

Friday 22nd January 2021

The Speaker
Room 39 Parliament Buildings
Ballymiscaw
Stormont
Belfast,
BT4 3XX

Dear Mr Speaker,

Public Consultation - Private Members Bill to Ban Hunting of Wild Mammals with Dogs

I am writing to you regarding the proposal from Mr John Blair MLA to introduce legislation to ban hunting, or at least restrict hunting and the use of dogs in wildlife management. I appreciate that you cannot comment on the merits of the proposal either way. I am, however, raising my concern with you about the way in which this proposal is being advanced and the online survey which is being presented as a consultation. This process seems deeply flawed and very far from what would seem appropriate as part of a proper pre-legislative process.

I do not doubt that others have used online surveys to gather public opinion, and it is not the method that concerns me but the content and presentation. We have encouraged our members to engage with this survey despite its obvious deficiencies, but as our members keep pointing out the consultation is presented in such a way that the outcome is clearly predetermined. Of course, the respondent to the survey is free to agree or disagree but the lack of clarity around the proposals, the total absence of any statement of what the “ambition” or objective of the legislation is, and the failure to present any substantive evidence on the issues, makes this a consultation in name only. In addition, the response received by Countryside Alliance Ireland members from Mr Blair, also being used by other MLAs, is muddled and contradicts the text accompanying the online survey. How can a proper consultation be conducted when the proposals are muddled and presented without any evidential background? This cannot be what the guidance to MLAs on PMBs envisaged when it talks of a consultation process.

I am sure Mr Blair is acting in good faith, but it is clear from the response to MLAs and from the text of his survey monkey questionnaire that there is considerable confusion, about hunting, hunting practices as well as misinformation and assertions and assumptions that are unsupported by the evidence or manifestly untrue. The assertion that none of the proposals will have implications for other activities such as shooting is factually incorrect. A ban on terrier work would have a significant impact on shooting. It is not even clear whether he is proposing to allow dogs to be used to flush to guns in the event of a ban and, if he is, in what form. If there is no flushing, or it is restricted to two dogs, then his proposals will have profound implications for farmers seeking to protect livestock and poultry, as indeed would a ban on the use of dogs below ground. These are facts that have been examined and debated in Westminster and Scotland and subject to independent investigation by the Burns Inquiry and more recently the Bonomy Review in Scotland.

I am unaware of previous consultations where there was such a lack of clarity as to what was being proposed, so many contradictory and misleading statements made, and no discussion of the evidence or merits of the case for legislation.

I have taken the liberty of attaching the letter I have written to Mr Blair, in which I have tried to set out the evidence and why what is being stated publicly by him is not factual or supported by that evidence. This perhaps puts into some context the reasons I am so concerned about this consultation. It seems to fall far short of what I would have thought was considered acceptable as part of the Assembly’s legislative process.

Lastly, it is unclear how the results of this survey will be assessed, weighted and verified. It does not seem that it will be possible to identify which responses are from Northern Ireland and which from other parts of the United Kingdom, or indeed other parts of the world. If that is the case, then that alone would seem to disqualify the 'consultation' as an acceptable part of the legislative process. It is notable that the Welsh Parliament has taken steps to ensure that those taking part in surveys, petitions and consultations can be identified so that a genuine assessment can be made of what the feelings of respondents in Wales are, as opposed to those from elsewhere. This followed the discovery that an astonishing 88.3% of the signatories to a petition relating to shooting were from outside Wales, and that therefore the result was in no way indicative of the views of Welsh voters.

If we are to see a Bill to ban, or restrict, the use of dogs in wildlife management then let's have an open and transparent consultation on the facts and evidence so that MLAs can make informed decisions and pass laws based on principle, not prejudice.

Cc Mr John Blair MLA

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Gmccartney', written in a cursive style.

Gary McCartney
Regional Director
Countryside Alliance Ireland