



**Somerset Badger Group's Response to Defra Consultation on
'Supplementary Badger Culling'**

10th February, 2017

6. Please give us your views on the proposed approach to licensing: including the conditions of licensing, the discretion in Natural England's decision-taking and the licence period.

Defra's has on many occasions 'cherry-picked' the scientific findings of the Randomised Badger Culling Trial (RBCT) to justify its current badger culling policy. To consider licensing further culls again moves even further away from the scientific evidence produced during the RBCT. The trial reported that the biggest reductions in bTB in cattle were achieved after culling had ended. The Government's own Cost Benefit Analysis is based on this premise so moving away from it will increase the costs to farmers, landowners and taxpayers therefore reducing the net benefits and further undermining the cost benefit analysis. It was also reported in the RBCT "It is... not possible to predict how culling over different periods of time, or at different intervals, would have influenced the results". Indeed in Paragraph 3.10 of the Consultation Document it states that "There is no evidence on the effects of a longer-term control of badgers in areas that have completed a four-year culling period." The licensed culls have not delivered any measurable benefits nor is there any empirical, scientific evidence to support Defra's claim that further culls will prolong or even deliver disease reducing benefits (para 1.3).

In the first year of the trial culls in West Somerset and West Gloucestershire the Government's own Independent Expert Panel found these initial culls to be ineffective and yet Defra proposes that Natural England should only issue licences "... if the prior cull was judged effective in achieving a population reduction likely to reduce disease transmission to cattle" (para 4.4). The ineffectiveness of both estimating badger populations and achieving target cull numbers in successive years is evidenced by the fact that the maximum and minimum target cull numbers have had to be significantly revised. In 2016 after 35 days of culling, the target numbers were revised down for 5 of the 7 new areas and increased for 2.

Defra's current proposals assume that 'maintaining the badger population at the level achieved by a minimum 4-year cull is the only available means of maintaining the reduced potential for infectious contacts between badgers and cattle'. Whilst the effects of perturbation (social group disruption)

during and after the RBCT have been reported, there have been no scientific studies looking at the effects of continuous and repeated culling. In addition, the implementation and enforcement of improved biosecurity controls on farms and continued commitment to the vaccination of badgers, would significantly reduce the risks.

Defra's current proposals also do not take into account the recently published scientific evidence questioning the likelihood of direct or indirect transmission of bovine TB from badgers to cattle (Woodroffe, Donnelly et al 2016, Barbier et al 2016 etc.); nor does it take into account the significant body of scientific evidence showing that cattle to cattle transmission, the limitations of the cattle testing regime and dealing with persistent and undetected infection within cattle herds are significant factors and should be given priority.

Drawing comparisons with the bTB control strategies of New Zealand and the United States are both irrelevant and misleading. The identified wildlife reservoirs involve very different species and the direct or indirect interaction between these species and cattle are very different. In addition, the strategies involved whole herd removal which is completely different to the Defra's current bTB control strategy. In contrast, the Welsh Government's bTB control strategy which included a more rigorous and more accurate cattle testing regime, improved bio-security on farms, improved cattle movement controls and a badger vaccination programme in the Intensive Action Area, has been very successful in significantly reducing bTB within their national herds without culling badgers. The Chief Veterinary Officer for Wales Christianne Glossop, has recently confirmed that new incidents of bovine TB are at a 10 year low in Wales and that 95% of Wales' cattle herds are now bTB free.

Of real concern is the fact that there is no process in place to neither confirm evidence of bTB infection within the badger populations in the cull areas nor to establish the potential risk to cattle. The culling licences are issued under section 10, 2(a) of the Protection of Badgers Act, 1992 and we fail to see how Defra can ensure the licences are or would be compliant.

It is therefore the view of the Somerset Badger Group that the proposed approach is both unscientific and flawed.

7. Please give us your views on the proposed plans to ensure that badger welfare is maintained, including views on the most appropriate time limit for badger control within the open season.

The Somerset Badger Group do not believe that it will be possible to ensure that badger welfare is maintained. The continued licensing of 'controlled shooting' as a method of culling badgers is in direct contradiction to the findings of the Government's own Independent Expert Panel and of the British Veterinary Association, both of which have rejected 'controlled shooting' because of welfare concerns and deemed this method of culling as inhumane.

There is no evidence to suggest that the accuracy of 'controlled shooting' and the associated welfare concerns have been addressed through the four years of badger culls conducted to date. Independent monitoring of cull contractors to assess and evaluate welfare impacts has been significantly reduced. During the 2016 culls Natural England reported observations of less than a third of contractors, and observed just 112 badgers being shot at which represents less than 2% of the total number of badgers killed by controlled shooting. Only one of these shooting observations took place across the three pre-existing cull-zones, with the remainder taking place in newly licensed zones in 2016. In addition, only one post-mortem was carried out on a shot badger. This level of independent monitoring is in our opinion totally inadequate as a means of assessing the very serious welfare concerns. However, they do demonstrate that 'controlled shooting' continues to fail to meet the humaneness criteria established by the Independent Expert Panel in 2013. In addition, we are very concerned about the reliance on self-reporting by cull contractors who clearly have a vested interest in meeting the licence conditions. This is highlighted in the report of the 2016 culls where a significant disparity was noted

between the percentages of badgers shot at and missed (or not retrieved) as observed by Natural England's observers (8% and 2.7% respectively) and those reported by the cull companies (0.58% and 0.24%).

Neither the Government nor the Chief Veterinary Officer have produced any evidence on which to base the assumption that trapping and shooting, as being conducted under license, is a humane method of killing badgers nor do they appear to have taken any account of the long-term impact on the welfare of surviving badgers whose clans have been destroyed or disrupted by the culls.

The proposal appears to be proceeding on the basis of its Chief Veterinary Officer's advice that "the likelihood of suffering in badgers culled by controlled shooting is comparable with the range of outcomes reported when other culling activities, currently accepted by society, have been assessed, such as deer shooting". We believe that this advice is highly subjective, and as already stated is in direct contradiction with the conclusions reached by the Chief Veterinary Officer's veterinary peers on the Independent Expert Panel convened to assess the first year of pilot culls, and at the British Veterinary Association.

Insufficient information has been provided within the proposal to show how the extended culling licences will be independently monitored. This gives us no confidence that the level of independent monitoring will be both adequate and effective enough to highlight and address welfare concerns.

8. Please give us your views on how Natural England should evaluate the effectiveness of supplementary badger control over the five-year licence period to ensure that it meets the aim of keeping the population at the level required to ensure that effective disease control benefits are prolonged.

The Government's current badger culling policy cannot be objectively evaluated in terms of disease control outcomes, because it is taking place concurrently with improvements in cattle controls which include, improved cattle movement controls, improved biosecurity requirements on farms and increased use of more accurate and timely cattle testing. We therefore fail to see how Natural England could evaluate the effectiveness of the proposed five-year supplementary badger control licence. In addition, it states in the consultation that the first 4 years of culling have been judged to be effective. Defra has defined an "effective" cull as one which reduces badger numbers by "at least 70%" (e.g., Annex A, para 9.d.i). However, an accurate estimate of population reduction requires an accurate estimate of pre-cull population size. Natural England's methods of evaluating badger populations and setting minimum and maximum cull quotas are deeply flawed and subject to huge margins of error. As already stated this is evidenced during the 2016 culls by the need to significantly revise the original minimum and maximum cull targets for the seven new cull areas.

The Independent Expert Panel identified 'Cull Sample Matching' as being the most accurate way of evaluating badger populations, and this was only used during the first year of pilot culls. Sett-based surveys carried out by participating landowners and farmers were found through independent spot checks to be less than accurate. Additionally, sett-based surveys will become increasingly unreliable within areas in which culling has taken place already over a number of years because of the disruption of badger clans within those areas and the unpredictable nature of the perturbation that results.

It is our view that the Government's proposals to issue supplementary licenses and the scale of badger culling will have significant impacts on populations of this protected species, and will place it in breach of its Commitments under Article 8 of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) which states that "Contracting Parties shall prohibit the use of all indiscriminate means of capture and killing and the use of all means capable of causing local disappearance of, or serious disturbance to, populations of a species [applies to Appendix III species

which includes badgers]”, and under Article 9 which allows exceptions for disease control purposes providing the controls “will not be detrimental to the survival of the population concerned”.

With no accurate knowledge of the badger population and with no evidence that a reduced population will result in an ‘effective disease control benefit’ we believe this question is very misleading.

9. Additional Comments.

We are very concerned that the proposals do not have any provision for the removal of supplementary culling licences if the level of bTB in cattle falls below a certain level, neither do they have an end point which relates to disease control success. In effect the proposed supplementary culls would allow the killing of badgers indefinitely irrespective of the success or failure of bTB controls in the cull areas concerned.

We are also concerned that this consultation has not included an option to comment on the proposal that would effectively allow Natural England to override the decision of non-participating landowners not to cull badgers on land they own. For example, by allowing tenants, who wish to cull, to go against the wishes of their Landlords. We believe this inappropriately undermines the rights of landowners and is a departure from the Government’s policy of not making the culls compulsory.

The Somerset Badger Group is totally opposed to the culling of badgers for the purposes of controlling bTB in cattle because it is inhumane, unscientific, ineffective and costly. Instead we support the vaccination of badgers and also the need for the Government to give priority to developing a usable cattle vaccine.

Finally, we believe that consultation documents should enable the reader to provide informed comment on the proposals planned, however it is our view that this consultation document does not achieve this. We believe that the way the degree of certainty expected with the actions proposed has been misrepresented and misleading making it impossible for an appropriate consultation process to take place.