

# Wild Animal Welfare Committee

**Response to Defra consultation seeking views about the recent withdrawal of the three general licences (GL04, GL05 and GL06) for the management of wild birds.**

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## Summary

WAWC believes that the recently-revoked General Licences (GL 04-06) were not fit for purpose. This is because:

- All species of bird listed are considered sentient and thus have intrinsic value. GL04-06 did not take account of this.
- All proposed interventions against wildlife should be tested against a suitable ethical framework and have an exit strategy. GL 04-06 did not provide for this.
- Conservation activities that attempt to rely on the routine and repeated killing of the same species in the same location as provided for in GL 04-06, are not sustainable and are unethical.
- Scrutiny of activities licensed under GL 04-06 was minimal and therefore there is little or no evidence of compliance.
- Shooters authorised under GL 04-06 do not have to demonstrate competency in humane killing.
- The taking and killing of wild birds using live capture, as provided for under GL 04-06, is inhumane and should be prohibited.

Any new licences issued to replace the revoked licences in whole or in part should include provisions to address these criticisms.

### Detailed response to the call for evidence

WAWC believes there is a strong case for better governance of human activities where these affect the welfare of wild animals and that these are best governed by an ethical framework. This principle applies to licences issued under the Wildlife and Countryside Act 1981 such as General Licences 04, 05 and 06.

The keepers of farm, companion, zoo, research and other captive animals in the UK are subject to animal welfare laws and codes of practice which, while having a basis in science, have also been shaped by ethical debate amongst parliamentarians and the general public. A comparable approach which combines science and ethics to reduce harm to sentient wild animals and prevent suffering caused by human activity is warranted. An example of an ethical framework was provided by Dubois *et al* (2017). WAWC's response to this consultation draws on the seven principles set out in the paper and applies these where appropriate. This does not preclude all intervention but it would be incumbent on the proponents of intervention to present rigorous cost-benefit analyses of the alternative interventions which take account of the intrinsic value of the species in question. The aim is to adopt the least intervention and avoid killing predators and other wildlife with few exemptions.

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In response to the questions in the call for evidence:

1. Your views on the alternatives to killing or taking a specific bird species for:
  - Conserving flora and fauna
  - Preserving public health or safety
  - Preventing serious damage or disease (serious damage relates to serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber fisheries or inland waters) In particular, what are these alternatives and to which bird species do they relate? In your experience or evidence, how effective and practicable are they?

WAWC is not opposed to all killing and all taking of birds for any of the listed reasons. However, the listed species are known to be sentient. Therefore, these animals have intrinsic value as well as social value. For example, the carrion crow (*Corvus corone*) is an intelligent and adaptable animal; it has close relatives that demonstrate tool use and self-awareness. Therefore, WAWC believes that killing of wildlife and human interventions should only be resorted to when non-lethal interventions have been exhausted (and documented) and where lethal intervention is justified with evidence.

WAWC believes that the killing of wildlife under GL 04-06 has become a matter of routine and tradition, and that the licences have been used as cover for killing of wildlife that does not fall under the provisions of the licences. Evidence that may otherwise support intervention is either not available or not recorded. Although the revoked GLs required the authorised person to be satisfied that appropriate legal methods of resolving the problem, such as scaring and proofing, are either ineffective or impracticable before resorting to lethal control, the lack of reporting and monitoring means there is little or no evidence or any robust demonstration that such tactics were employed. WAWC believes that the first of new licences, GL 26, is an improvement in that it requires evidence of serious damage, requires the use of non-lethal control and advises on record-keeping, although we would prefer the latter to be an obligation.

WAWC believes that similar provisions must be included in all new licences that are issued to cover some or all of the activities provided for in GL 04-06 and that, where appropriate, records must be open to public scrutiny.

2. Your experience or evidence of any benefits that were delivered by the three revoked general licences?

To WAWC's knowledge, there has been little or no evaluation of the effects of the application of the revoked GLs. Given that there is no requirement for registration, recording or reporting about any of the activities listed in GL 04-06, it is very unlikely that data will be available, meaning that analysis of the effects on the target populations is not possible.

Evidence of the benefits on the species to be conserved from the taking and killing of species under GL06 is scant and equivocal. The evidence that certain species locally will benefit from the removal of species listed in GL06 is not disputed. For example, the Eurasian curlew

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(*Numenius arquata*) will benefit from the removal of carrion crows but this has to be seen in the context of factors such as habitat loss and an artificially-increased population of predators supported by the large numbers of non-native *Galliformes* that are released annually. WAWC's view is that the killing of predators can only be justified once those factors have been addressed. The licence must include a permitted number for removal, a plan to monitor the effect in real time (population-level responses at the relevant scale cannot always be predicted) and an exit strategy.

The objectives of wildlife control should be specific, measurable, and outcome-based, where the outcome relates to the desired reduction of harm—such as reducing crop loss, preventing transmission of a vector-borne disease, or increasing an endangered species population—rather than simply reducing the number of target animals (Clayton & Cowan, 2010). Simply issuing a licence without attaching preconditions is unethical and unsustainable.

3. Your experience or evidence of any problems with or caused by the three revoked general licences. Are there any conditions, in your view, that could be attached to general licences to address these issues?

- Where a sentient wildlife species is killed or taken, the welfare of that animal must be protected. In most cases, birds covered by GL 04-06 are shot to be killed. WAWC believes that birds killed under these licences (and any that replace them) must be rendered immediately and irreversibly unconscious – in other words, the bird must be killed humanely. However, other than compliance with firearms and shotgun legislation, which we accept is comprehensive so as to protect public safety, there are no conditions in the licences which relate to the competence of the shooter and his/her ability to kill birds humanely, or to the type of weapon or ammunition to be used. (For example, we know that in other situations, such as the shooting of deer, a widely-accepted programme to ensure competence exists which includes deer welfare aspects.)

**WAWC believes that persons killing wildlife must be obliged to demonstrate competence at the time the licence is granted and periodically thereafter.**

- GL04-06 licenses the taking of birds, particularly corvids, using live-capture traps where decoy birds are used to lure and trap congeners which are subsequently killed, generally by cervical dislocation or by striking on the head. The welfare of birds in live traps is poor. We would submit that it is well-nigh impossible to provide good welfare conditions for wild birds confined in any form of Larsen traps (and crow cage traps), particularly the decoy birds, and that welfare problems are exacerbated the longer the bird is kept there. The conventional Larsen trap already exposes the decoy bird to considerable stress and mental suffering, by confining it close to the ground in full view of predators. The desperate fluttering of lone decoy birds is evidence of this distress. Baker *et al* (2016) compared cage trapping of crows with shooting and scaring. A welfare assessment model concluded that cage trapping with cervical dislocation had the greatest impact because trapped birds can suffer distress, injury or panic during confinement in the trap while birds being killed will be distressed by handling and the response of the decoy bird

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to the handler, and can experience hypoxia following cervical dislocation. In addition, non-target species are also caught and, even if released alive, may suffer and potentially die as a result of entrapment. As for decoy birds, their welfare is adversely affected by captivity and the inability to behave naturally, especially in ground-level traps such as Larsen traps. There is no limit to the period during which decoys can be used although we note the advice in the new Standard Licence Conditions (GL33) that it is good practice to replace decoys “at regular intervals”.

**Notwithstanding WAWC’s objection in principle to live capture traps, WAWC believes that:**

- **persons killing wildlife must be obliged to demonstrate competence at the time the licence is granted and periodically thereafter.**
- **compliance with the Animal Welfare Act 2006 where it applies to captive birds must be monitored by periodic unannounced inspections.**

**In summary, WAWC believes that the use of live-capture traps such as ladder traps and Larsen traps is inhumane and should not be authorised.**

- Interventions against wildlife must have a specific objective and be subject to careful monitoring. If control actions are used on an *ad hoc* basis without being integrated into a long-term management programme, any benefit is likely to be short lived and control actions may be used repeatedly without achieving a sustainable solution (Clayton and Cowan, 2010). WAWC believes this to be the case for GL 04-06.

**Future licences must contain conditions that ensure objectives are set at the outset and monitored for the life of the licence.**

As previously indicated, WAWC believes interventions against sentient wildlife must have clear objectives and be appropriately monitored. It follows that the intervention must stop once the objective has been achieved. WAWC is concerned that, while acknowledging that current and recently-revoked licences were periodically reviewed, most licences are effectively open-ended.

**WAWC believes that reviews must be comprehensive and that licences being considered for renewal must be assessed against objective criteria. If the objectives are not met such licences are not fit for purpose and should not be renewed.**

4. Your experience or evidence of any problems caused by the revocation of the three revoked general licences.

No comments

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## References:

Baker SE, Sharp TM, Macdonald DW (2016) Assessing Animal Welfare Impacts in the Management of European Rabbits (*Oryctolagus cuniculus*), European Moles (*Talpa europaea*) and Carrion Crows (*Corvus corone*). *PLoS ONE*, 11(1): e0146298. doi:10.1371/journal.pone.0146298.

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Dubois, S., Fenwick, N., Baker, L., Baker, S., Beausoleil, N. J., Carter, S. P., ... Fraser, D. (2017). International consensus principles for ethical wildlife control. *Conservation Biology*, 31(4), 753–760. doi: 10.1111/cobi.12896

## **About the Wild Animal Welfare Committee**

The Wild Animal Welfare Committee (WAWC) (<http://wawcommittee.org/>) is a charity providing independent advice and evidence about the welfare of free-living wild animals in the UK, aiming to reduce harm to wild animals and prevent suffering caused by human activity. WAWC offers informed independent comment based on scientific research and modern understanding of animal welfare and animal sentience, with a view to influencing public policy, so that wild animal welfare is optimised.

The primary aim of this voluntary Committee is to reduce harm to wild animals in the UK and to prevent suffering caused by human activity where possible. It is a fact of life that free-living wild animals will suffer and die, and as much as humans may regret that harsh reality, we know that it is generally inappropriate to interfere with the natural course of events. The consequences are often unpredictable and can be negative, both for individual animals and for populations.

Many traditional activities that affect wildlife, from sport shooting to pest and predator control, have carried on largely unquestioned for decades or even centuries – either because the practices were unknown or unobserved, or simply because they have always been done that way. Newer activities such as wildlife rehabilitation, identification tagging, research, translocation and other conservation-related activities all have consequences for the welfare of the individual, which are sometimes overlooked or unanticipated. And then there are the many novel developments that affect the environment and create new hazards for the individuals living in it – higher buildings, more extensive transport links and changing land use patterns. These anthropogenic impacts on sentient, individual wild animals are the focus of the WAWC's attention. The keepers of farm, companion, zoo, research and other captive animals in the UK are all subject to animal welfare laws which, while having a basis in science, have also been shaped by ethical debate amongst parliamentarians and the general public. The welfare of wild animals should, in our view, be treated no differently. The increasing evidence of sentience in a growing number of species means that wild animal welfare must be given greater emphasis

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