



Falconry – Inscribed by UNESCO as Intangible Cultural Heritage of Mankind

**Minutes of the Meeting of the Hawk Board held on 15 October 2020**

The Chairman opened the meeting at 12:30

Present:

Graham Bennett (GB); Graham Irving (GI); Gordon Mellor; Jimmy Robinson (JR); Mark Upton (MU); Rachelle Upton (RU); Amy Wallace (AW); Dean White (DW)

Apologies:

Jim Collins; Nick Havermann-Mart; Don Ryan

Minutes of last meeting / Matters arising:

Approved

GM to sign and send to RU

Chairman's Report:

We live in challenging times. Times where rational debate and reasoned argument is increasingly marginalised by bombastic rhetoric, ideology, and narrow vested interest. Whilst I fully acknowledge that in the face of a global pandemic and the challenges of Brexit, our concerns and interests may seem of limited consequence. They are however important because when the voices of minorities are systematically ignored, freedom and ultimately democracy itself are on a slippery slope.

Fortunately, in the context of the health crisis, many active falconers socially distance as a matter of course, indeed many of us isolate as much as is practicable in modern Britain, choosing our hawking 'bubbles' and often sticking to them, in them, or with them, come thick and thin.

We have seen concerted attacks in the press on driven grouse shooting and the release of reared gamebirds. This, despite the obvious and oft reported conservation and social benefits that such engagement provides in the increasingly challenged rural environment. It seems that no amount of evidence showing the benefits of managed moorland will overturn prejudice, whilst denial that removing released pheasant from the natural food chain would have catastrophic effects on many of Britain's predators is laughable.

In legislative terms we are stepping backwards – and I make no political point here. Many of us will remember when taking a trained bird of prey to Europe for hawking, or obtaining one from the continent, was expensive and downright difficult (in some periods almost impossible). The more recent freedom of movement that have enabled many to take

advantage of relatively liberal legislation that allowed us to engage with our fellow falconers in Europe, seems to be at an end. Of course, we have to allow the new demands to bed-in, and learn how they work in practice, but they look cumbersome and restrictive. We have engaged with DEFRA wherever the opportunity has allowed and will continue to agitate for protocols that will be workable for falconers and hawk keepers.

A legacy from our time in the European Community may yet arrive unwelcome to these shores. For a number of years, extreme protectionists and Greens, have championed the idea of 'positive lists' (which of course are nothing of the sort) of animals that can be kept in captivity – of course no birds of prey have ever made it onto these proposed lists. Whilst gaining traction in some European states, they have been countered reasonably well. Unfortunately, the political situation in Scotland where the Greens are effectively propping up the SNP, gives them the opportunity to influence way beyond their political base, the legislative programme. We saw earlier this year how the SNP were bounced into supporting a complete prohibition of hunting the Mountain Hare. It seems that they are set to propose some form of 'positive' list for animal keeping. South of the border it is unlikely that this sort of idea will get much traction at present, but we must guard against Scotland leading the way with such an approach on these islands.

Social media continues to perplex me with falconry and hawk husbandry showing a range from the excellent and informative to the appalling. Whilst we continue to post candidly and without embarrassment, poor practice, losses and disasters that really should cause us to reflect upon our practice, we do ourselves nothing but harm.

Get out and practice your art, your passion. There is no better antidote to difficult circumstances than flying a hawk. Do it openly, with a smile on your face, and take pride in your heritage.

GM: Numbers of reported losses of BoPs is really worrying.

JR: The way I see it is there is an issue with social media and taking up BoPs, there is lots of selling on-line so people with little or no knowledge can easily buy a BoP. The selling of animals/birds is against social media rules, but groups rebrand to get around the rules. There is a channel and a right way of doing it, research rather than FB advert. AW spends lots of time advising people.

AW: There is no obvious solution and we are fighting a losing battle. Losing birds through cheap equipment, people who don't want to learn – you can't make them use telemetry and they buy cheap stuff off eBay.

JR: I'd rather see those groups shut down for breaking policy.

AW: What is the alternative? There used to be the IBR directory, so where do they go to find breeders?

JR: Falconry Hub does give good advice – it helps newcomers to falconry and advises on buying their birds.

DW: Two different communities – legitimate breeders and sellers and then the large volume of birds being recycled round the system from person to person. The second group have no scruples as to who they sell to.

MU: We can't prevent it and the only way to handle this is to put out guidelines, and continually cover ourselves by publishing good stuff on social media.

GM: There is some good stuff on social media, for example Tony James' clips on training his young tiercel. These things are invaluable

DW: Quite radical - but there are people out there, such as Wild Justice, etc. should we look at working with some of these groups?

GM: We are at a stage that we would engage with legislative proposals, but we are not being overly successful – mainly due to a change in the civil service.

GI: Yes and no – over wild take there was better education within NE, but the bulk of legislation is DEFRA led not NE.

GM: We have few natural allies anymore – in my lifetime I have seen a shift in the conservatives from being pro field sports to equivocal to them.

JR: Going back to the Tony James clips I would be happy to help, (with AW), to do guest blogs on the BFC, etc FB pages/website. You don't need to do big videos; smaller ones are usually more effective.

DW: They are good, but they need to be on a publicly accessible account.

MU: BFC now have an open FB page as well as a closed one. We should go back to the club reps.

GM: We can undoubtedly do better. But with falconry standards who would be the arbiter; who says this is good and this isn't – it would need policing.

### Treasurers Report:

At present the HB current account and savings account have sufficient funds.

Sun subs: We have again contributed £1,000 to SUN.

We are still waiting on subs from the Home Counties Hawking Club I have emailed a few times but have had no reply.

We ran at a loss of £3,865 last year and are due a corporation tax liability of £19.19 (due to interest on savings) and the Accountant has said that whilst this is due 1 January 2021, he wouldn't expect HMRC to try and collect it.

GM: We are ok for a few more years and now is not the right time to raise subscriptions. But we are marching towards oblivion as a time will come when the money runs out.

GI: No offence to anyone, but we have been skirting round this issue for over a decade – we need to look within the next 12 months as to how we can sort out our finances.

MU: I can't see the clubs worrying about this until we come close to closing.

GM: The message round this is difficult as we have a reasonable amount in the bank. We have been asked before why we need the money, well it's for a fight that could be coming. We could go to the clubs and ask how we can do this?

AW: How about individual subscribers?

GM: We tried and nearly got it into place, but we had no interest.

RU: What would we offer them – they wouldn't be entitled to a vote.

JR: Could single subscribers join meetings on-line?

MU: People have always been welcome to attend meetings, but they have no vote.

DW: How many people do we have via the clubs?

RU: Numbers are around 1,100.

GM: We don't need massive amounts of income, but enough to cover losses.

DW: We should raise the subs by about £4 – subscriber based won't work.

AW: Is it worth proactively meeting non-member clubs?

RU: It is something that was done in the past, mainly by the CFF, but COVID isn't helping now.

MU: Martyn Standley was working on getting the commercial groups to join, I don't understand why but they don't want to support us when we are trying to advise on legislation that would help them.

GM: A lot of it stems from the past. Amy's posts show how many people we are missing.

MU: How many members of the HB FB?

JR: About 1,500.

AW: We have different audiences.

JR: Where did donations come from in the past?

RU: The CFF were created to be the fund-raising arm of the HB, but with the demise of county shows the donations slowly dried up.

GM: I think a report of our concerns should go to the clubs.

### Positive Lists

GM: There is a chance of positive lists being brought in in Scotland. We have not many obvious allies to support us, e.g. the reptile keepers don't seem to want to help. CA has no great constituency affected. It's a real achilleas heel. I have exchanged emails with AK-B and he is rightly concerned that we have few allies in this. Not on the cards at the moment but could happen and we may have to fight it on the basis of individual freedoms.

MU: We could also use the historical side as Scotland is keen on heritage. A large amount of Arab money has been invested in breeding projects and they would have to move. We need to look at directions to fight this from.

GM: It will be interesting if it came about and it is being discussed by the greens in Scotland. We need to share this with the clubs and probably alert Scottish falconers too.

JR: Would the positive lists effect smaller businesses that don't have a zoo licence?

GM: It will be a big impact on all.

MU: Positive list have come in in the Netherland, but only effecting mammals.

GM: We received an email from the IAF which shows it is on the move again.

### Brexit

RU: The following questions have been submitted to the HB:

1. Will HB contact APHA to find out what is happening when we leave the EU on 1.1.21
  - As we already are our own CITES country with A10s will be invalid?
  - Will they recognise the A10s for any future controls, if so, we need to tell people to keep A10s and not bin them?
  - Will they be looking to replace them with our own CITES document or will the WCA take over registration?
2. What do owners of Sch4 species, such as peregrine, merlin, goshawk who do not need registration documents, because they have an A10, do when A10s are void, do they have to register their Shc4 specimens?
3. Will the ban to import birds species into the EU continue in the UK, if not will birds now be allowed to be imported into the UK without the use of Balai (which will also not exist in the UK as it's an EU convention) and what regulations will apply?
4. Will APHA allow the use of the pet bird scheme to:
  - Allow falconers from the EU to import birds for hawking?
  - Will they allow it without CITES permits for short periods, 6 weeks(ish)?
  - Or what regulations are they proposing to use?

GI: There is a CITES meeting coming shortly and I will ask these questions.

GM: I have sent an email to APHA

GI: As for the A10's, they don't know yet. All we do know from the Government is that they have told people to apply for import/export licences if they are planning to move birds early in the New Year.

GM: These are questions that are low on their list of priorities, but they are quite complex and need to be looked at.

DW: Does GI know if there is a timetable to resolve these issues?

GI: They have to make decisions by the 1/1/21, so they might tell us at the next meeting, but they might not! When legislation is changed, such as the Wildlife and Countryside Act which had the EU stuff transposed into it as part of the withdrawal agreement, it could be several years before it is rewritten or replaced, because legislation to do with import/export of goods are going to take precedence.

GM: IF WCA is rewritten then HB would be needed to help fight our corner.

SUN Update:

See Appendix 1

GM: We will have to watch the wildlife trade because the moment there was the pandemic there was a worldwide cause to close down the wildlife trade completely and whilst many of us don't trade in wildlife we would undoubtedly be impacted quite negatively as BoPs would be caught up in it, so its something we must keep an eye on.

Legal/Guidelines Update:

See Appendix 2

GI: General licence rules on designated sites will impact on falconers. There has been a big shake up and review on quarry licences this year, quite a few people have access to flying land that is classified as designated land and you need a consent form.

MU: Is it something we should remind clubs of each year, so they can then remind their members?

DW: Send them a reminder mid-August.

GM: I agree a yearly update before the hunting season starts.

AW: Clear guidelines/flow chart from the HB, similar to the ones sent out by BASC.

GM: GI and GM to work on this.

MU: Also has the added benefit of clubs seeing us doing something.

GM: What is happening regarding the mountain hare, I've not herd anything about the stakeholder group.

GI: There has not been anything since it was announced!

IAF Update:

See Appendix 3

MU: There has been a query from the Brussels office; lots of European falconers have been asking about the mountain hare legislation. As IAF rep would it be helpful for me to be involved?

GM: A valid point as Scotland is better disposed towards Europeans than the English.

MU: A lot of the Scottish landowners are quite worried about it.

DW: Is anyone doing an economic impact, such as tourism, to Scotland with the hare ban?

GM: I doubt it.

GI: I wouldn't have thought so.

GM: And were we to do it: 1. It would be difficult and 2. If just falconry it would probably, while significant to us, wouldn't be significant nationally – we would need to work with the shooting bodies.

MU: The IAF are very concerned about the positive lists. They were quite worried that the would be a complete ban on wildlife movement due to COVID, but that seems to have eased a bit now.

GM: World Falconry Day is coming up, is there anything we should do for it?

MU: I didn't mention it in my report as I have mentioned it over the years, but the UK has never really done anything.

GM: Are breeders being affected by COVID?

MU: They are having problems getting flights out to export BoPs

A.O.B:

DW: I have seen some of the videos from the falcon racing; what is the HB's view on this?

GM: We haven't taken a view on it.

MU: I have a little worry about it; it is being done well at Vowley, but the anti's may pick up on this and as they said with fox hunting – you have drag hunting so you don't need to kill the fox – they may use the same sort of argument to try and get falconry banned.

GM: We can say that they are using falconry techniques, but it is not falconry.

JR: One of my concerns with it is that this could affect a lot of large-scale breeders as the Arab market is now moving away from hybrids and are looking at blood lines, so a huge amount of gyr hybrids could hit the UK market. And going back to earlier in the meeting there will be more cheap birds for people to buy, who don't know how to look after them.

RU: With both our VC's being unavailable at the moment I think we need to look to appoint a temporary VC.

GI: What does the constitution say?

RU: There is nothing in the constitution

MU: We only really need a VC when the Chair is unavailable.

DW: Or the chair is conflicted.

GM: Do we elect a temporary VC now or later as and when needed?

RU: The VC has to be a specialist member.

MU: I will do it if no-one else wants to!

GM: We will vote on this.

MU leaves the room

GI proposes MU to temporary VC

DW Seconds

Vote is unanimous.

MU is elected temporary VC.

GM: We have smaller tasks to takeaway and bigger ones to think about.

The meeting closed at 2.30pm

**Next Meeting: 12.30pm Thursday, 11 February 2020**

**Location: TBC**

Rachelle Upton, Co-coordinator – 21 October 2020

## SUN Report from Jim Collins

In these strange and challenging times of Covid19, all meetings have been either cancelled or switched to virtual meetings. Included amongst the casualties was the CITES Animals Committee meeting (Geneva) which would have been the first since the CITES Conference of the Parties in 2019. The Animals Committee (AC) meetings undertake all the leg work on proposals, resolutions, and instructions in respect of the Conference of the Parties (CoP). Without the recommendations coming from the AC the countries attending the CoP have little on which to determine their voting intentions. Accordingly, there will be instead a lot of inter-sessional working groups taking place via e-mail exchange through to the summer of 2021 when an AC meeting will take place in 2021 in Geneva (hopefully) or failing that by a virtual meeting format. SUN are involved in a number of these critically important groups including those considering species listing proposals, captive-breeding, taking account of livelihoods when reaching decisions, transportation, etc. and will mean a lot of work commitment in the coming months.

An 'upside' of the pandemic is that the European Commission have not gotten round to doing a vote on more species to be added to the EU Directive on Invasive Alien Species which means we will get to Brexit date without further prohibitions that the UK would be obliged to transfer into domestic legislation and enforce. We will be working with DEFRA and the Non-native Species Secretariat to try and ensure that the UK's invasive species legislation retains proportionality, enforceability and based on vigorous scientific appraisals. I'm hopeful that we will be able to see some species (not of course birds-of-prey) removed from the current prohibitions since, though they may be potentially invasive in warmer climates they are very certainly not in the UK. We will need to stay on our guard and be ready to argue against any future proposals and/or lobbying from UK protectionists to prohibit the likes of Harris Hawks and bird of prey hybrids.

Much of the activity in the past eight months has been spent countering the immense amount of lobbying (here in the UK, through the EU and, indeed, around the world) from the protectionists and animal rights organisations to prohibit trade – irrespective of captive-bred or wild-caught status – and the keeping of any species not formally recognised as being domesticated (no bird of prey species is recognised by the UK Government, European Commission or CITES as being of domesticated status). This lobbying has achieved a good amount of traction as politicians and civil servants seek to minimize the risk of another Covid19 pandemic arising from zoonotic sources – of course, our opponents are busy with every scare story under the sun in order to try and secure the most draconian of restrictions.

At the initial stages of the pandemic it was clear that our own Government was highly receptive to proposals for major bans and prohibitions on trade and keeping but SUN has been able to secure fortnightly virtual meetings with senior levels within DEFRA and this has been really very useful and fruitful. We have been able to counter-argue on the fact that such prohibitions would force trade and keeping underground and such circumstances would increase, not decrease, the chances of spreading zoonotic diseases. Likewise, we have been able to argue strongly that such widespread restrictions would be disproportionate and counter-productive to both animal welfare and human health, whilst also pointing-out that the likes of our North Sea fisheries are no less (and probably a lot more) a 'wildlife trade' than say and captive-bred parrot or hawk being sold on the international market. These series of counter arguments do seem to be working well, with the latest UK official statements being a lot more balanced than those in March-June period and, likewise, governments like Germany are saying that largescale prohibitions are not the way forward (SUN has worked closely with its equivalent organisation – the BNA – in Germany and with others across Europe and North America). This area of activity will remain paramount in the next couple of years.

Previously, I've reported on the great danger of Positive Lists to our legal activities. Scotland is undertaking a review (with reports to the Scottish Parliament in summer 2021) into whether or not to introduce Positive Lists in Scotland, this being a devolved power within the UK. SUN and its affiliates – very much including the Hawk Board – will be involved in this review since if a Positive List were to be established it is highly likely that not a single bird of prey would feature on it (meaning that the current captive population in Scotland would be the last since Positive Lists forbid further breeding of species not on the list as well as prohibiting any trade) and would set a horrible precedent for the other nations of the UK.

## **Legal/Guidelines Report from Graham Irving**

### **Brexit**

The UK CITES Management Authority has been very busy over the past few months producing and circulating (via social media) the most up to date info on what changes are going to come into effect as of 01/01/2021. I will not attempt to cover the changes within this report as there is a good chance that further updates/changes will happen over the next few weeks. There are numerous Facebook and other social media platforms that are sharing this information and it is to these that I would advise individuals to visit.

### **Scottish mountain hare legislation**

At the time of writing both the Hawk Board and Scottish Hawk Board have applied to be part of the stakeholder group that the Scottish government is setting up as part of the consultation process. A potential licensing process has been mentioned but to date no further info on that has been made available.

One thing that is being discussed on social media is for falconers that are involved in mountain hare hawking this autumn/winter to submit an end of season bag return to a single point of contact, the setting up of this is currently being investigated by the Hawk Board. Once a decision is made on who/where this info should be submitted to social media and the regional secretaries will be updated as to the process to be followed. By collating this information, the Hawk Board will be better placed to be able to provide the Scottish Government with a snapshot of the impact on falconry that any proposed legislation may have on our sport.

### **Update on the 2020 English General Licences and impacts on designated sites**

There can't be many of you that are not aware of yet another legal challenge and court ruling, this time in the European court, that has resulted in the statutory bodies having to re-examine the suite of General Licences that each devolved government is responsible for. This court ruling has resulted in landowners who wish to control GL species across any of their land that is a designated site, have this year had to apply for individual licences to control any birds on the GL's that they wish to control to protect nesting birds, protect crops or mitigate any public H&S issues.

These changes will impact on falconers who fly their hawks at GL species on land that is a designated site. There are vast areas of England that are designated sites of one sort or another and you should check with the landowner if any of the land you will be flying on is a designated site and if the answer is yes you then need to ask have they applied for and received an individual licence to control GL species on the areas of their land that are designated. This is where things can go badly for falconers. if they have received an individual licence but have not included falconry as a control method on the application form, (which means it will not be specifically mentioned in any licence issued), then falconry cannot be used as a method to control the problem species.

### **Disturbing nesting/breeding peregrines**

This is something that seems to be coming more frequent. I have seen around a dozen cases on social media where pest control contactors are complaining about "the local breeding peregrines" attacking or chasing their trained hawks that they are using for bird clearance work, when it is pointed out that they are committing an offence the reply is often that they have a contract and have to do the work. The fact is that if you have properly risk

assessed a site and are aware of local breeding peregrines', you have to factor that into any contract you pass to the customer. You cannot disturb breeding peregrines, the offence is to either intentionally or recklessly disturb them, you will be committing an offence.

**Wild Justice Legal challenge against the Welsh General Licences**

Court date confirmed as December 13<sup>th</sup>. If the findings go in WJ's favour then the potential for challenges of the English and Scottish GL's is likely, unless England and Scotland take action soon after the court ruling and instigate a review of their current GL's and make changes as per the Welsh court ruling, this could result in more species being removed from the current species on the 3 sets of General Licences.

They have also been granted a JR concerning the release of pheasants and red leg partridges in England, the date for this hearing is November 3 and 4.

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

Like everything else, things have been quiet with the IAF due to Covid. Virtually none of the major NGO's whose meetings representatives of the IAF would have attended have taken place.

The annual Council of Delegates Meeting which was due to be held at the NAFA annual field meet, at Kearney, Nebraska, has been cancelled. Instead, a slimmed down, online meeting of delegates is being held on the same dates.

The only election being held at the meeting is for the new post of Vice President for Latin America. There is only one candidate for this post, Adrian Reuter, from Mexico. Adrian has been a long-time member of the IAF, there CITES representative and previously Executive Secretary.

Next year's meeting, 2021, is scheduled for Budapest, Hungary, at the One with Nature International Hunting Expo. IAF will be hosted by Magyar Solymász Egyesület, the Hungarian Falconers' Club.

Hopefully all specialist board members should have received copies of the IAF Journal and Rachelle posts the IAF monthly eBulletin which contains information about all the events and projects that the IAF have been involved in.