

# **Achieving the sustainable management of wild deer in England**

## ***Response of the Deer Initiative***

### ***Introduction***

The Deer Initiative (DI) is a wide partnership of statutory, non-statutory, voluntary and private interests. Whilst originally set up by the Forestry Commission and still, in the main, funded by the Forestry Commission and English Nature, it has a core staff whose activities are both to co-ordinate the relevant activities of the partners and to deliver some functions directly.

The aim of the DI is *“to ensure the delivery of a sustainable, well managed wild deer population in England and Wales”*. The staff and finances of the DI are managed through the DI Ltd, a charitable company limited by guarantee, dedicated to supporting the DI. This response reflects the views of the staff of the DI, our partner organisations will respond separately.

### ***General Comments***

The covering letter for the consultation acknowledges that there is a requirement for Government to set the strategic and legislative framework within which deer management should take place but that it is for individual landowners to carry through practical deer management on the ground. We fully support this approach.

The background report is a reasonable starting point for the consultation though the balance of the report has been influenced by the individuals interviewed and does not necessarily reflect the views of the organisations for which the individuals worked. In particular the limited discussion of the impact of deer on conservation values is worrying especially since there is no mention of Government PSA targets in relation to the condition of woodland Sites of Special Scientific Interest (SSSIs). The current high numbers of deer prejudice the achievement of the government's targets for the condition of SSSIs and for priority habitats and species under the England Biodiversity Strategy.

We believe that a clear statement of what is the aim of the sustainable management strategy for deer in England is needed; from a biodiversity point of view it is the reversal of the adverse impacts that deer are having on populations of our woodland plants and animals. It is our view that ‘an adequate cull to limit local deer numbers to the carrying capacity of the habitat’ is too crude a measure of effective wild deer population management. We must develop a more sophisticated approach backed by rigorous science to define the aim.

We believe that there are a number of omissions in the consultation's approach which need to be addressed in some way, specifically:

- There is no link to other on-going consultations. We would wish to see specific mention of strategies for dealing with non-native invasive aliens. (see 20(ii)(g,h &i).
- We would also wish to see some acknowledgement of the need to monitor deer distributions and densities and the role of the Tracking Mammals partnership. We would wish to see Government funding for this work and in particular for the development of a GIS based predictive model for future expansions.
- There is no mention of the impact of the Game laws and certain restrictions on the sale of venison within the Deer Act. It is likely that the outcome of the proposed changes will be an increase in the national cull **if** landowners are willing to carry out management. If best use is to be made of the reduced restrictions on culling then there must be an outlet for the resulting venison. The current antiquated Game laws prevent the establishment of a year round venison supply demanded by supermarkets and other large outlets. In particular we would propose:
  - Any venison resulting from a deer shot legally may be sold at any time of the year to a licensed gamedealer (in line with Scottish legislation).
  - The Game laws are reviewed as a matter of urgency to bring them into line with the EU Consolidation and Simplification of Meat Hygiene regulations.

With regard to the specific Defra proposals:

### ***Changes to the legislation***

20.(i)(a) There has been a long debate about the suitability of .22” centre-fires for the culling of the smaller species of deer. Analysis of articles and letters in the sporting press in 1996 (unpublished BASC Deer Officer research) suggested that opinion was divided almost equally with concerns over achieving a humane kill balanced by those advocating increased availability of firearms for deer culling and the potential accuracy of 0.22” rifles. If the Government’s aim is to encourage landowners to cull more deer then this proposal will help. However, in our view, any change in the legislation must incorporate the Scottish restrictions on muzzle velocity, energy and bullet weights to ensure the best chance of humane kills. If this is to be adopted it seem sensible to accept the Scottish legislation for the larger species as well. We believe that if this change is to be accepted it should apply to roe, muntjac and CWD.

20.(I)(b) Section 6 of the Deer Act allows for certain exceptions to certain provisions of the Act, including humane dispatch. The proposal is to extend the exception to allow .22”rimfire rifles to be used. We believe that the revision should go further and

adopt the simpler Scottish legislation which allows the use of any method. The acceptance of the relevant Scottish legislation would also allow the culling of dependant male roe kids during the close season if necessary (see 20.(i)(e) below).

20.(i)(c) We agree that licensed shooting during the close season should be permitted for the purpose of preserving public health and safety, but would again go further and incorporate the Scottish provision for culling out of season for the protection of the 'natural heritage generally', subject to rigorous controls over licensing. (There is a question over who would be the competent authority for the issue of such licenses, in Scotland DCS control all licensing, but there may be logic in making EN the licensing authority for this aspect?)

20.(i)(d) We agree that licensed shooting at night should be extended to public health and safety but would again go further and include protection of the natural heritage (with the same query about competent authority).

20.(i)(e) The proposal to extend the doe/hind season is probably the most hotly debated of the proposals, yet one of the simplest to amend through Schedule 2 of the Deer Act. We believe that to allow better management of the female population close season for all female deer, excluding muntjac, should begin on 1 April. This would allow management to take place with little or no increased risk of leaving dependant calves/fawns and have the added benefit of extending the open season further beyond the game shooting season which is significant factor in lowland England. We would also wish to see a change to allow the culling of dependant roe kids regardless of sex (where the kid has been, or is about to be deprived of its mother) as in the Scottish legislation. We are less convinced of the benefit of bringing forward the end of the close season. There is clearly more of a risk of leaving dependant young and the clash with game shooting remains. There is also the risk of increased disruption to the red, sika and fallow ruts. On balance we would not support the proposal.

20.(i)(f) We agree that a close season for CWD females is appropriate and as identification of females and males is an issue we would propose a close season for both sexes of 1April- 30 Oct.

20.(i)(g) We agree that female red/sika hybrids should be given the same protection as other female wild deer (but see below).

20.(i)(h) The recent Government response to the Review of Non-Native Species Policy recognizes the need for management of established invasive non-natives in accordance with Convention on Biodiversity (CBD). The option includes eradication, containment or control. We believe that before deciding on specific legislative changes regarding both sika and muntjac a strategic review is required. The DCS sika policy document is a model for this approach. It is clear from our discussions that there was a general lack of awareness of the fact that there is currently no close season for hybrids in England or Wales and all the stalkers we have talked to have been following the close seasons for reds and sika even when culling hybrids. Clearly by highlighting the omission we have raised the awareness of those culling

the 2 species. There is a real difficulty where both species are present (for example the North Norfolk and the Lune Valley). Removal of a close season for hybrid sika/red males would in effect be the removal of a close season for all male reds, sika and their hybrids, since only a DNA test would establish the genetic status.

20.(i)(i) We are also ambivalent about the status of CWD. Globally they are an endangered species. In China there is a population of approx 10,000 with a stronghold in the Yangtze River Basin and its associated Island systems. It is now under protection but is very vulnerable to natural catastrophe (flooding), fragmentation and is under threat from heavy poaching.<sup>1</sup> Their status in the IUCN (1996) Red Book is Lower Risk (near threatened) and they are not listed by CITES. There are probably less than 5,000 in the wild in England and their impacts are not significant except at a very local level. However since they are a protected species in their native country they have become economically significant in England. A mature CWD male trophy may command a fee in excess of £1000. Over-exploitation is therefore a real risk and whilst we agree that further releases are probably inappropriate we would again welcome a strategic review of their status both globally and in the UK.

### **Additional changes to legislation**

In England and Wales under Section 4(4) of the Deer Act it is an offence to discharge a firearm from a powered vehicle, except (under Section 4(4) on any enclosed land where deer are usually kept. In Scotland it is legal to cull deer from a vehicle (providing it is stationary). We are not aware of any prosecutions in England and Wales under this section of the Act and there is often debate about the interpretation of both 'from a vehicle' and 'where deer are usually kept'. We would therefore suggest that consideration is given to reviewing this part of the legislation to bring it into line with the Scottish legislation.

### ***Provision of advice on deer (by government)***

20.(ii)(j) We agree that there is a requirement for objective authoritative advice on deer management and that such advice should be integrated, but we do not believe that such advice should be limited to Government as is suggested by the heading. Many organisations (including Government departments) have expertise on aspects of deer and habitat management. The key is to bring that advice together and make it accessible to those requiring it. The other factor which recurs in our discussions with landowners, land managers and stalkers is for that advice to be independent. We are conscious that an independent review of the DI is in progress and that the results of this review will be considered in conjunction with the responses to this consultation. Nevertheless we believe that the DI has been successful in bringing

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<sup>1</sup> Wemmer C. et al. (1998), *Deer, Status, Survey and Plan*. Cambridge, World Conservation Union.

together those Government departments and NGOs with an interest in deer and has started to fulfill its remit as the 'first stop shop'. It is probably also an indication of our achievement in raising awareness that this consultation is taking place with such a high profile. If it is accepted that the aim of the DI should remain the same it is clear that the funding and structure of the DI requires review. Our view of the future role, funding and structure of the DI is attached at Appendix 1.

20.(ii)(k) Advice on co-operative deer management is simply part of the above.

20.(ii)(l) Our efforts in establishing DMGs have not been exclusively related to advice. Many DMG's need further assistance including funding. We do not agree that DMGs should be concentrated on current problem areas. Much of our effort has been directed in solving current local issues, but we have also tried to look to the future and establish Groups to prevent deer becoming an issue. The National Forest is a model for a Group of landowners who accept that without early proactive management deer will become an issue.

### ***Disease and animal welfare***

20.(ii)(m) We agree that the monitoring of statutory submissions for TB should continue and fully support the need to ensure adequate reporting. We believe that a traceability scheme and statutory returns from game dealers would assist in this. We have already produced a paper on carcass tagging. At the time the partners agreed that a voluntary approach was appropriate but despite vigorous efforts sufficient funding to introduce such a scheme was unsuccessful. We now believe that for such a scheme to be successful government funding must be made available. Further to this we believe that monitoring without feedback discourages landowners and deer managers. We would therefore urge a greater visibility of findings in the form of feedback to DMGs and other membership organisations.

20.(ii)(n) We believe that carcass examination for signs of disease is already a key part of the DSC Level 2 and plans are in place to extend disease recognition to the DSC Level 1. We would also like to see more engagement with the SVS particularly in the publicizing of contact procedures for suspect carcasses.

20.(ii)(o) We agree that contingency plans should include sampling and possible emergency control measures and would highlight the difficulty of dealing with park deer in the recent FMD outbreak.

20.(ii)(p) We agree that there should be no supplementary feeding of wild deer outside parks to prevent artificially high concentrations. Unfortunately the consultation does not suggest how this might be achieved. Nor do we believe it is possible to practically enforce.

20.(ii)(q) We would fully support any funded proposal to collate information on Lyme disease and also to instigate a public awareness campaign to alert users of the countryside to the risks and preventative measures.

## ***Training for stalkers***

The Deer Initiative has endorsed the work of W.D.M. Qualifications, which trades as Deer Management Qualifications and is the Awarding Body for the Deer Stalking Certificate (DSC). The Chairman of the DI is also the Chairman of W.D.M. Qualifications.

Dealing with accuracy first, the following should be noted in regard to the information contained in the DEFRA report “Current and future deer management options”.

*Para 3.58, final sentence.* DMQ maintains standards and quality assurance procedures for levels 1 and 2 of the DSC. It has, however, decided for the time being at least not to pursue a higher-level standard.

*Para 3.59, final sentence.* It is incorrect that DMQ is lobbying as mentioned. A FACE sub group is producing a proposal to the FSA as to how best to meet the EU proposal 200/C 365 E/03, with regard to hunter training and standards. This group has identified that the DMQ model in respect of standards and the administration of awards to them may be an appropriate one on which to build the standards required to meet such regulations. DMQ has agreed that it may be appropriate, at least in regard to deer, and that a step-by-step approach will be considered.

It should be noted also that DMQ operates as a UK wide body and is not solely concerned with England.

In response to the questions posed:

20.(iv)(r) We agree that that the voluntary training of stalkers should be encouraged to improve standards in deer management. To date some 6750 deerstalkers have attained the Deer Stalking Certificate at Level one and 3150 have attained or are registered for the Level Two award which can take up to three years to complete.

20.(iv)(s) The current standards incorporated in the DSC are identical to the Government endorsed national standards incorporated in the National and Scottish Vocational Qualifications. These standards are amended when necessary to reflect changes to the national standards. The same rigorous assessment and verification is applied to the DSC as to VQs and this system already has Government endorsement through the DI in England and the DCS in Scotland. We see no reason to alter a successful and accepted industry led system. DMQ recognizes that its developed standards and procedures may be appropriate to a British response to EU Proposal 200/C 365 E/03, relating to the condition of wild game meat entering the market, at least in respect of deer. DMQ has agreed with a FACE sub group to explore this possibility without prior commitment. It should be noted that DMQ is not resourced for such a step at present.

### ***Future techniques for resolving deer problems***

20.(v)(t) We agree that development of non-lethal methods of control should be kept under review, but would emphasize that currently culling is an essential option for land managers, we must therefore ensure that public opinion at worst accepts that this is a necessary option and where possible actively supports the need to cull. This requires a concerted effort by both Government and NGOs and needs the best possible scientific knowledge to justify culling when it is necessary.

20.(v)(u) We agree that woodland **and highway** design and management must take into account the risk of RTAs involving deer (and other wildlife) and believe that funding for further research on mitigation measures is essential.

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