



Falconry – Inscribed by UNESCO as Intangible Cultural Heritage of Mankind

**Minutes of the Meeting of the Hawk Board held on 13 June 2019**

**UCMK, 502 Avebury Boulevard, Milton Keynes, Buckinghamshire, MK9 3HS**

The Chairman opened the meeting at 12:30

Present:

Nick Havermann-Mart (NHM); Graham Irving (GI); Andrew Knowles-Brown (AKB); Terry Large (TL); Gordon Mellor (GM); Jimmy Robinson (JR); Rachelle Upton (RU); Dean White (DW)

Apologies:

Graham Bennett; Gary Biddiss; Jim Collins; Derek Hartshorne; Paul Manning; Julie Murphy; Don Ryan; Martyn Standley; Derek Stotton; Mark Upton

Minutes of last meeting / Matters arising:

Approved

AKB: Raptor Awards welfare guidelines review – I have not done this as they requested I sign a confidentiality agreement, which I felt unable to do as we are reviewing our own guidelines and there might be a crossover.

GM: I have also not reviewed them, they need to rethink the confidentiality as they originally wanted to share it.

NHM: Are they the guidelines they are going to give to other?

NHM: Why are they on HB?

AKB: They came in when LANTRAs training started to fall apart.

NHM: They appear to be using the HB to get credibility.

JR: Many on social media want to know who they are and are unsupportive of them.

NHM: They are putting themselves forward as experts for the falconry world.

GM: They are better at self-promotion than us.

NHM: Why haven't they come back to HB about the guidance notes? They sit on HB and should share their information with HB and they are not able to set standards for falconers as they are not falconers.

GM: IF HB receives formal complaints then we would have to act on them.

DW: They should be reporting back to the HB when they have spoken to authorities.

GM: Our engagement with them came from us trying to engage with the commercial sector. They said they could do that for us.

TL: Our relationship is already very damaged as everyone thinks they are taking over from the HB.

GM: We need to start making a bigger play that we are not a commercial organisation. We represent all BoP keepers.

DW: We need to up our profile, keep sending letters to Gov and not to being put off.

GM: But there are some severe limitations with the current Gov.

Chairman's Report:

This has been a disquieting period. We are still facing the possibility of a no-deal BREXIT, just a little later than we originally thought. Depending on the outcome of the Tory leadership race we are no

clearer if we will exit by default or design with no adequate agreement. Whatever preparation work DEFRA has put in place will surely be little more than a sticking plaster. I suppose that we need to be grateful that having failed to exit in March, the next opportunity is October and by that time breeders will have exported most of this year's progeny.

Both Wales and Scotland are proceeding with their own versions of the AAL – despite a vigorously engaged with consultation and a good deal of lobbying, the Welsh Assembly have proceeded to go with the widest scope for its' legislation. Perhaps predictably following the report that they commissioned from our 'friend' in Bristol.

There is still widespread confusion in English Councils about the AAL, and a continuing poor understanding from inspectors about quite what they ought to be considering. Of particular concern is that a number of professional establishments are being told that they have to be considered as Zoos, when they are clearly nothing of the sort.

The current rise in prosecutions relating to Hunting with Hounds has lead to increased attention being paid to those falconers who support hunts with eagles. We were drawn into this at the time of the legislation in 2005/6 and did publish a statement saying that we did not support the practice. However it is legal under law and whilst most falconers and bird of prey keepers have reservations, we do not want to reopen this fruitless debate that is being used to divide field sports men and women. I have refused to be drawn into articulating an opinion or becoming an 'expert witness'.

Whilst we will not be in a position to man a full blown stand at this year's Game Fair, I will attend and will be happy to engage with falconers and others who might wish to talk about the Hawk Board.

GM: It is worrying that everything is stacked against us.

- We are way down DEFRA's list for no deal Brexit.
- AAL has been such a mess, DEFRA have still not reached out.
- The fact that Wales will proceed on original report – they listened, but we will have to fight again.
- General licences – engaged and thanked, but not sure if it has made any difference.
- Now have as head of NE an avowed animal protectionist.

GM: We are being probed by email re transportation of BoPs, same questions have hidden agendas.

#### Treasurers Report:

At present the HB Current account and Savings account have sufficient funds.

So far subs have been received from the BFC and SERA (South Eastern Raptors Association), please remember that subs should be received by 31 July, preferably by bank transfer.

TL: YHC have reformed and are planning to rejoin the HB, they are going to talk to GM.

Sadly the British Hawking Association has decided to close, they kindly donated what was left in their account to The Hawk Board, a very generous amount of £1,150.00.

Sun subs: We have again contributed £800 to SUN, Gordon and I have discussed this and would like to increase this to £1,000. This would come from the £200 we used to pay FACE.

GM: SUN is vulnerable with JC dipping into his own pockets, so an increase would be helpful.

Proposed – GI

Seconded – NH-M

Approved – unanimous

**RU to let JC know and transfer the extra £200.00**

Banners – A3 Pop-ups

At the last meeting it was discussed giving desktop pop-ups to those clubs who would like one.

These would cost approximately £30.00, I know Raptor Awards are keen to have one, which other clubs would like one? **RU to email the clubs**

Game Fair

It has been agreed with Charlotte that we will have a stand at the Game Fair this year, but as only

Gordon and Derek have offered to help the stand will not always be manned. Charlotte is fine with this.

Charlotte has also asked if we would like to have a meeting during the Game Fair, I explained that it wouldn't be possible this year, but that we would look into the feasibility of doing it at next year's Game Fair.

AKB: It would have to be a very sanitised meeting.

DW: We could have a meet and greet meeting.

AKB: Was easier when we were organising The Game Fair, now not everyone attends.

#### Natural England Clarification on General Licences for Shooting

GM (From CA update): In the light of Wild Justice (Chris Packham, Mark Avery and Ruth Tingay) seeking permission for a judicial review of Natural England's General Licences, Natural England announced on Tuesday 23 April that three of the most important licences were to be revoked with effect from Thursday 25 April. Three licences for carrion crow, wood pigeon and Canada geese have been issued by Natural England, but these are not fit for purpose. Defra has since taken back responsibility for licensing and the situation continues to evolve. We are expecting to have greater clarity in the next few weeks. The anti-shooting motivation behind Wild Justice has been made very public, with Mark Avery stating that their campaign was not intended to affect farmers but only gamekeepers.

GI (from his report): The secretary of state Michael Gove has previously commented that more information would be announced by DEFRA the week beginning 10<sup>th</sup> June, this has not happened. Also, the appearance of the Secretary of state before an environment committee on 11<sup>th</sup> has also been deferred, the new date for which has not yet been announced.

So as things currently stand, we are no further forward in relation to knowing what actions and new licences DEFRA intend to produce, for the time being falconers affected by the withdrawal of the original 3 licenses will need to continue to apply for individual licences.

On the afternoon of 10<sup>th</sup> June "Wild Justice" served new action papers on Natural England in which they are challenging the new general licence covering carrion crows and serious damage to livestock, the below link takes you to letter submitted.

<https://wildjustice.org.uk/general/our-new-legal-challenge-general-licence-gl26/>

GI: It is looking like licences are being prioritised in those needed quickly first, eg. Seasonal. When you apply you get an email saying you have applied and that is proof of submission – if your application is rejected then you have to stop immediately.

GM: Do you think there will be an upsurge in falconers applying?

GI: There are more species on the quarry list than before so there should be.

AKB: General licenses for shooting, does this cover falconry as well?

GI: Only license falconry was not on was for geese.

AKB: I have emailed Scotland regarding their consultation and asked to be part of it, I have not heard anything yet.

GI: General licenses are not great for falconers, they need quarry licenses.

#### Animal Welfare

GM: DEFRA have promised we would be consulted on future consultations....

NHM: I have received a letter regarding the consultation for later this year and it says that they will consult HB.

GM: Robert Goodwill is the new Minister of State for DEFRA, I will write to Robert and David Rutley (Parliamentary Under Secretary of State for DEFRA) regarding the consultation.

GM: Sporting use is exempt, but breeding is not.

AKB: In Scotland it only affects cats and dogs, but will double check.

GM: It is difficult to question an inspector, many people are being told they are a zoo – if people pay to come to your premises then some councils say you are a zoo. This is a misunderstanding/misuse of existing regulation.

GI: It would be good to get a copy of an AAL to see exactly what it says.

MU (email): I had a good look at our welfare document and think it needs a re-write. It is far too long winded and complicated. For instance at the start there are about four paragraphs explaining how expensive it is to keep a bird of prey. It could be simplified to "The flying, feeding, housing and medical expenses of keeping bird of prey can be expensive and should be thought about before acquiring one." Also most peoples attention span means that they rarely read more than an A4 sheet of paper and anything longer tends to be ignored.

GI: Is there any need to mention expense in the guidelines?

GM: No

GI: In the zoo regs they have that requirement – JPJ wrote them too.

GM: Have not been active in this.

NHM: The IAF have/are writing welfare guidelines.

AKB: Trouble is theirs is written by a Vet so recommend regular checks from a Vet.

MU (by email): Suggests GM goes to the RA's health inspectors training day.

GM: I can't do that date, but could ask if they do another date.

#### Animal Exhibits (Wales) Update

Cabinet Secretary for Environment, Energy and Rural Affairs, Lesley Griffiths AM, has announced (4 June) her intention to proceed with a licensing system but the scope of the scheme has now been extended to include all animal exhibits which meet a given criteria, as yet unspecified, but to be defined in law. A full public consultation on the draft Regulations and accompanying guidance is expected to be launched before the end of summer recess.

GM: Asked for HB to be consulted

#### SUN Update:

See Appendix 1

GI: The relaunch of animal companions is interesting, is that something we could contribute to or leave to SUN?

NHM: Keep an eye on the animal list; check it doesn't cover cat and dog.

GM: Positive lists are a worry, although of course what they do in Europe may not matter...

#### Legal/Guidelines Update:

See Appendix 2

#### IAF Update:

See Appendix 3

#### CA Update:

See Appendix 4

There is pressure to have a close season for Hares.

AKB: There already is in Scotland. Also Jonathon Davies is liaising with the University of East Anglia regarding the disease in hares. There is Mixi in blue and brown Hares and VHD/RHDV2. They have discovered that mice are carriers, more investigation to see if they are a vector too

GM: Chief Constable Darren Martland from Cheshire will take over as NPCC lead for wildlife crime from Deputy Chief Constable Craig Naylor of Lincolnshire Police, who retires on 21 June - should we try and get interaction if possible, or leave well alone?

JR: Should get the HB name out there.

**GM to write**

#### A.O.B:

None

The meeting closed at 14:50

**Next Meeting: 12.30pm Thursday, 17 October 2019**

**Location: UCMK, 502 Avebury Boulevard, Milton Keynes, Buckinghamshire, MK9 3HS**

Rachelle Upton, Co-coordinator – 20 June 2019

### Sun Report from Jim Collins

As a result of the terrorist attacks in Sri Lanka the CITES Conference of the Parties has been postponed - it was scheduled for late May and early June in Colombo, Sri Lanka. A security review by United Nations experts is underway. If they conclude that the risk of holding the conference in Sri Lanka is acceptable then the revised dates will be first and second week of September. The current steer from the CITES Secretariat is that if the risk for holding in Sri Lanka is deemed too high then the conference is likely to revert to Geneva, with the most likely dates being either the last two weeks of August or the first two weeks of January. All the proposals and resolutions are closed and cannot be added to despite the delay in holding the conference.

Voting will take place on 14th June on the next list of species proposed to be banned under the EU's Invasive Alien Species Directive - there are no bird of prey species proposed on this latest iteration. We continue to argue at Commission and EU Member State level that such banned listings should, wherever appropriate, be done not on an all EU wide basis but instead on a biogeographical basis (most species that present a potential problem for southern Mediterranean countries present no threat whatsoever to countries in central and northern Europe). Furthermore, we continue to lobby for the Member States to be allowed to vote species by species rather than be forced to vote either for or against the whole proposed list.

A 'new' and major threat to animal keeping has arisen from the consultation on the EU's Action Plan against Wildlife Crime/Trafficking. The protectionists and animal rights extremists are using this to push very hard for the European Commission to establish an all EU Positive List (with very restricted number of species and, I think we can pretty much be guaranteed that no bird of prey species would make it on to a Positive List) of species that are permitted to be kept and traded, with all other species banned. These groups are arguing that this would help minimise wildlife crime and trafficking of animals. We need to be vigorous in countering these nonsensical viewpoints both at the Commission and Member State level. As things stand, the Commission appears reluctant to take-up the Positive List thinking but several Member States are supportive of such proposals and if the number of countries supporting this increases the Commission would be under heavy pressure to agree to establishing a Positive List across the whole EU. We need to put across the point that animal welfare is a Member State competency not a Commission competency and, as such, Positive Lists should in any case be generated by individual countries and not as an EU-wide Directive or Regulation.

Positive Lists actually never work and are entirely counterproductive. They drive ownership and trade 'underground' and into a black market so that legal traders go out of business but illegal activity continues. They lose financial benefits to the economy and cause people to lose their employment. By being driven underground there are major welfare concerns since people become reluctant to take animals to veterinarians for fear of them being informed on to the authorities. Positive Lists also mean that a massive reserve of knowledge and practical expertise is lost - private keepers and traders have a huge reservoir of expertise that completely outweighs that resident in zoos. They also hold back adv in animal husbandry and stop the development of new equipment - almost all the advances in aquarium technology, for example, would not have happened if only zoos and public aquaria were legally allowed to own fish and aquatic invertebrates since it has been the large numbers of private aquarists that provide the commercial incentive for businesses to make equipment advancement in the first place. Finally, we must make clear that Positive Lists are directly contrary to the norms of Human Rights legislation and specifically EU Property Law since they remove the right of a citizen to enjoy their legally obtained property - animals being defined as property under statute.

Everyone will be aware with the current situation with Brexit and, as things stand DEFRA are still holding to the statements that in the event of a deal nothing will happen during any transition period (currently set at the end of December 2020) in respect of legislation controlling animal trade, ownership, movement or CITES and that we would also continue to implement any changes to the EU Directive on Invasive Alien Species. In the event of a No Deal Brexit, DEFRA are stating that both Dover ferries and the Channel Tunnel will be closed to all CITES species for an interim period (estimated to be between 18-24 months) and that any movement of CITES species between

ourselves and remaining EU Member States would require Import and Export Permits. We continue to lobby against the Dover/Channel Tunnel decision and to remind DEFRA of the volumes of trade movements involved, of the need to cater for movement for shows and purposes such as falconry and the importance to secure free movement of frozen animal foods to (and indeed from) the UK.

A relaunch of the Companion Animal Sector Council will take place on 20th June at the House of Lords Committee Rooms and SUN have asked to be present amongst a small cadre of individuals/organisations to oversee the relaunch - this body previously held considerable sway with DEFRA and was able to secure meetings with Ministers with some ease - it will also have the likes of the RSPCA and veterinary groups as participating members but should, if functioning correctly, give a primacy to those directly involved in ownership and trade of said companion animals (defined by DEFRA for this body - much as was the case for the Animal Activities Licensing, as all animals - this time also excluding cats and dogs which have their own Sector Council - except farmed livestock, animals in circuses and zoos, and animals used for biomedical research, so very definitely including birds of prey within the remit).

## Legal/Guidelines Report From Graham Irving

Outside of Brexit the most recent issue to rear its head that is of concern to falconers in England is the situation following the withdrawal of 3 general licences by Natural England as a result of a legal challenge from “Wild Justice” concerning the legality of these licenses in relation to the fact that Natural England had passed the requirement to satisfy the non-lethal monitoring to the users rather than NE having to be satisfied that all other non-lethal options had been tried and found to be ineffective.

NE had started to put together some new General Licences (3 of which have been issued) and had produced a time frame within which they intended to have new suite of General Licences’ based on individual species rather than a list of species contained within a licence. However, DEFRA stepped in and took responsibility for the replacement licences and since then no more have been issued.

NE have put together a range of application forms for individuals to use who need to undertake actions that were previously covered by the withdrawn general licences, these application forms can be accessed via the below link.

<https://www.gov.uk/government/publications/wild-birds-licence-to-control-certain-species>

The secretary of state Michael Gove has previously commented that more information would be announced by DEFRA the week beginning 10<sup>th</sup> June, this has not happened. Also, the appearance of the Secretary of state before an environment committee on 11<sup>th</sup> has also been deferred, the new date for which has not yet been announced.

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### **IAF Report from Mark Upton**

As usual the IAF have had representatives at a number of meetings around the world, most of which have been publicised in their eBulletins. Most recently our Vice-president for Asia represented the IAF at the International conference in Namibia "Crossroads – Leading the way for Wildlife Conservation". The major wildlife and conservations NGO's were present and it is great for falconry that the IAF are now routinely invited to these international meetings which makes it possible for us to continually put forward the achievements of falconers in conservation etc.

The new president of the IAF, HE Majed al Mansouri is reorganising the running of the IAF and is developing working groups within the organisation:

- Asia Working Group – Vice-president Keiya Nakajima
- Europe Working Group - Vice-president Janusz Sielicki
- North America Working Group – Vice-president Dan Cecchini
- Latin America Working Group - Vice-president Dan Cecchini with Leonardo Vargas of the GTLA
- South Africa and Oceania Working Group - Vice-president Janusz Sielicki
- MENA Working Group - Omar Fouad Ahmad
- Administration Working Group - Mark Upton
- Culture and UNESCO Working Group - Tony James
- Education Working Group - Julian Mühle
- Science and Conservation Working Group - Janusz Sielicki; the Biodiversity sub-group continues under Michael Greshake
- Welfare and Ethics Working Group - Tom Richter
- Women's Working Group - Alessandra Oliveto

There is a meeting being held at the new offices in Brussels at the end of June where the various working groups are presenting their strategies for the working of the IAF during Majed's Presidency. Majed has also asked the retiring President, Adrian Lombard, to become the IAF Chairman. Which I think is an excellent move.

## **Countryside Alliance Update**

### **POLITICAL AND LEGAL UPDATE ENGLAND AND WALES June 2019**

#### **Local Elections**

These took place on 2 May. The Conservatives lost 1334 councillors and 44 councils, leaving them in control of 93 councils. Labour lost 82 councillors and 6 councils, leaving them in control of 60 councils. The Liberal Democrats gained 703 councillors and took control of 10 councils, bringing the number of councils they control to 18. The Greens gained 194 councillors but do not control any councils and UKIP lost 145 councillors, leaving them with just 310. UKIP do not control any councils. The number of councils with No Overall Control increased by 37 to 73.

#### **European Elections**

These took place on 23 May with the Brexit Party winning 29 seats, Liberal Democrats 16, Labour 10, Greens 7, Conservatives 4, SNP 3, and Plaid Cymru, Sinn Fein, DUP and Alliance parties 1 seat each. We will be writing to all MEPs and seeking meetings in due course.

#### **Defra Ministers**

Robert Goodwill was appointed as a Minister of State at the Department for Environment, Food and Rural Affairs on 5 March 2019, following George Eustice's resignation.

#### **Legislation**

##### **Draft Environment (Principles and Governance) Bill**

The draft Bill was considered by the EFRA and Environmental Audit Select Committees. The Countryside Alliance's written evidence is available online. Further clauses are expected to be included in the final Bill which is due to be introduced in the second session of the Parliament – date unknown. A similar consultation on environmental governance has taken place in Wales, although there is no draft legislation at this stage.

##### **Offensive Weapons Act**

The Offensive Weapons Bill has now received Royal Assent. During Report Stage in the House of Lords, the Minister, Lord Howe, gave a commitment that a public consultation on statutory firearms licensing guidance would be opened by the summer recess. We remain particularly concerned by the on-going problems around background medical checks.

##### **Agriculture Bill**

The Bill is still awaiting Report Stage in the Commons. Our amendment, which would allow financial assistance under a new agricultural policy to be provided for the purpose of "supporting upland landscapes and communities", continues to enjoy cross-party support and we will be briefing again when the Bill is brought back.

##### **Ten-Minute Rule Bill – Preservation of Hares**

Former Defra Minister, George Eustice, has introduced a Bill which would introduce a close season for hares. The exact dates of the proposed close season have not been confirmed but would at the minimum follow the Hare Preservation Act 1892, which would be repealed. While the Bill will not make progress, the pressure to have a close season grows. The Alliance has briefed MPs and met George Eustice to discuss his proposals.

### **Parliamentary Update**

An update on our campaigning work in Westminster and beyond was sent to all MPs and Peers on 14 May. This is available on the Countryside Alliance's website in the Political Hub.

### **Parliamentary Events**

Baroness Bakewell, Liberal Democrat Spokesperson for Environment, Food and Rural Affairs in the House of Lords, visited a grouse moor on 7 May.

### **Natural England Chairman**

The EFRA Select Committee conducted a pre-appoint scrutiny hearing with the Government's preferred candidate for Chair of Natural England, Tony Juniper, on 26 February. Mr Juniper's appointment was subsequently confirmed, and he took up his post on 23 April.

### **General Licences**

In the light of Wild Justice (Chris Packham, Mark Avery and Ruth Tingay) seeking permission for a judicial review of Natural England's General Licences, Natural England announced on Tuesday 23 April that three of the most important licences were to be revoked with effect from Thursday 25 April. Three licences for carrion crow, wood pigeon and Canada geese have been issued by Natural England, but these are not fit for purpose. Defra has since taken back responsibility for licensing and the situation continues to evolve. We are expecting to have greater clarity in the next few weeks. The anti-shooting motivation behind Wild Justice has been made very public, with Mark Avery stating that their campaign was not intended to affect farmers but only gamekeepers.

### **Electric Collars**

The Government will be introducing the secondary legislation needed to ban the use of hand-held remote-controlled e-collars for dogs and cats in England.

### **Poaching**

The Alliance continues to work with other stakeholders to tackle illegal hare poaching/coursing. There is an increasing consensus on what needs to be done between the police, government and rural organisations, including legislative change.

### **New Police Wildlife Crime Lead**

Chief Constable Darren Martland from Cheshire will take over as NPCC lead for wildlife crime from Deputy Chief Constable Craig Naylor of Lincolnshire Police, who retires on 21 June.

### **Firearms fees**

The Countryside Alliance has questioned the timing of a review of firearms licence fees, which the Home Office has announced will take place next year, whilst the current licensing process lies in tatters and the shooting community receive a substandard service.

### **Hen Harrier Brood Management**

The High Court has upheld Natural England's decision to licence the testing of a brood management scheme for the conservation of hen harriers in England. The judge dismissed all seven claims brought by the RSPB and Dr Mark Avery. It has been confirmed that both the RSPB and Mark Avery are applying to the Court of Appeal for permission to appeal the judgement.

### **Hen Harrier report**

The Alliance welcomed the report 'Patterns of satellite hen harrier disappearances suggest widespread illegal persecution on British grouse moors', that was published in March. However, from the facts available, it is not possible to draw hard and fast conclusions as to where missing birds may have been, or what may have happened to them since their signal ceased. The figures in the report, which analysed data from 58 hen harriers fitted with satellite transmitters between 2007 and 2017, are also at odds with those contained within a previous report published by Natural England in 2014 and which provided a summary of hen harriers satellite tagged since 2007.

### **Game Farms – Animal Rights Activists**

Two attacks on game farms by the Animal Liberation Front were publicised on social media, with clear incitements to further criminal activity. We were in contact with the police Domestic Extremism Group and contacted some 8,000 of our active supporters asking them to complain to Facebook about a

map that had been posted on its site by 'Stop the Cull', which showed the location of game farms, demanding its removal. Facebook subsequently removed it later that day.

### **Mobile Animal Exhibits Licensing in Wales**

Cabinet Secretary for Environment, Energy and Rural Affairs, Lesley Griffiths AM, has announced (4 June) her intention to proceed with a licensing system but the scope of the scheme has now been extended to include all animal exhibits which meet a given criteria, as yet unspecified, but to be defined in law. A full public consultation on the draft Regulations and accompanying guidance is expected to be launched before the end of summer recess.

### **Access**

Minister Hannah Blythyn AM, who has the Access to land and water portfolio, has announced a number of measures she intends to bring forward when time allows to increase access to land and water. The proposals include multiple use of footpaths for walkers, cyclists and horse riding, as well as improvement for canoeing opportunities which will be forced upon riparian owners if a solution is not forthcoming in the next 18 months. The Alliance will be working closely with angling clubs to create voluntary access arrangements.