

Wild Animal Welfare Committee

www.wawcommittee.org
wildanimalwelfarecommittee@gmail.com

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Bovine TB Programme
Defra
Nobel House
17 Smith Square
London
SW1P 3JR

By e-mail

Dear Sir/Madam

Bovine TB: Consultation on revised guidance for licensing badger control areas

A consultation exercise contributing to the delivery of the government's strategy for achieving Officially Bovine Tuberculosis Free (OTF) status in England, February 2018

We wish to respond to the above consultation.

The Wild Animal Welfare Committee (WAWC) is a charity set up in September 2014 to provide 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.

The 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.

WAWC is opposed to the current policy killing of badgers for the purposes of disease control in cattle. We believe it is ineffective and cannot be carried out humanely. The application of badger culling in England¹ does not follow international ethical principles for wildlife control², nor general principles for killing animals for disease control purposes³.

We welcome the announcement of a review of the bovine TB (bTB) strategy by Professor Sir Charles Godfray. However, not to include badger culling (Natural England licensed killing) in the scope of this review, and indeed to expand badger killing whilst the review is taking place does not make sense. If badger killing is to

continue it needs to be considered as part of the overall bTB strategy, as it does not sit independently in terms of effects on the epidemiology of this disease or the economics of its control. It is not possible for the objectives of the review to be achieved without including badger killing. Whilst the review is taking place there should be a moratorium on badger killing.

We believe that the question of the number of new areas licensed per year cannot be properly answered in the confines of the suggested on-line consultation response system and for this reason we are responding by letter.

The consultation asks one question: What are your views on removing the restriction on the maximum number of new badger control areas to be licensed each year?

WAWC is opposed to this proposal. In opposing the removal of the 'ten area limit' there are five reasons why we take this position:

1. This proposal (and the other relating to the Low Risk Area) leads us to conclude that the Government is, rather than seeking to amend the Protection of Badgers Acts, simply using the disease control exemption to sharply and permanently reduce the badger population across the whole of the country.
2. Under the current policy, the epidemic of bovine tuberculosis has not begun to reduce and is quite possibly continuing to get worse⁴. There are a number of reasons for this:
 - a. Government continues to apply a disease control regime more suited to a shrinking epidemic rather than a growing one which would be better addressed in the short to medium term by simply managing the disease risk in the highly endemic areas.
 - b. Government is relying, primarily, on a testing regime and a compulsory slaughter policy which is failing to detect and remove all infected cattle. Setting the cut-off for the interpretation of the test at a point that maximises specificity to the detriment of sensitivity exacerbates this effect (although it is accepted there has been some tightening of this recently).
 - c. Although the Randomised Badger Culling Trial (RBCT) determined that a reduction in badger population of 70% would have a positive effect on bTB in cattle, the policy of leaving a substantial proportion of badgers behind will mean that the infection will not be eliminated. Maintaining the population at this reduced level or below means that the killing of badgers will need to be perpetuated indefinitely.
 - d. Government has failed to research the factors that influence badger populations including changes to land use and livestock husbandry, and climate change. Husbandry on livestock farms, particularly on dairy farms, has changed dramatically since the 1960s. Herd size, the distribution of livestock, the nature of pasture and its management, the feeding, grazing, breeding and housing of cattle have all changed. A better understanding of these factors is required even if only some of these favour a higher badger population. For example, the re-structuring of farming in England since the 1960s, where mixed farms have given

over largely to livestock in the west and arable in the east, has increased the proportion of pasture in the west. Given that the badger's preferred diet consists mainly of earthworms⁵, which exist in their highest numbers on pasture managed for livestock⁶, one might expect that an increase in land given over to pasture would favour an increased badger population. In other words, farmers, as well as providing optimal conditions for cattle, may be providing optimal conditions for badgers. There has been no investigation into the theory that climate change has contributed to badger population growth despite peer-reviewed evidence⁷. In short, simply killing protected native wildlife without an understanding of the reasons for its apparent abundance is not sustainable.

3. The only disease-related criterion is that the new areas must lie within the HRA or Edge areas (although we note with alarm the proposal to extend badger killing to the LRA). The inference is that the risk to cattle is uniform across these areas. It is not. There are many parts of the HRA area where incidence is low and discontinuous and much of the Edge Area is hardly affected. Without prejudice to our opposition, in principle, to badger killing, in granting licences, Government must take into account prevalence in cattle rather than simply relying upon the willingness of landowners to kill badgers.
4. Two of the initial areas have been granted a further licence for an additional five years and it is expected that other extensions will be granted. These licences include conditions which relate to badger numbers and levels of land occupier participation. They do not include a target level of disease prevalence in cattle that would cause withdrawal of the licence. This suggests that these extensions are means to permanently reduce badger populations rather than to control disease; badger killing can proceed for the life of the licence irrespective of the success or otherwise of disease control.
5. The lack of detail concerning scrutiny of licence conditions is concerning. We assume that the previous limit of ten new licensed areas per annum was based upon Natural England resources for the administration and monitoring of these areas. Unless there has been a significant increase in such resources, we can only assume that an increase in the number of areas will be accompanied by a reduction in the quantity and quality of monitoring. The current level of monitoring of free shooting, a method of killing opposed by the British Veterinary Association, is unacceptably low. In 2017 only 0.6% of shots were observed⁸. Since the report of the Independent Expert Panel¹ found many badgers being poorly shot, with up to 22.8% taking greater than five minutes to die, we consider the monitoring of contractors to be essential to minimise welfare concerns. Monitoring must be brought back to the level applied at the first instance. A proportion of the scrutiny must be conducted via unannounced inspections, a system that is used increasingly by other regulators.

The consultation states that 'accumulated experience after badger control has been undertaken in 21 areas, for durations of up to 5 years, has shown that these operations do not appear to have caused local population extinction'. We fail to see the relevance of this. Notwithstanding the comments on the failure of the badger killing policy to eliminate the organism (2.c above), the abundance or otherwise of a particular

species, in itself, is not sufficient justification to adopt a policy of population reduction. Killing a high proportion of a badger population in a given area is known to reduce the incidence of infection in cattle⁹ but it does not eliminate it. Even if one gives the benefit of the doubt to the Government's persistent drift away from the RBCT methodology in the granting of later licences, it is reasonable to assume that eliminating the organism from the badger will be impossible if the numbers left are sufficient to maintain a breeding population. Similar sentiments apply to other species of wildlife albeit to a lesser extent. If, in addition, the environment is optimal (or super-optimal given changes in land use), the killing of badgers will have to be perpetuated indefinitely as the empty niches get refilled by recruitment. That is hardly something which a civilised society should tolerate. The Government's citing of the experience of New Zealand and Australia whose elimination of infected wildlife are used in support of the argument for killing badgers is irrelevant as the wildlife reservoirs involved are non-native and there is broad consensus for their removal because of the damage they cause to the environment.

In summary, we oppose this proposal. In the absence of a demonstrable reduction in prevalence of bTB in cattle that can be unequivocally attributed to badger killing, no further 'badger control areas' or extensions should be licensed. An alternative that seeks to manage the disease risks rather than a dogmatic objective of the elimination of the hazard should be pursued.

Yours sincerely



Dr P.J.Goddard, Chairman

On behalf of WAWC

¹ Munro R (2014) Pilot Badger Culls in Somerset and Gloucestershire. London: Report by the Independent Expert Panel.

² Dubois S., et al. (2017) International consensus principles for ethical wildlife control, *Conservation Biology*, doi 10.1111/cobi.12896.

³ World Organization for Animal Health (OIE) Terrestrial Animal Health Code 2017, Article 7.6.1 General principles, 6. Killing of Animals for Disease Control Purposes. Available at: http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_aw_killing.htm

⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/666933/bovinetb-statsnotice-quarterly-13dec17a.pdf

⁵ Neal EG and Cheeseman C (1996) *Badgers*, 1st Edition, Poyser Natural History, London, 328pp.

⁶ Roper T (2010) *Badger*, Collins, London, 416 pp

⁷ Macdonald DW and Newman C, (2002) Population dynamics of badgers (*Meles meles*) in Oxfordshire, U.K.: numbers, density and cohort life histories, and a possible role of climate change in population growth, *J. Zool., Lond.* 256, 121-138.

⁸ <https://www.gov.uk/government/publications/bovine-tb-summary-of-badger-control-monitoring-during-2017>

⁹ Bourne FJ, Donnelly CA, Cox DR, Gettinby G, McInerney J, Morrison I, Woodroffe R (2007) *Bovine TB: the scientific evidence. Final report of the independent scientific group on cattle TB*. London, UK: Defra.