Government which claims to be concentrating on issues that really matter to people. They know that they will face the prospect of civil disobedience from thousands who believe that it is justified when fairness is cast aside. Would this be the sensible action of any Government in the run up to a General Election?

## **The Spectator - 17th April 2004**

..... If Blair decides to carry on, then he urgently needs to reconnect with his sour and almost disfranchised Labour MPs. The easiest, cheapest and most certain method is to bring back the Bill to ban hunting, which ended up becalmed in the House of Lords last year. Ministers say privately that the decision to 'resolve the issue' during this Parliament has already been taken in principle, though the timing has not been set. The Hunting Bill could be brought back under the provisions of the Parliament Act, rushed through the Commons in a day, and straight to the Lords, which would be powerless to stop it.

There are complications. Last year's Bill fell foul of human rights law, meaning that new provisions are required to compensate those who lose their jobs from the ban. But only an unchanged Bill can go back to the Lords under Parliament Act rules. There are ways round this problem. The government could introduce a compensation Bill alongside the original banning Bill. Or it could bring in an entirely new Bill, wait for it to grind to a halt in the Lords, then use the Parliament Act to railroad it through both Houses during the next session of Parliament, starting this November. Either way, hunting would be banned by the start of 2005.

Some Labour strategists see tremendous advantages in this course of action. It would galvanise Labour activists and MPs, many of whom are obsessed with hunting. The inevitable struggle with the House of Lords, allied to loud, angry protests from country folk, would inject an entirely spurious but for all that welcome sense of old-fashioned radicalism into Tony Blair's administration. Very little political will would be needed to push the measure through. Indeed, the Prime Minister needs political will to fend it off. Nevertheless a Bill to ban hunting this summer would

inflame and divide the country at a time when Tony Blair speaks of the need for unity. It would mark a return to ugly, intolerant, class-based legislation. Very shortly before he died, Roy Jenkins told the Prime Minister that he 'could not conceive a more illiberal act' than banning fox-hunting. They were pretty well the last words he ever uttered to Tony Blair, and perhaps they still echo in his ears. ....

## **Countryside Alliance Press Release - 4th May 2004**

**99% of Labour supporters say hunting should not be the Government's priority**

A new NOP poll\* commissioned by the Countryside Alliance has found that 99% of Labour supporters think that there are more important issues for the Government to tackle than hunting.

The poll asked: "Which of the following do you consider to be the most important for the Government to tackle? Labour supporters responded:

The NHS 34%  
Immigration 17%  
Terrorism/ Iraq 22%  
Education 24%  
Hunting 1%

Simon Hart, Chief Executive of the Countryside Alliance, said: "Anti-hunting Labour MPs have suggested that a ban on hunting would motivate their voters and the party faithful - this is clearly nonsense when 99% of Labour voters have other priorities. The real fact is that these MPs' own supporters think that they should be putting the NHS, Education, Iraq and Immigration well above hunting on the political agenda.

"The House of Commons seems to be the only place left where a ban on hunting is considered either important or desirable. The continuing obsession of some backbench Labour MPs with this issue will only add to the impression that politicians are out of touch with ordinary voters - and they risk making their Government look completely ridiculous".

## **Scottish Hunting Appeal - 3rd June 2004**

The Appeal in Scotland against the Protection of Wild Mammals (Scotland) Act 2002 has been dismissed by judges at the Court of Session in Edinburgh. Although anti-hunting organisations have been quick to seize upon this decision to put pressure on the Government to re-introduce a banning Bill in Westminster it must be emphasised that there are major differences between the two pieces of legislation. While the Act passed in Scotland bans some forms of hunting, it has not outlawed hunting itself, and hunts in Scotland are still hunting within the limits of the law. The Bill in Westminster, which ran out of time in the Lords in 2003, proposes to outlaw all hunting with dogs. Therefore no parallels can be drawn between the situation in Scotland and that in England and Wales. The arguments advanced by the judges in Scotland in dismissing the appeal could not be applied to this Bill and the serious human rights implications of such legislation, set out in the Joint Committee on Human Rights, remain.

### **59% say Keep Hunting - 3rd June 2004**

#### **Advertising Standards Authority accepts no majority for a ban on hunting**

The Advertising Standards Authority has accepted that a poll commissioned by the Countryside Alliance shows that there is no majority of public opinion for a total ban on hunting.

It has, however, criticised the Alliance for using advertisements with the phrase '59% say keep hunting' claiming that our interpretation of the poll results on which the advert were based is "misleading". The Alliance disagrees with the ASA's adjudication which is based on the rather strange logic that someone who supports the continuation of an activity under regulation could actually want a significant "partial ban". The Alliance has already appealed against the decision.

The ASA's decision will anyway have virtually no effect on our campaign as the it only has jurisdiction over posters and banners on paid for advertising space. There is no problem with existing banners or posters on private property or with using new 59% material on your own sites. The poll on which the advert was based is not within the remit of the ASA and has not been criticised in any way.

### **A message from Simon Hart - 11th June 2004**

The 17th report of the parliamentary Joint Committee on Human Rights (JCHR), published last year, may not be everyone's idea of bedtime reading, but it is significant in the hunting debate.

The committee, which is made up of both peers and MPs, concluded that the Hunting Bill, as amended by Tony Banks MP, was in contravention of Human Rights legislation by failing to provide for compensation for "contracts entered into" which would be "cancelled" by the imposition of a

**ban on hunting. Its argument was clear: there has been no history of progressive Government legislation to ban hunting, in fact the original Hunting Bill accepted the case for at least some hunting, therefore individuals could have legitimately expected contracts to be fulfilled without the imposition of a Government ban.**

**Two events in the last week have added to the importance of the JCHR's report.**

**The first was the judgement of the court of Inner Session on the human rights challenge to the restrictions imposed on hunting in Scotland. The three judges rejected our case partly on the grounds that the elected legislatures have the right to make decisions provided that there is sufficient evidence.**

**But the judgement also made it clear that lawful hunting is still continuing north of the border, albeit in a slightly different form. This meant that the situation was very different from that which would have occurred had all hunting been banned (as per the 'Banks' Bill). So while our appeal was rejected the judgement was important in that it suggests that any attempts to restrict hunting in Scotland further, without compensation, would be difficult in human rights terms and in that it is consistent with the conclusions of the JCHR as far as the human rights implications of a total ban in England and Wales are concerned.**

**The second event which reinforced the importance of the JCHR report was the publication of the initial findings of a study into the potential cost of compensation, commissioned by the Alliance, in Tuesday's Times. A detailed analysis of the Warwickshire Hunt, and those businesses related to it that would be liable for compensation, suggests that the bill for 186 registered hunting countries alone would be at least £156 million. The full report will be available very soon and we will ensure that it gets the widest possible circulation. Its findings are a reminder that the costs of banning hunting would be far, far greater than any benefit to be gained from placating a few recalcitrant backbench MPs.**

**In the run up to the start of the parliamentary summer recess on 22nd July speculation about the return of a Hunting Bill will become even more feverish. Our opponents are becoming increasingly concerned as the parliamentary session ticks by with no sign of their Bill returning. By encouraging media speculation that the Bill will return they are attempting to force the Government's hand but neither the Prime Minister, Alun Michael or the Leader of the House, Peter Hain, have said anything to give them hope. So don't believe what you read in the papers (unless it has got our name on it!) - concentrate on what Ministers are saying 'on the record' in Parliament.**

**We are, though, fully aware that we could face banning legislation at any time and with just a few days notice. That is why we have prepared meticulously for every eventuality and continue to operate at a state of full alert. Only when this Parliamentary session is over will the immediate threat of the Parliament Act be removed. Then, and only then, will we be able to fully focus on the even more complex task of finding a lasting resolution for hunting and all other country sports.**

## **Hunting Bill, Commons Business Statement - 17th June 2004**

In today's Business Statement, Dennis Skinner (Lab, Bolsover) once again highlighted the desire of Labour backbenchers to bring back a bill to ban hunting before the Summer Recess (Thursday 22 July to Tuesday 7 September) in order to raise the morale of Labour Party members. The Leader of the House, Peter Hain, confirmed that an announcement would be made when the time was opportune. Further to this response, David Winnick (Lab, Walsall North) emphasised that now was an opportune time for hunting to be banned and for the Parliament Act to be used. Peter Hain repeated that an announcement will be made and that Mr Winnick will be encouraged by the way in which the Government intend to proceed.

## **Frivolous Pursuit - Times Editoral Comment - 19th June 2004**

### **Labour should not waste energy chasing a ban on hunting**

Labour appears determined to press ahead with a ban on foxhunting before the general election. In order to get the measure on to the statute books, a Bill would have to be introduced in July, in the last week before the summer recess, or at the very latest when MPs return for the ten-day spillover period in September. A hunting ban was not included in the list of measures outlined in last year's Queen's Speech, but the Prime Minister told the Commons that the Government would "resolve the issue in this Parliament", a pledge which left open the possibility that the search for a ban might be abandoned.

The vagueness was of a piece with the whole sorry saga of trying to ban hunting with hounds. It drifted chaotically through Labour's first term and was hedged in the 2001 manifesto with the promise that MPs would have an early opportunity for a free vote, and ministers would then look at how any disagreement could be resolved. That became watered down to a messy compromise on "regulation", rather than outright criminalisation, which was then rejected by the Commons, ran into further trouble in the Lords and eventually found itself abandoned by the Government for lack of time.

Tony Blair's thought processes on the issue have been as tortuous as the passage of the Bill. The Prime Minister, initially reluctant to impose a ban, has nonetheless allowed measures to lurch back and forth through Parliament, absenting himself from votes on occasion, before supporting, without conviction, the compromise on regulation which was rejected by his MPs.

At times of low morale among Labour activists, the idea of a hunt ban has tended to resurface. Now, as Labour confronts the consequences of last week's dismal election results, in large part due to the disaffection of traditional supporters over Iraq, MPs are looking to the prospect of a ban

again. The politics is not hard to discern. Were a Bill to be introduced in September, it would rally activists' morale for the party conference at which third-term measures are due to be unveiled. Assuming that a ban is opposed by the House of Lords, the Government could then use the Parliament Act to force it on to the statute books just in time for a spring election, sending activists out with a spring in their step in the hunt for voters.

Despite the obvious tactical advantages, ministers should think very carefully before setting the hounds on this course once again. It has been more than seven years since Labour came to office promising to allow a vote on a hunt ban. In the interim period, during which the prospect of prohibition has waxed and waned, there has been little pressure beyond that from Labour traditionalists for hunting to be banned. Those protesting most vociferously have been supporters of hunting, whose threatened civil disobedience is no reason to recommend them.

If the case for banning hunting with hounds has not been made to the Prime Minister's satisfaction in the past seven years, there is no sudden real reason for change. Given that Mr Blair backed a compromise last year which would have seen hunting regulated but not forbidden, it will be hard for him to justify with credibility his sudden conviction of the need for a total ban. The pursuit would be time-consuming, energy-sapping and divisive at a time when ministers should have bigger game to hunt.

Liberties should not be curtailed without the strongest and clearest arguments for their suppression. One need not be a supporter of hunting to oppose a ban, just as one need not smoke, or even approve of the habit, to be prepared to defend others' right to do so. Even those unfamiliar with the scent of a fox (or a cigarette) can smell this political rat.

## **No movement on the Hunting Bill - 15th July**

The Leader of the House, Peter Hain, once again declined to confirm the return of the Hunting Bill in today's Business Statement despite renewed questioning from Labour backbenchers. There is now no prospect of a Hunting Bill returning to the Commons before September. But when David Winnick MP suggested that "time is getting very short indeed" for the return of a bill Peter Hain responded: "I am not sure that it is getting as short as he indicated. We are well aware of the timetabling issues concerned".

This tells us nothing we have not heard previously from the Government, but it does make one thing clear: the Hunting Bill can only now reach the House of Lords with sufficient time for the Parliament Act to take effect if normal parliamentary practice is disregarded.

Simon Hart - Countryside Alliance

The parliamentary diary looks like this;

22 July - 7 September Summer recess  
16 Sept - 11 October Conference recess

The end of the session is normally mid Nov but they could go on a few weeks (bound to be unpopular as MPs are keen on their breaks), hence the need to get the bill into the Commons by mid Oct to allow the Lords its 28 days of debate. However, as the good Lord Butler has shown us, these guys can be very tricky. Peter Hain is suggesting that they may have found a way of gagging the Lords. So Mid Oct is a deadline but it might not be the final one!

## Hunting Bill, still no change - 22nd July

In today's Business Statement the Leader of the House, Peter Hain, outlined Commons business up to and including Friday 10th September, but not for the subsequent week before Parliament once again goes into recess for the party conferences. Some, including the Daily Telegraph, have taken that as a signal that the Government will bring back the Hunting Bill in that period. This does still remain possible, but the idea that there is something sinister about Commons business being left open in September does not stand much scrutiny. As Peter Hain made clear the Government left this period open last year, just as it has done this year, and filled it with business that came to the Commons from the Lords. Mr Hain again rejected the opportunity to commit to the return of a Hunting Bill in this session, or to confirm that the Government would enable the use of the Parliament Act. For a full transcript see 'this week in politics'.

Despite all the speculation of the last few months there has, essentially, been no change to the position over hunting since last November. The Government could still bring back the banning Bill and allow the Parliament Act to take effect. It would be unprecedented, illogical and ridiculous, but not impossible. Alternatively it could avoid all the legal and political problems that decision would inevitably entail by delivering on its promise to legislate on the basis of 'principle and evidence, not personal taste'. This remains a matter of trust between the Government and the countryside.

Simon Hart - Countryside Alliance

## The Government's relationship with the countryside lies in its own hands - 29th July

Last week also saw the start of the Parliamentary summer recess with the Government still tight lipped about the possibility of a Hunting Bill in this session. One way or the other this autumn could see a defining moment in the relationship between the Government and the countryside. The

index of that strange, and often strained, relationship has been the advance and retreat of anti-hunting legislation. As we all know hunting is certainly not the most important issue in the countryside (other than to those actively employed or involved) especially when compared to foot and mouth and the collapse in farm incomes. But the Government's treatment of hunting will be seen as symbolic of its approach and attitude to other rural issues and rural minorities as a whole. In that context it is hugely significant. If the Government does decide to bring back legislation to ban hunting in the autumn it will confirm the worst fears of many in the rural community. If it is willing to ignore evidence and principle, and its own inquiry, and allow the prejudice of its backbenchers to hold sway on hunting then what does it say about the chances of sensible firearms legislation, equality of provision in rural services or real support for the agricultural sector? The Government's future relationship with the countryside lies in its own hands.

**Simon Hart - Countryside Alliance**