

The Deer Initiative

Deer, Habitats and Impacts Conference March 2007

Deer legislation and licensing

*John Clorley – DEFRA Wildlife Conservation and Species Team
and
Rodney Calvert – Natural England*

The Deer Act 1991 ("the Act") is the primary piece of legislation covering the management and conservation of deer in England and Wales. The Act has remained substantively unchanged since enactment, but as a result of the increasing wild deer population and the consequent increase in problems that were being reported, the Department and the Forestry Commission for England undertook a consultation in 2004, "Achieving the sustainable management of deer in England". The responses to this consultation drew widespread interest and support for changes to be made to deer legislation.

Following the consultation, ideas were reviewed and the potential costs and benefits assessed. Defra published a paper "The Sustainable Management of Wild Deer Populations in England: an action plan". The action plan, which was published in December 2004, committed the Defra Family (Defra, Forestry Commission, English Nature and the Countryside Agency) to taking forward a number of legislative proposals. It is the implementation of these changes that concerns this Regulatory Reform Order (RRO).

The purpose of the RRO is to reduce bureaucracy for those managing deer; and remove restrictions on their activities that do not afford necessary protections to deer.

The proposals are:

- a. Allow .22 centre-fire rifles to be used for shooting smaller species of deer.
- b. Allow any reasonable means of humanely despatching deer that are suffering due to injuries or disease.
- c. Allow dependent deer to be taken or killed if they have been deprived of, or are about to be deprived of, their mother, at any time of year.
- d. Enable licensed taking or killing during the close season to prevent deterioration of the natural heritage.
- e. Enable licensed taking or killing during the close season to preserve public health and safety.
- f. Enable licensed taking or killing at night to prevent deterioration of the natural heritage.
- g. Enable licensed taking or killing at night to preserve public health and safety.

- h. Enable licensed taking or killing at night to prevent serious damage to property.
- i. Shorten the close season for all female deer to help allow better control of population numbers where necessary, without increasing the welfare risks for dependent young.
- j. Introduce a close season for Chinese water deer from 15 March to 31 October inclusive.
- k. Ensure the close season applies to hybrids of a species as well as the parent species.
- l. Amend the meaning of mechanically propelled vehicle in the Deer Act to permit discharging firearms or projecting missiles from a mechanically propelled vehicle that is stationary.

The Order is currently proceeding through the Parliamentary process, and is expected to be in force on 1 October 2008.

Finally a quick mention of the Game RRO that will remove the requirements associated with the sale of venison and allow the sale of venison on a year round basis, providing it was legally acquired.

This is progressing more rapidly through the Parliamentary process, and we expect it to come into force on 1 August.

Speakers' biographies

John Clorley is Head of Wildlife Management Legislation and the Department for Environment, Food and Rural Affairs. He joined Defra in January 2002, having previously worked for the Department of the Environment and the Department of Employment and was appointed to his current role in January 2006. He is primarily responsible for the policy relating to species not covered by the European Birds and Habitats Directives. He is the project manager for the Game and Deer Regulatory Reform Orders.

His previous work includes the drafting of the UK's Bycatch Reduction Strategy – setting out measures to reduce cetacean deaths from fisheries and deputy project manager to the UK's second largest managed realignment project at Wallasea Island.

Rodney Calvert is Adviser in Natural England's Wildlife Management & Licensing Team, providing recommendations to Natural England on applications for licences under vertebrate wildlife legislation. He also provides general advice to the public on vertebrate pest species and investigates suspected poisonings of wildlife, companion animals and beneficial insects for Pesticide Safety Directorate under the Wildlife Incident Investigation Scheme.

He responds to disease outbreaks (Rabies, Foot & Mouth, Swine Fever, Newcastle Disease & Avian Influenza) at the request of Animal Health Division, operating in Hampshire, Surrey, West Sussex, Isle of Wight & S/SW London.

He obtained a PhD in 1997, which studied the impact of fallow deer feeding at reforestation sites within mixed woodlands.