



CONSULTATION ON A DRAFT CODE OF PRACTICE ON THE WELFARE OF GAME BIRDS REARED FOR SPORTING PURPOSES

ANIMAL AID RESPONSE

SCOPE OF RESPONSE

1. This response is concerned only with paragraphs 5 and 6 of the Draft Code of Practice: management devices and the discontinuation of raised cage laying systems for birds to be reared for ‘sporting’ purposes.
2. Animal Aid notes and regrets that the Consultation is not seeking evidence as to whether the sport of shooting ‘game birds’ should be banned. The Animal Welfare Act 2006 was drafted to protect animals in the care of man from unnecessary cruelty and suffering. It was only in the parliamentary scrutiny stages that it was realised that the proposed protection would extend to purposely released game birds that continued to be fed, watered, medicated and kept free from predation. This proposed protection from unnecessary suffering would have resulted in the cessation of purpose-breeding and the release of live game birds for sport shooting: a step too far for government and an unintended welfare protection. The law lamentably allows the deliberate release, purposeful wounding, killing and eventual abandonment of about 40 million game birds a year to satisfy a commercially driven sport. Furthermore, there is no limit to or control of the releases. For this reason, Animal Aid considers any Code of Practice to protect an animal from unnecessary suffering and cruelty whilst it is in captivity, but at the same time allows purposeful unnecessary suffering after its deliberate release, to be absurd.
3. This Consultation is not considering whether the sport of shooting game birds should be banned. What is offered by Animal Aid is therefore that the practice of rearing and releasing game birds for sport shooting be banned. This is the position in the Netherlands, a nation that values its agricultural landscape and wildlife by protecting each against unlimited unnatural releases of non-indigenous species. Given that the shooting lobby in Britain claims that the releases serve only to supplement the naturally wild game birds, banning breeding and releasing, by this logic, would serve to contain the sport and not end it.

ASSUMPTIONS AND REFERENCES

4. Reference is made in the Consultation document to the Public and Corporate Economics Consultants (PACEC) Cambridge report of 2006 and a claim that the gamebird shooting industry is worth an estimated £1.6 billion and sustains the equivalent of 70,000 full-time jobs. Animal Aid does not accept the validity of this report. It was commissioned by the Countryside Alliance (CA), British Association for Shooting and Conservation (BASC), and Country Land and Business Association (CLA), in association with the Game and Wildlife Conservation Trust (GWCT). These organisations have a vested interest in the furtherance of shooting and all promote and protect live quarry shooting. They provided and canvassed their membership lists to obtain an advantageous result. The PACEC 2006 report was commissioned specifically to promote to government and the public that the economic worth of live-quarry shooting was a valid reason for its retention and protection. The questionnaire-based survey relied upon a sample of 2,096 partially completed responses from a base consisting entirely of individuals within the shooting industry.
5. The GWCT is a research organisation repeatedly favoured by DEFRA. It promotes and protects live-quarry shooting and its research consistently approves sport shooting. Some of its trustees and council members draw income from shooting and it receives commission for research from the shooting industry. Its report into bits and spectacles, published March 2009, is predictably commensurate with the barely modified *status quo* and contrasts markedly with the decisiveness of the Farm Animal Welfare Committee (FAWC) in its *Opinion on the Welfare of Game birds*, published November 2008. Animal Aid has noted for several years that GWCT research on live-quarry shooting issues is biased towards shooting and therefore cannot be afforded any credence.

MANAGEMENT DEVICES

6. Animal Aid cannot approve of the use of any management devices. Both the draft code and this consultation overlook the most obvious reason for the need for anti-aggression devices: that the birds are housed in unnatural overcrowded conditions that encourage competitive and sexual aggression.
7. Apart from calling for a ban on the nasal septum-piercing bits, the draft Code fails to set out clear restrictions. Typically, it urges that the devices should not be 'generally' or 'routinely' used. These words identify the code as a protocol of compromise with cruelty. They show that the working group failed to reach agreement. The Code thus has no hope of gaining respect, compliance or enforcement. If the Code is used in legal proceedings as intended, no court, magistrate or member of the judiciary could interpret such meaningless language to make a conviction.

CAGES

8. Animal Aid does not approve of any system of artificially breeding-for-release of game birds for sport shooting. But it agrees that cages –**whether enriched or not** – should be banned outright and supports that cages be defined. The European Food Safety Authority (EFSA) definition is sensible. By defining a cage as a system which is operated without the human keepers entering, it avoids off-the-cuff speculation on what is acceptable living space and other contrived definitions of convenience.
9. Animal Aid opposes the use of cages as defined by EFSA for all game birds. The UK trend towards the raised laying cage system for pheasants has highlighted the cruelty of the traditional breeding boxes for partridges. Because it has always been done that way does not make it right. If a cruel practice for one gamebird species is rejected, then it must also be rejected for another.
10. Partridges and pheasants are bred for the sport-shooting industry to be as wild as possible. The desire of breeders and customers is for birds to exhibit natural fast high-flying behaviour. But the breeding birds do not come from wild strains. They are easily caught up from the survivors of the shooting season when it ends on 1 February. The artificial breeding cycle fails to produce a truly wild bird that can successfully breed post release. Contemporary GWCT research is seeking the answer to this constantly recurring dilemma. Nevertheless, the birds are wild enough for a barren, restricting environment to be cruel. Capturing a bird that has experienced the freedom of release and confining it again is a separate cruelty connected with breeding-for-release that has not been addressed in this consultation or draft code. Similarly, the industry practice of selling cheaply (for release and shooting) the breeding birds that have been confined for most of their lives in breeding cages, is a particularly callous practice that highlights unsporting attitudes within the shooting industry. This has not been addressed in the draft code, which is concerned only with welfare during captivity. The provenance and disposal of breeding stock should be a consideration even if both fall outside the scope of the Animal Welfare Act 2006.

THE IMPACT ASSESSMENT

11. Animal Aid agrees that the overall costs related to a proposal to ban the cages are subject to uncertainty. Also, the industry warning that a large number of those gamebird keepers most affected by a ban on cages will leave the industry is a petulant response. The cages are a recent innovation. All of the cage operators used the traditional pen system before making an unwise investment in controversial equipment. They must have known it would generate marked opposition within and without the shooting industry. The BASC took an immediately opposed position. The Game Farmers Association took a lesser course but insisted that all cages be enriched if operators were to retain the support of the Association.

12. The Impact Statement makes an important omission. This Consultation is valid only in England. The largest raised-laying-cage operator in the UK is in Wales. There is no undertaking that devolved government in Wales or indeed Scotland will accept the outcome of the English Consultation or any resulting English policy on this issue. If an English ban on cages was to result, cage production in Wales or Scotland could expand to meet any shortfall. The Welsh operation already provides cage-bred pheasants and partridges for its own very large commercial shoots in Shropshire, Somerset and Devon. It also sells its stock UK-wide.
13. According to the Impact Statement there are no more than 10 cage operators for pheasants in England. It considers that banning cages could shunt the production of all cage breeding into France and that French production could increase. It forgets Wales. Welsh production could also increase if the devolved government of Wales fails to follow an English lead. This can only be an observation. It cannot be an argument against banning the cages in England. If the conditions endured by, for example, agricultural and domestic animals in other lands were a parameter for consideration before welfare legislation was written, we could never achieve any progress in the humane treatment of animals. Many animal-derived foodstuffs are still imported into the UK from overseas countries with adverse animal welfare policies that would never be acceptable here.
14. Regulation is essential. Voluntary Codes of Practice are impotent. From the first exposure of the cages in Britain, the BASC opposed them and called upon its membership to boycott any stock bred in cages. The call was ineffectual. The number of cage operators has grown since the call and, perversely, the BASC carried the advertisements of two of the largest on its web-based Trade Directory from the date of its first opposition until the demise of the published Directory.

CONCLUSION

15. The purpose breeding-rearing-releasing of game birds for live-quarry sport shooting should cease. As a first step towards a Netherlands style total ban, all cage systems – **‘enriched’ or otherwise** – for breeding game birds should be immediately banned. Without the artificial conditions of captivity, cruel management devices will be unnecessary.
16. The impact of a ban first on cages and later on all artificial breeding systems will be lessened by phase-out periods and the audited depreciation of equipment.