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**The Deer Initiative Ltd response to Defra consultation  
Ensuring the sustainable management and conservation of wildlife -  
towards a Wildlife Management Strategy for England**

**Question 1. Do you agree with the overall aim of the Wildlife  
Management Strategy?**

Whilst we would support a greater degree of clarity and consistency of approach in wildlife management and legislation, we have a number of concerns with this proposed strategy. We believe that any decision making process with respect wildlife management should be consistent and it should not be possible for wildlife related law to ultimately be undermined by selective implementation of legislation such as the Pest Act.

We support the view of some of our Partners that the aim of the Strategy seems to be largely focussed on facilitating cost and resource savings that will assist Defra rather than offer any real tangible benefit to the farming and landowning community that are actively managing the wildlife.

In order for us to fully support such a Strategy, we would need a much clearer presentation of the foreseeable benefits to those who actually manage wildlife on a day-to-day basis and also the timescales proposed for its implementation.

It may be that, as the consultation paper argues, a variety of influences have historically resulted in a piecemeal and patchwork framework of legislation which has different approaches. Some of this may have been ad hoc but the influences will have been a mixture of governmental, parliamentary, societal and individual. It seems likely to us that the selection of issues, or legislation, for review will be subject to similar influences and thus also potentially rather ad hoc. As such it may be no more consistent than the previous approach and the process seems just as likely to generate conflict as to reconcile conflicting interests.

Notwithstanding a few references to the impact of human activity on wildlife the overall thrust of the document and references to management are focused on managing the impact of wildlife. For example, the suggested advantages of a WMS set out in paragraph 32 refer to it solely in the context of 'managing wildlife'. It is not clear to us how it is envisaged such a strategy might be applied to dealing with the impact of man's activities on wildlife.

**Question 2. Do you agree with the intended scope of the Wildlife  
Management Strategy?**

We understand there are complexities in dealing with this strategy in a GB-wide context because of the devolved wildlife legislation. However, we cannot see how this strategy can really work on an England-only basis.

Without a clear indication of the policies that Defra believe may need to be considered for review as part of the Strategy, there is little evidence how, as it is currently written and with the limited information provided, it will add value in terms of transparency and clarity. As a result the overall scope remains vague.

As the document acknowledges, the Government already has a range of strategies and initiatives that may also impact on wildlife and involve some elements of wildlife management. It is not clear when the proposed Wildlife Management Strategy might operate rather than one of the other strategies. The sort of circumstances when intervention might be considered, outlined in paragraph 41, in fact illustrate the prospect for confusion as to which strategy or initiative might be applicable.

Paragraph 29 states that the '... Strategy is concerned with wildlife management rather than with species per se...'. This phrasing was somewhat puzzling and merits clarification. In many cases wildlife management will be considered to involve particular species so will the Strategy be used to assess what may be species-specific issues? The stated intention of having a design flexible enough to cope with species-specific issues suggests that the Strategy will be concerned with species.

### **Question 3. Do you agree with this assessment of the advantages of the Strategy?**

We agree with the overall assessment of the intended aims of the Strategy. The consultation document suggest that the decision making will be carried out in a timely manner and we would request greater clarity on what Defra considers as timely. Whilst the strategy might provide a framework we are not sure that, in itself, it can provide for timely decisions. Timeliness seems likely to be a function of, for example, resource availability, any other work demands, extent of evidence base, involvement of other stakeholders etc

We also believe that conflicts, and disagreements will still exist because, for example, of differences of interpretation of evidence, perspectives or value judgement.

Wildlife management is not simple and therefore we believe it is misleading to imply that decision-making will be made simple under such a strategy. If one looks at the list of suggested advantages and the decision tree it is apparent that there are, or should be, judgements at various stages e.g., is the reason justified, is the evidence adequate, and questions of balance, proportionality and practicality. These will not necessarily be easy judgements, perhaps either intrinsically or because there are differences of opinion or perspective. The proposed decision tree is a framework tool, we do not believe it will make decisions simple.

### **Qu.4.a.) Is the use of a decision tree appropriate in reaching decisions on developing wildlife management policy?**

Whilst the framework presents a largely logical process of stages in a decision making process, there are noticeable omissions and confusion over the order of the process (see our response to question 4.b. below). Importantly, if the purpose of the Decision Tree is to be responsive and robust enough to cope with “any decision on wildlife management” strategies and initiatives (such as those outlined in Annex B), then it should be able to reach reproducible decisions and remove clear existing inconsistencies in the way wildlife are treated. We would argue that to be credible the Decision Tree would have to allow all species to be judged against the same set of scientifically sound criteria without prejudice or public acceptability clouding the objective decision making process.

**Qu.4.b.) If not, how else might appropriate decisions best be reached?**

For Defra to make a decision in Stage I regarding the justification for intervention, the NFU feels that there would need to be a pre-stage I to gather and present sufficient evidence in order to make that decision to proceed. This maybe anecdotal but must exist prior to any decision is made to take action.

**Qu.4.c.) Is there any additional information that you would like to see included in the decision tree?**

Yes, as a framework process for reaching decisions the use of a decision tree is sensible. We believe questions are likely to be more how the stages are operated, the robustness of evidence and decision making, and whether there is agreement with decisions.

There is no reference to whom will make the decision at each stage and whether this will be the role of Defra or, for example, an independent body of experts. It would be helpful to have more details provided on this aspect of the process. Would this group meet on an ad hoc basis as and when issues arise and would its membership be issue lead? Alternatively, would a more permanent and formalised decision making group be put in place to continually review issues as an ongoing and evolving process within Defra?

**Question 5.a. Do you agree that these are the issues that should be considered when deciding whether Government intervention is appropriate?**

Broadly speaking, the headline subjects are issues that should be considered although we have some concerns about the illustrative detail.

**Question 6.a. Do you agree that these are the main areas of evidence and or expert advice which are likely to be needed in most cases?**

Yes. However, cost-benefit analyses should be undertaken with a broad perspective not a narrow commercial one and cover environmental and other impacts.

**Question 7. a. Are these the right actions we should be considering when deciding on developing a policy on Government intervention?**

Yes, these generally seem to be appropriate actions.

**a. Do these possible actions need further expansion or qualification?**

Not if it's only an illustrative list.

**c. Are there any other Government actions you think should be included?**

The list of possible actions does not include **funding/supporting research**. Whilst commissioning research is included as possibly part of the process of evidence gathering in stage 2 it is possible that it might also be an action under stage 3. For example, perhaps a scoping study at stage 2 of the decision making process indicates that further research, or some applied research, is likely to be productive.

The list of actions might also include possible financial aspects such as **grant support**. Such a potential option should not be predicated on Defra's current financial circumstances.

**Question 8.a. Do you agree that these considerations should be a key element in deciding whether or not Governments should get involved in a wildlife management situation?**

**b. Do you agree that this is the right stage in the decision - making process for these issues to be considered?**

Issues of balance, proportionality and practicality are pertinent though, of course, all involve elements of judgement and therefore may be subject to disagreement. In some instances the question of legality could also be pertinent e.g. whether the Government has the power to do certain things or whether proposed actions were compatible with the law. Presumably, such matters would normally be considered otherwise decisions may be liable to challenge.

The document points out that there should be some read-across to Stage 3. However, it would appear that at times these considerations should run parallel to, or in conjunction with, the Stage 4 type considerations otherwise a lot of effort might be expended by Defra or stakeholders in a Stage 3 process for an option to quickly fall at the proposed Stage 4.

**Question 9. Is this the right approach to monitoring outcomes?**

Questions might arise about how it is to be achieved, who might do it and possibly cost but the principle of monitoring the effect of action (or inaction) is sound.

**Question 10.a. Do you agree with the relevance and appropriateness of these roles for stakeholders?**

**b. Are there other roles you think stakeholders might fill?**

Stakeholders may well be a source of suggestions for policy review and development! In fact it seems likely that a formalised Wildlife Management Strategy will serve to provide not only an opportunity but a focal point for lobbying Defra to act on particular issues. As such it seems to us that there is every prospect of it acting as a magnet for controversy and debate and perhaps as likely to stimulate conflict as to

reconcile conflicts between interests. Reference is made elsewhere in the document, in relation to perceived risks, to 'managing expectations' and it is not clear to us, how, if Defra proceeds with this Strategy, choices will be made as to what issues enter the process.