

Falconry – Inscribed by UNESCO as Intangible Cultural Heritage of Mankind

**Minutes of the Meeting of the Hawk Board held on 28th April 2023**

The Chairman opened the meeting at 13:00

Present:

Cameron Balfour (CB); Gary Biddiss (GB); Jim Collins (JC); Nick Fox (NF); Gordon Mellor (GM); Nick Havemann-Mart (NHM); James Legge (JL); Helen Nakielny (HN); Rachelle Upton (RU); Mark Upton (MU); Dean White (DW)

Apologies:

Bob Dalton; Martyn Standley; Jimmy Robinson; Don Ryan

Minutes of last meeting / Matters arising:

Minutes approved

Matters Arising

GM: Look at the constitution and reconstitute the Scottish Hawk Board. I suggest we contact Scottish BFC members to see if there are any members who would like to help in getting the SHB going again and helping Cameron. Any idea how we could contact other Scottish falconers?

NF: There is the Crawford Club, maybe CB has an idea of the number of falconers that are in Scotland, but not members of the BFC

CB: I haven’t heard of the Crawford Club, there are a few other clubs within Scotland that I could get hold of or speak to. For example, the Female Falconers Club have some members up here. As does the Scottish Hawking Club, but I don’t know how active they are. So, if there was a message that needed to be put out there, I think it could be quite easily distributed to Scottish falconers.

GM: I think it is patently obvious to everyone that we need to be more active north of the border and this can’t be a one-man band for Cameron.

GM: Vowley, we need more ideas and input as to what we would like to do and whilst I think a couple of us have spoken, we have not been overwhelmed with ideas.

RU: It is on the agenda for us to discuss further.

RU: Barbara and Martyn are supposed to be doing guidance for non-native species.

GM: I assume they haven’t got very far, and I hope Barbara will still be happy to help. **I have made a note to speak to Martin when I next catch up with him.**

DW: You said you would give an update on wild take.

GM: The next update will be in July. There has been a great number of voices against, far more than have been voices for, I would just like to hope that they are as good as their as their word and not subject to something that they had anticipated when they consulted with us before it went public. Martin Stanley, who has fought for an improvement in and fought for a freeing up of wild take for a decade now, has acknowledged that probably what we want to do is try and keep it on the books because we don't know what is in front of us and in 10 years’ time it might be absolutely necessary for us. But at the moment we have no pressing need, we might have a pressing desire, but we have no pressing need to access wild populations with one or two exceptions, perhaps. And so, we really were looking for them to acknowledge that it should stay on the on the statute book.

NF: What worried me in the last meeting was that a lot of the people involved are taking it a lot further and saying, well, all falconers should be registered personally and all of this kind of rubbish. I'm just worried that it is opening up more cans of worms.

GM: I quite agree, I look back and there is a bit of me that can appreciate somebody who has been applying for something that is perfectly legal but being blocked for really rather spurious reasons over a number of years. Having them go to judicial review, having them make very vocal complaints. Ironically, even though I appreciate that it was perfectly within their gift, so to do that may well have put this clause at more risk than actually just leaving it alone. There we are, law of unintended consequences, I suppose. So that is my update, is there anything else?

DW: Nothing to ask additionally other than the observation for the desire for the status quo. What's the point of maintaining the status quo if when you come to need the option, you're not able to exercise it, so part of me says maybe not necessarily now, but at some point, you're going have to have that bridge to cross. You're going have to either use the legislation and try and navigate it or you're going to be rebuffed. And therefore, hanging on to something that you can't use doesn't seem that that that useful.

GM: I absolutely get your point. My only response, and it's fairly lame, is if we were unlucky enough to lose large numbers of our peregrine stock through one thing or another, that we could actually then apply for and if it's gone, if it's off the statute book, it's gone forever. The chances of that occurring are fairly remote, but nonetheless that's the only thinking I had about that.

Chairman’s Report:

This is a busy time for all of us involved in representing and fighting for our sport. I urge all falconers, keepers, breeders, pest controllers, and display givers, to ensure that they respond to the consultations that APHA/DEFRA (*proposed registration of all captive birds*) and the Rural Affairs and Islands Committee in Scotland (*Wildlife Management and Muirburn Bill*) are running at present.

We need to challenge the presumption that all captive birds be registered, in response to the Avian Influenza situation. APHA have not made the case that including us in what is really a poultry registration scheme, will help matters or is proportionate. This is a clear example of opportunism and over-reach by a Government department. I ask that we all write to our MPs on this very matter, regardless of their political persuasion.

In Scotland, the proposed registration of moorland on which grouse can be hunted, (it talks of shooting, but there is no exemption for falconry), is also worrying. It will doubtless impact upon those who use marginal moorland, as many falconers do, that may not be financially worth the landowners registering – thus the moorland will fall outside an area where grouse can be legally hunted. Furthermore, this registration, if it becomes law, sets up the framework whereby far greater restrictions, can be introduced by Ministerial directive without being discussed in the Scottish Parliament.

I contend that without grouse shooting, managed heather moorland will largely disappear, mostly to forestry plantation. The impact on countless important bird species will be very damaging indeed. If ever there was an example where our interests are closely allied, to our shooting colleagues, this is surely it.

Even for those who do not regularly travel north for grouse hawking, it is an unwelcome threat to this important and traditional branch of our sport. It sets a precedence in the UK that might be followed in Northern Ireland, Wales and ultimately in England. Please respond to the consultation, stating your objections.

As an illustration of what we, as a fraternity, are capable of: Recent contacts with Members of the Scottish Parliament over the cultural significance of falconry in Scotland have been noticed. Pulling information together from the Archives, personal resources, and some good old-fashioned academic research, has provided information (might we consider it ammunition?) for those who will speak on our behalf. I thank all those who spent time and effort in this regard.

I am sorry to say that ‘positive lists’ (that stipulate what bird or animal can be kept in any particular jurisdiction) are being promoted again, particularly in Scotland and the EU currently. We together with IAF, are countering the narrative and will need to keep doing so.

The Hawk Board has recently joined the Companion Animal Sector Council to aid with our representation, and of course, the Sustainable Users Network remains vital for us. It is also fair to say that our political contacts through the Countryside Alliance have never been more valuable. Whilst on this vein of thought, the time is right for us to reinvigorate the Scottish Hawk Board and to put a framework together to help support Cameron Balfour, who so often appears a lone voice north of the border. We will contact falconers in Scotland (those whom we have contact details for, and through our affiliated clubs,) to seek support for this.

The Wild Take Review stakeholder forum was attended by several colleagues who represented our position robustly – DEFRA will report back in the Autumn. Unfortunately, I was unable to attend.

As many of you will have seen, DEFRA have moved/are moving to an on-line operation with a considerable upgrade to their services. I am hopeful that this will speed up registration and application times.

Despite my disquiet at the previously mentioned APHA/DEFRA consultation on registration, our relations with the department have rarely been better in recent years. Their willingness to engage with us is positive, and I am grateful for the continued contact regarding Avian Influenza, and the work they are doing regarding CITES. In this area, we owe real thanks to Dr Fox and Helen Nakielny in Carmarthenshire.

I have had the first contact of the year from a journalist seeking comment on peregrine egg thefts. Prior to comment I sought verification and details, but they have not come back to me as yet.

Whilst the Avian Influenza measures in place across the UK have been scaled back, (you will have seen the posts on FB), there are increasing reports that AI has had an impact upon wild raptors, including white tailed eagles, peregrine falcons, buzzards, and red kites. The overall impact on raptor populations is likely to be small, but the risk of disease transmission remains. Wild waterfowl continue to be a reservoir for the disease. With regard to our captive/domestic birds of prey, please keep good bio-security measures in place.

The Hawk Board will be at Vowley this September, and hope to present to, and engage with, falconers attending. It is obvious that we need to reach out to all birds of prey keepers in a far more effective manner than we have in recent years – ideas, content, and offers to contribute, are gratefully received.

GM: Since writing the report I seem to be spending a lot of time with DEFRA, which has been quite interesting. We have also had a meeting with SUN and the SUN Legislation Working Group. I had a phone call about compliance from Chris Blake, who seems to Chair these meetings, because at the SUNLWG they ran out of time before they got to compliance. They are reinvesting and reinvigorating the Defra funded DNA peregrine project, which is taking markers from wild peregrine and providing those for comparisons with suspected illegally taken peregrines. This fits into the sort of compliance narrative which we have to be careful how we articulate, actually there is a great deal of excitement about this major court case that is in the offing in Scotland, it is being held up by available court time in in Scotland. There's a great deal of excitement at that and anticipation in the compliance team and amongst others because this is quite a major case and they think they will win this one, we will see.

GM: For those falconers who are confused by the paperwork they are going to produce an information sheet that we can circulate to the falconry fraternity that will, hopefully, explain how we navigate the paperwork.

NF: I have had a letter from APHA about the DNA research programme, they are interested to identify breeders of Lanners; Gyrs and Sakers, but they don’t say Peregrine, to help them distinguish them from hybrids. I am happy to help, but it looks like they are looking at starting to register all breeders.

GM: We discussed yesterday at the SUNLWG that DEFRA are still looking at A10 reforms and what they have discussed is removing A10s entirely with an objective to put in stricter measures to replace them. So, the question is what are these stricter measures and how would it work and how much would it cost?

Treasurers Report:

The Hawk Board accounts remain in a stable condition, but we do need to think of new revenue streams.

The yearly accounts have been submitted to the accountant; I will report on the accounts at our July meeting.

The Female Falconers Club has decided to withdraw their support of the Hawk Board and will not be renewing their subscription, this is due to their perceived concerns that the Hawk Board has a lack of transparency; lack of engagement with the wider falconry community and a lack of understanding the contribution and impact of the Hawk Board on key issues. We are sorry that they feel like this and wish their club well in the future.

Subscription letters will be going out to the clubs in the next week.

GM: I would just like to make an observation about the Female Falconers Club, whilst I'm sure that their criticisms of the Hawk Board have a basis, (you know we are not a perfect organisation by any means), but had we reduced their capitation, they would have stayed so it was actually about money. Whatever they say, however they dress it up, it was arguing over whether or not we are worth £5 a year. I think that is something we could argue with anybody about, your time today is worth £5 a year. Never mind any other meetings that we have so I think it's a little bit rich, but they have a legacy of being unhappy with the Hawk board.

Avian Influenza

GM: The stakeholder meetings are on-going. There is a bit of and argument going on about the reduction of restrictions and the like, which has pleased some people, but not others. There are still fewer cases at this point in the year, but there are still cases – largely in the chicken industry. There has been quite an impact on White Tailed Eagles and Golden Eagles, but we have not got any figures yet and this sort of assessment will take time to come through.

MU: Just as an observation I suspect that there are Peregrines being affected. They tend to be in the countryside where they would die unseen, as with other species, so I suspect it’s more widespread, but I don’t suppose there will ever be any research on this because of the difficulties.

MU: With regard to bird registration, I did the consultation, but I find it really worrying in that the questions suggest it is going to go ahead anyway.

GM: There will be quite a lot of voices outside poultry keepers to say wait. I believe it is opportunistic, I don’t think there is any evidence to suggest that other captive birds need to be registered in the way that they are suggesting.

JC: I’d say that there has been quite a heavy campaign with letters to MPs, pigeon racing is really lobbying.

GM: It will cost a large amount of money and will take a good deal of work and effort and I think they will find it extraordinarily difficult.

NF: You have these on-line surveys, and you can see what they want the outcome to be by the way they word the questions. AI is endemic in the wild bird population, so they really need to just say to people if you keep captive birds it is at your own risk.

NHM: I can an tell you about avian influenza and vaccinations. There are three or four different vaccines available at the moment; the French have ordered 80 million and are going to vaccinate all their ducks and various bits and pieces. They're already vaccinating all over South America. The Dutch have got 2 new RNA type vaccines coming out which looked particularly promising and as much as they don't seem to be able to transmit Avian influenza if they if they get reinfected. So, we'll just wait and see, but typically APHA will take the least, most cautious, safest route.

GM: And certainly Nick, I passed on to Laura and Gordon Hickman, who are the sort of the kingpins in those avian influenza stakeholders’ meetings, that information about the French that you sent to me. Anything else that you have on vaccinations, I think it would be worth us prodding them with because we do seem to be behind the curve.

Vowley:

GM: Do we have any plans for our attendance at Vowley?

RU: We have confirmed we are attending but have not yet clarified what we will be doing.

HN: We need to get HB out there and maybe some fund raising too.

GM: I did 2 Q & A sessions last year and they were ill attended. I thought someone might have had an axe to grind to talk to us about, but nothing. The only comment was from a pest controller who said he found it hard to join the HB. We need to generate an interest and a belief that HB should be representing falconry.

NF: Best thing at Vowley is to do something in the morning before the hunt racing, we get from the exhibitors that everyone wants to watch the racing in afternoon. So, you could have something on in the morning and we were thinking of opening up the Falcon Barn, because the avian flu we can't put mixed Falcons there, or at least free up the walls to an art exhibition for different artists to display works pretty much for free. Possibly to close that, during the hunt racing from say 2 till 4:30 but have it busy in the morning. We also have the pavilion where we could do some kind of lunch or posh do and also maybe an evening barbecue on the Saturday. You could either have a situation where we provide a tent, and you have Hawk Board members standing up and pontificating to three people in the audience. We have actually had over the years one or two successful ones, what you really need is some troublemakers that really hate the Hawk Board and they know all the answers and they're going to tell you about it. Get a few of them along give them an orange box and get them arguing. and then you really get a debate, and you get people crowding in at the door and you start to get things a bit more moving and animated.

GB: When you were there last year Gordon, I don’t think anybody was in the mindset that they were going to go and listen to anybody in a tent. So maybe we should piggyback on something else. What immediately springs to mind is someone like John Dixon, he’s respected in the racing world, bird control world and he’s a falconer. I think if there was something maybe that John was doing by way of a briefing; presentation; or whatever and at the essence of that was how to drum up support, that maybe a way of opening a few doors. Make people want to listen and it maybe just a way of introducing the whole board, if nothing else. But if we are going to do something then you need to advertise.

NF: One of the problems the Hawk Board has always had is getting non club falconers’ involvement. So, you're looking at pest control abatement, people, breeders and so on and trying to get them into the discussion would be helpful and maybe say OK come to the discussion and come up with some ideas of how you can participate.

HN: Do we launch a discussion about the sort of new membership categories? So, you're actually saying we're thinking of this come and talk to us and engage people that way and also have sort of a permanent standing place where we all take our turns being yelled at.

NF: Thinking about that, there's an interesting demographics that we don't know and that is how many people come to Vowley, who are not actually in clubs. We could say, we'll give you a pound off your ticket if you're a club member

GB: Also, a bit of free food gets people into an event.

NF: Maybe a HB tent for socialising.

GB: One thing that used to work really well a few years ago at the Falconry Fair was when Derek and then Nick did the food preparation demo.

NF: I think that HB members should have badges on saying they are HB Members, especially the specialists!

MU: So, once we know whether we're going to have food or what sort of things we're going to talk about we need to decide if we are going to have a stand as well as a place to talk or just one thing.

NF: It's up to you. But I would have thought, Mark, if you had a reasonably modest hospitality tent so that it looks full rather than a cavernous one that looks empty and you can have stuff up on the walls if you want some kind of visual aids type stuff that might be possible. You could have food there, whatever make it sort of relaxed and sociable, and yes, advertise it well ahead, but also advertise some of the issues that concern people so that you can get them to come along and air their views and find out stuff rather than just say we're the Hawk Board, come and find us.

GM: Ironically it would probably do us a good turn if the avian influenza people in APHA actually did press ahead with their registration because people will be completely up in arms. Now I'm not wishing for that, I'm just saying that we falconers, and I think Nick rather alluded to this when he said we want a bit of a scrap. Falconers are far more active and vocal if they feel there is a real threat, and without a shadow of a doubt there are more real threats now than we've had in the last 10 years,

NF: OK, Gordon, if we did that, why don't we try and invite one or two bods from APHA and other organisations that are involved in these scraps and invite them along and people can throw their coconuts.

GM: The aforementioned Chris Blake did say that they were trying to raise their profile and were going to attend more events this coming summer and onwards, so you know this is an opportunity for them isn't it and show the colour of their commitment?

MU: If we got one or two of those, we could actually be quite nice. And get them to appreciate falconers, even if a few falconers have a go at them. If on the whole, they got a good experience of the day it might well do us some good.

GM: I think that's actually how it works, isn't it? In the days when they used to come to the game fair and what have you, they did. And I think they're going to the falconers fair this year. But they were very rarely abused, falconers are actually and it's ironic because they're not to me, but they're actually really rather polite, you know. I will go back after the bank holiday to Defra and perhaps to one or two of the APHA people, who are difficult to get hold of. They are typically a group that don't like to respond except on their own terms, but I will go back to them. **I will talk to Rachelle and Mark about what we will have and put a plan together and then we will share it with you all and try and push forward on that.**

SUN Update:

See Appendix 1

JC: Positive lists are gaining a lot of traction, especially in Europe and we know that Scotland have endorsed it.

GM: We just need to be mindful that it has not been proposed as yet in England and we don’t want to be opening the door necessarily, but obviously I will take advice from the board.

JC: So, we obviously know that the Scots through their Scottish Animal Welfare Council committee have recommended the adoption of positive lists in terms of England and Wales. Their statement both from the Welsh Assembly and from DEFRA on behalf of England was that they would always monitor what the Scots did. So, they wouldn't necessarily adopt it, but they were saying we will remain cognizant of Scotland does. So, the fact that the Scots have said yes, we like it in principle isn't helpful to us in England and Wales. But I have had some dialogue with the Scots and it's very clear that they didn't realise how much angst they would generate, they've received a lot of negative feedback from across the spectrum, from reptiles, from birds, from mammal keepers and so forth, and quite detailed reasoning as to why they're wide of the mark. The fly in the ointment, as Nick rightly said, was that the Veterinary Association in the meantime have come out and said that they like positive lists and that's obviously a real danger to us because unfortunately the thing that Defra does more than anything else is think that the vets know everything and therefore that's a problem for us. I have written to the VA reasonably snootily pointing out that they're saying, “we're following best practise”, but I've got hold of the German federations, of which there are three major ones, all of whom have done a review of whether they like positive lists and all have concluded that no, they do not. And then I've just pointed out to the BBA that their combined membership in Germany is about double what it is in the UK so you can't really go claiming that your best practise when you're the minor partner in this, so they they're doing a little bit of backtracking.

GM: They're obviously not going to go away, though, are they? They've been batting around Europe for some-time, haven't they?

JC: Well, in Spain it becomes law on September the 1st and there's a whole raft of other things that come in that welfare act, basically it's as good as banning shooting and fishing and the whole raft of other things. The only thing they can't touch, ironically, is bull fighting, because that's a cultural heritage thing for Spain. So, it's a very strange situation, but the minister is the ex-head of PETA in Spain, so you know where he's going to be coming from to start with. The Spanish have done very well they're near to 3,000,000 signatures against this act. So, they’ve done really well in terms of lobbying and obviously that's not just animal keeping, that's rural interests across the board. But the current government is wedded to this legislation, largely because the minister is the coalition partner for demos, which is basically like a Trotskyist party that the Socialists need to keep their coalition alive so they're not going to alienate him even though a lot of socialists don't agree with him, so they're going to go through with this. It's passed all the legislative hurdles and it's passed all the legal hurdles. So, it will become law on September 1st. But the campaigns are basically saying, well, we're just simply going to ignore the law until December the 10th and hopefully get a change in government.

NF: Jim, you raised an interesting point about the bull fighting exception on cultural grounds, and you probably know that the mountain hair thing in Scotland, we're fighting on cultural grounds, we very hastily put together something about falconry culture and heritage in Scotland and the Scottish museums have got a little fight which is really not very good. Now they're going to revamp it and they want to make it more UNESCO side, but I don't think they realise how big a tiger they've got by the tail. We will put it up on the Falconry Heritage Trust site and we've put on also the ones for the 24 countries that are already accepted and inscribed by UNESCO on that site. But at the moment it's a bit of a stopgap solution we haven't done anything about England, and we haven't done anything about Wales and Northern Ireland, and it might well be worth getting some work started on the cultural heritage that the ICH, for England at least, and Wales because I think there's going to be more and more fighting based on culture, because everyone is getting so woke now so we can start using it and they don't seem to have a lot of answers to some of this.

Scottish Update:

See Appendix 2

CB: There is not much really that I can add other than I'm sure you're all aware of the ongoing catastrophes within the SNP; and the First Minister is determined to keep his policy agenda on track. The mountain hare is still rolling away through committee. We can do a huge amount at the moment, well, in general there's a huge amount they can do. However, I think to create obstacles in their path and simply make it so that they have to follow due procedure and there will be checks and balance and there will be people pushing, especially falconers at every available opportunity. So, even if they don't have the powers per se, I think unless we are actually fighting it, we are going to get completely ignored.

NF: The way I look at this thing is we have now got an admission from the minister and I think it is sort of minuted that due procedure was not followed and if due procedure was not followed, then surely at some level, it must negate the. I'm going to keep pushing it until at some point something has to give because you can't have one legislation for cat keepers and another one for falconers.

NF: So, we've retaliated by flagging up our cultural heritage, the other alternative and Cameron and Fergus Ewing are saying, well, OK, we'll go back to primary legislation and we'll put a clause in to the wildlife and Countryside Act and so on. But we all know that meddling with the wildlife and Countryside Act at that level is not easy at all, so that's why I've been pushing the cultural thing first, and it seems to me they're going be looking. They need a let out here guys because they are stuck and if they don't do something and we keep pushing with the cats and the procedure wasn't followed. They're going be in a jam and at some point, I would probably be coming back to James Legge and the CA or somebody with some money and a lawyer and saying hit him.

CB: So, I agree with everything you say and just very briefly the Fergus you mentioned actually blasted the Greens in the main Holyrood Chamber yesterday. Below, and in my report, is one of the things that's going to get edited under the Wildlife Management and Muirburn Bill and is another good example of terrible legislation going that is going to be getting forced through. It is still in stage one.

**Wildlife Management and Muirburn (Scotland) Bill**

This will not affect falconers any more than it will affect who shoot grouse. The bill is at stage 1 at the moment so there are chances to alter it.

**Key points**

Section 1 – Trapping and red grouse licensing

* To kill a red grouse the owner/occupier must hold an unsuspended 16AA license. To be granted a license occupier must comply with a code of practice.
* Licence may be granted or renewed for 1 year.
* License may be revoked in the license holder fails to comply with license conditions or have committed a relevant offence. “Relevant offence” goes much further than Werritty report suggested covering not just Raptor Persecution.
* License may be suspended if there is an investigation in relation to a suspected offence.
* Appeals against revocation heard at sheriff court...civil burden of proof.

Section 2 – Muirburn

* Owner/occupier may apply for a license permitting muirburn on land that is not peatland. Peatland is currently described as soil that has a layer of peat mire than 40cm thick.

(1) Managing habitats for moorland game

(2) Improving grazing potential for livestock

(3) Conserving/restoring the environment.

(4) Preventing/reducing the risk of wildfires

* Muirburn licenses will only be issued on peatland for (3) or (4) but only when no other means of vegetation control is available.
* Licenses can be suspended or revoked.

[https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/wildlife- management-and-muirburn-scotland-bill/introduced/bill-as-introduced.pdf](https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/wildlife-%20management-and-muirburn-scotland-bill/introduced/bill-as-introduced.pdf)

NF: You're quite right, Cameron. It's mentioned a number of places as an accepted method and so on. And great if you can get it changed, that would be that would be ideal, but that could be a long and tricky process. You probably know that the Countryside Act has been up for review, I think since about the year 2000. We all prepared documents for it and still it hasn't been reviewed, maybe as falconers we should be doing some pre-emptive work on that. So, I support you all the way when it comes to the Muirburn thing, and Mark will tell you when it comes to the grouse Hawking lots of people are using bits and pieces of land which are not grand keepered, licensable Moors for one reason or another. Even if they say it's going to be very cheap and easy to register your grouse, I don't believe it will be, and so falconers could miss out because we're only interested in dogging Moors.

CB: So that is one of the things that I have mentioned in a previous e-mail to some of you that at the moment it is the owner or the occupier. So, if Mark rents a bit of ground somewhere in Scotland, he could apply for the licence and so it doesn't necessarily add any problems to landowners, but it is a, I don't want to say pointless exercise, but yes, it adds a lot of unnecessary red tape. So, the point in my e-mail is that falconers are not any more affected than somebody running or doing a small walked up estate. Because essentially, it's the same sort of thing, except we use birds, and they use shotguns.

MU: Hopefully the shooting community is going to fight this hard and we can help them with them on it. I thought the most dangerous thing, and I think it was in your report, I read is that the licence could be taken away at a moment’s notice.

CB: So that's one of the biggest things that we are fighting against is that. So, if you were accused by somebody, they will revoke your licence, which goes against our fairly basic legal premise of innocent until proven.

CB: That then opens you up to antis throwing baseless accusations and then that just shuts everything down.

MU: That that will happen in Scotland where I hawk, where there's crofters, there's continued war between crofters and the landowner. So, every time the crofters get upset about something, they're going to say oh the white-tailed Eagles are being persecuted or something and that would be enough to close down his shooting for the year.

CB: Overall, there's not much in there that the shooting community supports and by extension I don't think there was much in there that the falconry community would support either.

MU: I can see Scotland's going to just be continual problems, even if we get over the mountain hare situation, they're not going to let big sporting estates get away with anything they're going to niggle away at it for years to come.

GM: I will get you a sort of suggested text for our communication to Scottish falconers, and if we can agree that we'll then get it out.

CB: To be honest, my interest in getting the Scottish Hawk Board reinvigorated has more to do with the fact that I have no experience in grouse Hawking for example, so I've seen it from the shooting side.

GM: That could be part of the pitch. But you know we want to represent all aspects of the sport et cetera.

NF: Well, I'm part of the cultural heritage thing. It's passing on from one generation to the next. Mark's going have to take Cameron Grouse Hawking.

MU: Happy to do that, but I think that getting the SHB up and running is really important. Even if we then support you greatly behind the scenes with what we do know.

IAF Update:

See Appendix 3

MU: One of the most talked about things within the IAF at the moment and that everybody's wanting to know is when AI vaccines are going to be available and we're hearing quite different things than NHM, because we're being told that there's virtually no plans for vaccination.

MU: The other big thing, of course, is positive lists, but we've fairly much covered that. We had a board meeting Monday and one of the things we were told was that in Belgium, who I think have got the positive list, it might not be the whole of Belgium, it might be just one of the states, but one thing that's putting them off positive lists is the administration of the applications - in Belgium they got over 400 species applications for reptiles. So, the countries that are going this route are finding themselves bogged down in administration which might be a benefit for us, because if every country that goes that route then gets bogged down with hundreds of applications for things to be added to the positive list, it's going to put countries like the UK off doing it. So that was the one plus coming out of the AI meeting that I think you've followed online, Helen. That was organised by the Eurogroup for Welfare and they actually tried to have that meeting with nobody from our sort of side in that meeting. It was just for people pro positive lists, but luckily because it was a European Council Meeting they were told that they had to let other bodies in and IAF and FACE got in at the last minute on that and we're able to ask questions, so that was quite good for us. But it shows the depths that these welfare groups will go to.

MU: European Greens are being a real problem and it looks like there's been a move to

elect a green candidate onto the European Commission, which would be bad news for us if they get that.

Countryside Alliance Update:

See Appendix 4

NF: James talking about Wales now the Welsh Government is really anti field sports and even anti rural everything. They're talking now about introducing them Open Access to farmland and rivers and so on in Wales is the CA doing anything about that?

JL: Yes, we will. We will be responding to any proposals on that. We've done quite a lot over the last 20 years on it, particularly with regard to access to inland waters, say non tidal, but we will be keeping an eye on that and certainly engaging in it as it comes forward.

NF: OK. Another question for you this time about Scotland, if push comes to shove and we have to have a showdown with the Scottish Minister on the mountain hare thing would we be able to tap into support from the Countryside Alliance? In terms, not so much of finance, but legal aid.

JL: We don't have a legal department. I mean, I provide a bit of advice and a sort of semi legal background that I have, I think probably it's something that I'd like to know a little bit more about the detail of what the problem is, the taking of mountain hare had an awful lot of licences granted, but I'm not sure whether that involves falconry as a means of taking.

GM: Thank you. James we are trying to put in a good showing at the Vowley Races in September. Is there a country sports champion or a friendly MP, or MP's that would be worth us inviting?

JL: We can certainly provide you with a list of MPs that would be supportive.

MU: Is there's somebody from the Countryside Alliance who would like to come as well?

JL: Let me know the details. When, where and what and why. And we'll see what we can do.

GM: I'll be in touch.

MU: On the grouse moor licencing situation is there much traction on this amongst the shooters in Scotland. Are they worried about this or are they just thinking all the bigger estates will get their licences?

JL: There’s a huge amount of concern about it because the original proposal was with regard to “grouse Moors” but in fact, the legislation is framed as I think you're aware, so that even if you want to shoot 1 grouse that land would need to be under a licence. So, ministers are taking powers that they can either add other species as well, so you'd end up with a situation that unless your land was licenced, you couldn't take all sorts of species, but as the bill stands, it's about grouse. But attached to that as a code of practise about how you manage it, so even if you just go out a few days a year and you wish to take or kill a couple of grouse, you still have to be licenced in order to take those grouse, even if the vast majority of what you're taking on that day is, other species or unlicensed. So yes, there is an enormous amount of concern. The other thing is the licences will be only a yearlong at the moment, so if you're looking at long term investment in Land Management the whole thing is a nightmare. And as Cameron points out the licences can be suspended or revoked simply on the basis of an allegation. So, if you're investing money in grouse land management, you've got a real problem. But if, for example, you're undertaking your activities and you simply want to go out and it involves a couple of grouse or might involve grouse. You know that moors got to be licenced. The other thing that occurred to me was the fact that at the moment the bill talks about licencing of the landowner or occupier. But what's not clear is and I'm not sure what Scott's law is on this, and I'm trying to find out. But we have an issue where, certainly in England and Wales, sporting rights, the right to take game, etcetera, can be held entirely separately and owned entirely separately from the land, so I could be the land owner and still retain the sporting rights while tenanting my land and ditto I could sell my land but retain the sporting rights, or I could retain the land and sell it, sell the sporting rights to a third party so who if you like, is going to be licenced and if it is only the person who owns or occupies the land, you've got a problem with regard to people who own sporting, right? So, there are an awful lot of potential complications, which I'm not 100% sure about at the moment. We've got till June to respond to the consultation, but everybody does need to get in there because it's entirely draconian.

MU: The moor I hawk on in Scotland is big, a good portion of that has been bought by crofters and we only have sporting rights on, so I'm basically let the sporting rights.

JL: So, my knowledge is more about English and Welsh law because in English and Welsh law and sporting rights are a separate property rights. So, if you have sporting rights over someone’s land, it doesn't matter whether it's tenanted or owned by someone else. And it strikes me that the legislation Scotland doesn't recognise that distinction.

AOB:

RU: We should discuss the co-opting of Nick Fox.

GM: We should vote on it.

GB: Should this not go out to everyone?

RU: I will send out an e-mail to clarify with everybody and make sure everyone's happy.

GM: That would be good and then we will confirm one way or the other with NF.

GM: Right, OK. I just wanted to ask advice. The Wildlife crime Unit that published the Operation Easter publication, which prompted our statement in in light of what is happening perhaps in Scotland and that court case, they are a police body and are therefore taxpayer funded and yet there is no way of actually contacting them to at least counter some of what they wrote. Now I know we're on thin ice at the moment, or so it seems, but I just wondered, is it acceptable that what is effectively a public body has no way of actually going back to them and remonstrating if it's not? Perhaps I should find some way of doing it, or perhaps I should raise it elsewhere. If you think I'm barking up the wrong tree, please say.

MU: I fully agree with you, Gordon, I think we should fight. The way it's designed and being impossible to contact anybody within it to give views is not right for a publicly financed body.

NF: Because they're very self-justifying, I mean as a biologist, I think they're wasting their time and taxpayer’s money.

GM: As a Falconer, I think they're wasting their time. I shall see how I can follow that up. Thank you. I just wanted to make sure I wasn't going off.

NF: Before you leave that one that there's a converse situation going on a bit in Scotland. Aren't they trying to get the SPCA as an enforcement body?

JL: Which of course raises the issue as to whether they're a charity or a public body, and of course it's a body, certainly, where it comes to covert operations. For enforcement, they'll be subject to the regulation of Investigatory Powers Scotland Act, but also there's obviously the conflict between their role as campaigning organisation with very strong views on certain issues and their fundraising etcetera, etcetera.

GM: Thank you very much indeed, I will speak to Cameron about that and we will perhaps follow that up. I mean, again, it's very often best raised from Scotland, but we do need to make some representation, we will see.

GM: We have paid the subscription for Sun Group, effectively for Jim and I just wondered about a modest uplift. I know we are not replete with money, but he is a net contributor to that effort and I just wondered, we have in the past raised it by £200, so I just wondered whether or not the board would support that because the last thing we want to do is lose him from the work that he does.

RU: To be fair, he didn't ask for an up lift this year.

GM: You’re right. Rachelle have you already paid the subscription?

RU: I paid the subscription they asked for.

GM: I wonder then if you just go back and confirm to him that you've paid it and ask if he was seeking an uplift and I think we would support probably £200 pounds.

MU: I'm pro giving them more, but we have given them a lift of £200 in 2020, 2021 and 2022 – so have gone from £800 in 2019 to £1,400 in 2022.

GM: You're absolutely right. It was to try and actually bring us in into sort of a bit of line with how some of the others are supported that's.

GB: I think the approach you just mentioned Gordon would probably be the way to do it because he's likely to come back and say yes.

GM: OK. Rachelle, could you e-mail Jim and get some feedback? Thank you.

The meeting closed at 15:45

**Next Meeting**: **13:00pm TBC July 2023**

**Location: Vowley Farm, Royal Wootton Bassett SN4 8QR**

Rachelle Upton, Co-coordinator – 10th June 2023

Appendix 1

**SUN Report from Jim Collins**

Our biggest threat overall remains, undoubtedly, the potential for the introduction of Positive Lists both in countries of the UK and across EU Member States.  It is imperative that we fight each and every one of these proposals since once several are adopted it makes it easier for our opponents to argue that these represent 'best practice' and should be in place everywhere.  To this end, SUN has lent its experience and lobbying knowhow to colleagues in the Netherlands, Spain, Italy and Austria, all of whom are under immense pressure in regard to the introduction of Positive Lists.  The most immediate challenge is in Spain, where legislation enshrining Positive Lists has passed all the parliamentary and legal hurdles and will become law in September despite massive demonstrations and petitions against the legislation.  At present, very many keepers are envisaging going underground with their animals in the hope that the current Socialist/Marxist Coalition Government gets thrown-out in the December General Election.  Not a single bird-of-prey makes it on to the Spanish Positive List, indeed most species of animal do not with the Minister stating "only those species kept commonly by our grandparents will be allowed in private hands."

We have made detailed submissions to the Scottish Executive against the conclusions in favour of Positive Lists made by the Scottish Animal Welfare Commission (SAWC) and have been thanked for this alternative input.  The steer we are receiving is that though the Scottish Executive feel obliged to take serious heed of the conclusions reached by SAWC they have other welfare and environmental priorities to address first - so probably not a full kicking into the long grass scenario but no time soon would be my guess.  DEFRA continue to say that they will keep a close watch on what the Scots do for any future policy for England (as does the Welsh Government).

A major problem is that the British Veterinary Association have published a policy position supporting the introduction of Positive Lists in the UK and as a vet’s body this carries a lot of weight in the eyes of DEFRA officials and Ministers.  Jim Collins (SUN) has been invited by the  Companion Animal Sector Council (which liaises directly with DEFRA) to Chair a working group on improving animal welfare in the UK which will focus especially on whether or not Positive Lists are beneficial or otherwise and this provides good opportunity to liaise with the likes of the BVA on this issue (DEFRA, the Scottish Executive and Welsh Assembly will each all nominate one of their officials to sit on the working group) and Jim has ensured that the Hawk Board has representation.

The CITES Animals Committee meeting will take place in Geneva in June.  The Secretariat have been rather slow at populating the website with the official working papers and agenda items - expected literally in the next few days - but we can be assured that a focus on captive-breeding will remain a priority as will the Periodic Review into the CITES Appendices, animal transportation and the Review into Significant Trade both of wild-taken specimens and of captive-bred ones.  On a related note, at last year's CITES Conference of the Parties a host of countries - led by the U.S. - put a lot of backroom pressure on the UK (and, to a lesser extent, on the EU Member States) to make it compulsory for all breeders of CITES I species to be submitted to the formal registration process with the CITES Secretariat - this is a compulsory part of CITES but at the time of the vote the EU (including at that time the UK) placed an immediate reservation on the decision making us not obliged to partake.  The CITES Secretariat have picked this up and are challenging the UK on potential non-compliance with the convention.  SUN has been working with DEFRA to provide robust arguments against fulfilling such a condition - not least of all, because the "antis" always lobby against the registration applications being granted which then places the facilities in a very difficult situation.  Adoption of this CITES Decision by the UK would have huge negative implications for a large number of hobbyist breeders.

At the recent Sustainable Users Network with the authorities (DEFRA/APHA/JNCC/RBG-Kew/Border Force/National Wildlife Crime Unit) it was again emphasised that the enforcement focus of the authorities will be on Peregrine Falcons.  Gordon Mellor from the Hawk Board and SUN representation has asked for the evidence to support such a disproportionate focus and it appears we will be given the chance for a separate meeting on the matter in the coming weeks.

DEFRA's Review into the CITES Wildlife Trade Regulations (post-Brexit) rumble on but are proving to make slow progress - both in the movement through the Houses of Parliament to give the Minister powers to amend the Regs. without further recourse to Parliament (we are told the opposition parties are fighting to allow only Ministerial changes that add regulation in this piece of legislation and to refuse Ministers power to deregulate without going back to Parliament) and in what DEFRA would like to do in terms of the changes themselves.  On the latter, DEFRA have pledged that the package of changes overall will represent a net deregulation but the devil will be in the detail.  Amendment to the arrangements for A10's remains on the cards as does changes to how  and how many licence applications get referred to the JNCC and in trying to better facilitate the passage of captive-bred animals to and from the UK and EU Member States.  SUN remains very heavily involved in these deliberations.

Appendix 2

**Scottish Report from Cameron Balfour**

**Political**

Our new FM, Humza Yousaf, was seen as the “continuation” candidate, having already agreed to continue their political relationship with the greens life unfortunately will not get any easier. He has appointed a new rural affairs minister however they are determined to keep their policy objectives on track, so I don’t think it will be getting any easier for us.

Mairi McAllan – Net Zero and Just Transition

Mairi Gougeon – Rural Affairs, Land Reform and Islands

**Mountain Hare**

As I have stated before, Barry’s petition has indeed got much farther than I expected it too (credit to him where it is due). I am still dubious of the committees’ powers to do anything, and see a legal fight on the horizon if licenses are issued under “any other social...purpose”. NatureScot has repeatedly said that falconry does not meet the “significant benefits” test, so if licenses were issued under that guise would not doubt be challenged by anti’s.

Not knowing what the committees powers are, and any legal loopholes that people are planning on using, the best case scenario is if “for the purposes of falconry or aviculture” can be added to section 16(3) of WACA. Barry has stated this explicitly in his latest submission to the committee (22 March 2023).

https://www.parliament.scot/get-involved/petitions/view-petitions/pe1859- retain-falconers-rights-to-practise-upland-falconry-in-scotland?qry=PE1859

**Wildlife Management and Muirburn (Scotland) Bill**

This will not affect falconers any more than it will affect who shoot grouse. The bill is at stage 1 at the moment so there are chances to alter it.

**Key points**

Section 1 – Trapping and red grouse licensing

* To kill a red grouse the owner/occupier must hold an unsuspended 16AA license. To be granted a license occupier must comply with a code of practice.
* Licence may be granted or renewed for 1 year.
* License may be revoked in the license holder fails to comply with license conditions or have committed a relevant offence. “Relevant offence” goes much further than Werritty report suggested covering not just Raptor Persecution.
* License may be suspended if there is an investigation in relation to a suspected offence.
* Appeals against revocation heard at sheriff court...civil burden of proof.

Section 2 – Muirburn

* Owner/occupier may apply for a license permitting muirburn on land that is not peatland. Peatland is currently described as soil that has a layer of peat mire than 40cm thick.

(1) Managing habitats for moorland game

(2) Improving grazing potential for livestock

(3) Conserving/restoring the environment.

(4) Preventing/reducing the risk of wildfires

* Muirburn licenses will only be issued on peatland for (3) or (4) but only when no other means of vegetation control is available.
* Licenses can be suspended or revoked.

[https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/wildlife- management-and-muirburn-scotland-bill/introduced/bill-as-introduced.pdf](https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/wildlife-%20management-and-muirburn-scotland-bill/introduced/bill-as-introduced.pdf)

Appendix 3

**IAF Report from Mark Upton**

**Positive Lists**

IAF and FACE managed to get included in Positive Lists Meeting at European Commission. Meeting was called by Eurogroup For Animal Welfare, who tried to keep non welfare groups out of meeting but because it was held at the European Commission they legally had to let other groups in and IAF and FACE asked to be included. Member states are not keen on Positive lists because of the legislation involved and animal groups lobbying to have species included on Positive lists. Belgium has had over 400 species of reptile added to their positive list.

**Avian Influenza**

Avian Influenza and introduction of vaccines is being monitored, but most countries in a similar position to us.

**European Greens**

There is a move in the European Commission to elect a Green Candidate. This is a great concern because it would open the way for harmful political dealings within the Commission.

**IAF Falconry Museum**

A Falconry Museum has been built in the ground floor of the IAF building in Brussels with funding from Abu Dhabi. This is due to be opened later this year.

**Meetings**

IAF have also attended:

* Biodiversity Platform (IUCN)
* CITES Reducing illegal wildlife trade: expert roundtable
* Tourism Events Workshop (promoting falconry through the museum)
* UNESCO ICH accredited NGOs with Wiki Heritage
* The Bern Convention CMS joint task force against illegal killing and trade  meeting to discuss coordination ahead of CMS CoP14
* The Archives of Falconry Spring Rendezvous

**Biodiversity Group**

The Biodiversity Group has been re-established and is getting involved with other biodiversity and conservation groups within Europe. Paul Robinson from the UK has joined the group.

**Wageningen University Symposium**

Gary Timbrell, CEO of the IAF, giving a presentation at the Falconry and Conservation Symposium at Wageningen, where Bob Dalton gave a presentation on Project Lugger to the mini symposium on Raptor Conservation and students came together to talk about their research for Project Lugger.

**IAF Council of Delegates Meeting**

This years IAF Council of Delegates Meeting is being held at the NAFA International Meeting, Kearney, Nebraska 19 – 24 November, 2023

Appendix 4

**Countryside Alliance Report from James Legge**

**POLITICAL/POLICY**

**The Animal Welfare (Kept Animals) Bill**

There has still been no further progress on this Bill, which is still awaiting Report Stage in the Commons. There remain a series of hostile amendments, including amendments on hunting and working dogs. As the Bill has already been carried over once, unless it can make progress before the end of the session (which we expect to arrive in the autumn) the Bill will fall. The Alliance is supporting the Bill in its current form.

**The Hunting Trophies (Import Prohibition) Bill**

This is making progress as a Private Members’ Bill with Government support. We have declined to engage directly because the Bill only bans imports related to species covered by CITES. It has passed through the House of Commons and now awaits consideration in the Lords.

**Equipment Theft (Prevention) Bill**

Greg Smith MP has obtained Government support for this Private Members’ Bill, which was drawn up in consultation with the Alliance. It would require motorised agricultural vehicles to be fitted with engine immobilisers and dealers to record details of sales and purchasers to assist investigation and recovery in case of theft. It has passed through the House of Commons and now awaits consideration in the Lords.

**Online Safety Bill**

The Alliance has drafted five amendments addressing ideologically motivated bullying and harassment, thinking specifically of the targeting of those engaged in rural pursuits. We are pursuing them in the House of Lords and have instigated a lobbying campaign relating to two of them that aim to tackle fake reviews of businesses.

**Rural crime**

The annual rural crime survey, which had over 2000 respondents, was released in February. 97 per cent of those surveyed from across the UK, said that rural crime was a "significant" issue in their community.

**SHOOTING**

**Avian Influenza**

Defra together with the Welsh Government published an updated mitigation strategy for avian influenza in wild birds. The strategy, originally published in August 2022, provides guidance to conservation charities and land managers including local authorities on how to prepare and respond to suspected and confirmed findings of avian influenza in wild birds. Subsequently the mandatory housing measures for poultry and captive birds were lifted from 18 April.

**Registration requirements for bird keepers**

Proposals to require all keepers of poultry and birds officially to register them were launched in March as part of efforts to tackle avian influenza. The new rules would apply to all keepers, no matter how many birds they have; at present only those who keep 50 birds or more are required by law to do so. Keepers would also be required to update their information on an annual basis. The new rules would cover owners of backyard flocks, pigeon fanciers and birds of prey.

**Code of Practice for Gamebirds**

Defra still plans to review the Code of Practice for the Welfare of Gamebirds Reared for Sporting Purposes at a time to be determined.

**Snares**

Defra plans to review the use of snares by means of a call for evidence. The call for evidence is planned to run for 12 weeks. The Alliance aims to support a licensing scheme as an alternative to a ban.

**Lead ammunition**

The Health and Safety Executive’s response to its consultation remains to be published, having been delayed by six months. The consultation ended in November 2022 and the Alliance submitted a full response. A socio-economic impact consultation that was due to be launched has also been delayed until 23 July.

**Woodcock**

A petition by Wild Justice to change the opening of the woodcock shooting season from 1 October to 1 December reached just under 108,000 when the petition closed on 25 January. A Petitions Committee debate took take place in Westminster Hall on Monday 27 February.

**SCOTLAND**

**Hunting with Dogs (Scotland) Act**

This Bill having passed in January although not yet commenced, the Countryside Alliance is now working with NatureScot and the Scottish Government to promote the development of a workable licensing scheme. These bodies have expressed commitment to working with the rural sector. We expect to have completed guidance in place by the end of spring and the Bill should be commenced by late summer.

**Wildlife Management and Muirburn (Scotland) Bill**

The Scottish Government introduced this Bill in response to the concerns over raptor persecution offences close to areas managed for grouse shooting. As written, however, the Bill covers a much broader spectrum of issues, including trapping and muirburn. The Scottish Countryside Alliance is working with stakeholders and has written to the Scottish Government to express our serious reservations and concerns about the Bill. The Bill is now at Stage 1 which is the examination of the principles of the Bill.

**WALES**

**Natural Resources Wales – Trail hunting**

The Countryside Alliance has been involved in discussions with Natural Resources Wales (NRW) on trail hunting and the retrieval of hounds from NRW land, which is currently not permitted under NRW’s trail hunting ban. NRW has refused to allow any dispensations from its decision to ban trail hunting.

**Regulation of gamebird releases in Wales**

Natural Resources Wales is consulting on proposals to put pheasant and red-legged partridge on schedule 9 of the Wildlife and Countryside Act 1981. This would make the release of these species unlawful unless licensed. NRW are proposing a combination of a General Licence and specific licences depending on where the releasing takes place. The proposal is deeply problematic. The consultation was launched on 27 March and runs for twelve weeks.