



BROCKWATCH

The Northampton and South-West Northants Badger Group

A member of the Badger Trust
and the British Trust for Conservation Volunteers

www.badgers.org.uk/brockwatch

Response to the DEFRA consultation:

Controlling the Spread of Bovine Tuberculosis in Cattle in High Incidence Areas in England: Badger Culling

We respond to the above consultation as follows:

Question 1. In light of the evidence presented as part of this consultation, on balance, do you think a policy to cull badgers should be part of the approach to help control the disease in cattle in high incidence areas?

Reply: No, for the reasons set out below.

A significant reduction in bovine TB can be achieved without killing badgers

We believe that until a suitable vaccine for bovine TB (bTB) is developed (and we understand that significant progress has been made regarding this), the level of the disease in cattle can be reduced to a tolerably low level without killing badgers. This has, after all, been done before. In the 1930's, bovine TB affected about 40% of all cattle in Great Britain¹. This was brought down to less than 0.1% solely through cattle-based control measures – not a single badger was killed to achieve this result.

Cattle-to-cattle transmission must be the primary focus of efforts to tackle the disease

The reduction in the level of bTB referred to above, was the result of regular and frequent testing of cattle, and the slaughter of those testing positive for the disease. We believe that two factors in particular have contributed to the spread of the disease since then:

- 1) Longer intervals between bTB tests, which has allowed infected cattle missed by the skin test to infect others. (It is now well known that the skin test is imperfect and misses some infected animals.)
- 2) The great increase in the movement of cattle, at local, regional and national levels, which has allowed the spread of infection from one farm to another.

The Independent Scientific Group on Cattle TB regards cattle-to-cattle transmission of bTB to be “of critical importance”², while the Science Advisory Council has stated that an analysis of results from the Randomised Badger Culling Trial “supports the hypothesis that a substantial proportion of infection of cattle in GB at present is not due to infection by badgers, but is associated with other mechanisms such as cattle-to-cattle transmission”.³ And DEFRA Minister Ben Bradshaw has said that in some areas cattle-to-cattle transmission “could be responsible for around 80 per cent. or more of cases” of the disease in cattle⁴.

We believe that this problem must be addressed by:

- 1) Shorter intervals between bTB testing, especially in those areas where bTB is a particular problem.
- 2) Compulsory pre-movement testing of cattle, which the Government has already announced (but regrettably delayed).
- 3) Augmentation of the skin test with the gamma interferon test, to ensure that the removal of infected cattle is as effective as possible.

The scale of the badger slaughter which would be needed to reduce bTB in cattle is not justified by the reduction that might be achieved

The consultation document has outlined three different badger ‘culling’ strategies for consideration. However, the Independent Scientific Group on Cattle TB, has confirmed that two of the proposed strategies would actually lead to increases in the level of bTB in cattle⁵. The available scientific evidence shows that if killing badgers is to bring about a reduction in bTB in cattle, the near total elimination of badgers across very large areas (300 square kilometres) is required^{4, 5}. This would involve the killing of many thousands of badgers, their extinction across large tracts of countryside where they have been present for tens of thousands of years, and unknown consequences for the ecology of those areas.

The available scientific evidence also shows that the reduction in the level of bTB in cattle which might be achieved through such a large scale slaughter are likely to be modest rather than substantial⁴.

We therefore believe that killing badgers on the scale that would be necessary to achieve a reduction in bTB in cattle is wholly disproportionate in relation to the scale of the badger’s contribution to the problem. Taking into account also that most badgers, even in bTB areas, are not infected with the disease (and that most of those which are infected are not in fact infectious), we are forced to conclude that badger ‘culling’ is simply not justified.

The scale of the badger slaughter would amount to a breach of the Bern Convention

The UK is a signatory to the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention)⁶. Article 7 of the Convention requires Contracting parties to give protection to those species listed in Appendix III of the Convention; the species listed include the badger (*Meles meles*). Article 8 requires Contracting Parties to prohibit the use of (1) all indiscriminate means of capture and killing and (2) all means capable of causing local disappearance of populations of a species. Article 9 allows Contracting Parties to make exceptions from the provisions of Article 7, and from the prohibition of the use of the means mentioned in Article 8, for purposes including the prevention of serious damage to livestock, or in the interests of public health or other overriding public interests. However, these exceptions can only be made if there is no other satisfactory solution and if the exception will not be detrimental to the survival of the population concerned⁷.

The killing of tens of thousands of badgers by or under licence from the UK Government, clearly breaches Article 7 unless an exception under Article 9 can be shown to apply. Snaring of badgers and the gassing of setts, both of which are put forward as possible ‘culling’ methods in the consultation document, are (despite DEFRA’s protestations to the contrary) indiscriminate. Both would without question kill and injure many non-target animals, both wild and domestic. The use of snaring or gassing to kill badgers would therefore be in breach of Article 8, unless an exception under Article 9 can be shown to apply.

Because of the pasteurisation of milk and the removal of infected cattle from the food chain, bovine TB does not pose a significant threat to public health in the UK, so the UK Government could not claim an exception under Article 9 allowing the large-scale slaughter of badgers in the interests of public health. Even if such a claim were made, or if it were claimed the killing many thousands of badgers would

prevent serious damage to livestock or be necessary due to overriding public interest, an exception under Article 9 would still not be possible. This is because (a) there are other satisfactory solutions (as set out elsewhere in this document), and (b) the scale of the slaughter would clearly be detrimental to the survival of the badger populations in the areas concerned.

It is therefore our view that killing badgers on the scale needed to reduce bovine TB in cattle would be in breach of Article 7 of the Bern Convention, and also in breach of Article 8 if badgers were to be killed by snaring or the gassing of setts.

Large-scale badger ‘culling’ would result in the cruel ill-treatment of badgers

As mentioned above, proposed methods for ‘culling’ badgers include the use of gas and snares. It is our view that using either of these methods to kill badgers would be inhumane. In the case of gas, previous research has shown that it is not possible to pump gas into badger setts, in such a way that the gas will reach the concentrations needed to kill badgers quickly. In the case of snares, DEFRA will already be aware from submissions made to a previous consultation by the then National Federation of Badger Groups (now the Badger Trust) that snares cause horrific injuries and tremendous suffering to badgers which are caught in them⁸.

We understand that DEFRA is carrying out trials of ‘padded foot snares’ and ‘body snares’ as means of capturing and holding badgers so that they can be shot. It is regrettable (to say the least) that the present consultation is seeking views on the use of snares before the results of DEFRA’s trials on these devices are available. Based on the currently available evidence, we do not believe that snares in any form (and in particular body snares) will prove to be humane methods for capturing badgers.

Even if a ‘humane snare’ could be manufactured, such a snare would only be humane if used correctly. It would have to be checked frequently, and any badger caught in a snare would have to be killed humanely. We understand that DEFRA’s preference is for these actions to be carried out by individual farmers and landowners, or groups of them, under licence and without supervision. Our view is that this would lead to the welfare of badgers being seriously compromised.

Under the Protection of Badgers Act 1992, it is an offence to cruelly ill-treat any badger. A number of other actions which would be offences under this Act, can be carried out under the terms of a licence issued by the appropriate agriculture or nature conservation agency. However, licences cannot be issued permitting the cruel ill-treatment of badgers⁹.

Taking all of this into account, it is our view that badger culling would cause unnecessary and illegal suffering to badgers on a massive scale. This would be completely unacceptable to us, and, we believe, the wider public.

Other factors affecting the occurrence of bTB in cattle have still not been adequately investigated

The question of resistance to infection, and the affects of minerals on this, has still to be properly addressed by DEFRA. Somerset farmer and scientist Mark Purdey has provided compelling evidence showing how iron can adversely affect resistance to TB¹⁰, while the late Dr Helen Fullerton made a convincing case regarding the adverse effects of mineral deficiencies, particularly selenium¹¹.

In addition, this week saw the publication of research which demonstrated a link between the presence of abundant, intact hedgerows and reduced levels of bTB¹².

DEFRA has often made reference to its ‘holistic’ approach to the problem of bovine TB, but we feel that their approach has in fact been selective and that further work on environmental factors must be carried out.

Questions 2 to 21

As our answer to question 1 is 'No', the remaining questions are irrelevant.

Conclusion

In conclusion, it is our view that DEFRA should in the short term concentrate its efforts on measures aimed at preventing cattle-to-cattle transmission of bTB, while the long-term solution of a suitable vaccine is pursued.

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March 9th 2006

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