8th December 2010

Department for Environment, Food and Rural Affairs
TBBC mailbox
Nobel House
17 Smith Square
London
SW1P 3JR

Dear Sir / Madam

Bovine Tuberculosis: The Government's approach to tackling the disease and consultation on a badger control policy

Warwickshire Wildlife Trust welcomes the opportunity to respond to this consultation. Our comments are attached.

Please do not hesitate to contact me if you have any queries on the above.

Yours faithfully

Stephen Trotter

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General comments

Summary

• Warwickshire Wildlife Trust is aware of and concerned about the problem of bTB and its impact on farmers – we are significant farmers and landowners in our own right, and we believe that farming on a sustainable basis is essential for a thriving and wildlife-rich landscape. We agree that effective action to control bTB is necessary.
• However Warwickshire Wildlife Trust does not support the current Government proposals because the scientific evidence suggests a cull of badgers could make the bTB problem worse.
• There are also significant practical issues likely to be encountered if the proposals are implemented.
• Warwickshire Wildlife Trust will not allow access to its land for a cull but will explore the possibility of a badger vaccination programme on its land.
• The Trust’s preferred option will be a package of measures including a widespread campaign of badger vaccination, improved biosecurity on farms, increased research and survey, better testing, and investment in the development of cattle vaccine as longer term solution.

The role of Warwickshire Wildlife Trust in this issue
Warwickshire Wildlife Trust is an independent charity, working with 46 other Wildlife Trusts and with The Wildlife Trusts nationally to promote the conservation and understanding of wildlife and biodiversity. The Trust has over 23,400 members. Our remit is
   (i) to maintain, establish, enhance or otherwise protect sites to benefit their botanical, geological or zoological interest; and
   (ii) to promote, organise, carry on and encourage study and research for the advancement of knowledge and education in the natural sciences.

Warwickshire Wildlife Trust is a major landowner and manager in their own right, with over 800 hectares of land across Warwickshire, some of which is grazed by cattle. We own and manage farm and open land, and significant areas of woodland, and graze with stock of various kinds including cattle.

We also work closely with farmers across the wider landscape as part of our commitment and action on Living Landscapes – our developing network of landscape scale conservation initiatives across Warwickshire, with five active landscape schemes and a further eight schemes planned. We work closely with partner organisations such as Natural England and FWAG on farmer and land manager liaison, and with many individual landowners. As a major local third sector organisation, the work of the Trust is embedded in local farming frameworks across the county.

We have links with local volunteer groups with a particular interest in badger survey, conservation and protection. We work closely with Warwickshire Badger Group and Warwickshire Biological Record Centre (WMBRC) who hold data and undertake monitoring on species across the county, including badger. The data provided by the WMBRC helps us to ensure that the Trust’s work is always governed by objective data and sound science.

Finally, our local membership and volunteering network across the county demonstrates a huge amount of support for the conservation and management of wildlife-rich landscapes. The combined national membership of Wildlife Trusts of over 750,000 people is well informed on the issues around badgers and bTB and is extremely concerned that the current Government proposals may exacerbate the spread of disease. We noted a significant response from Trust
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membership to the last Defra consultation on badger culling in 2006 and have received a similar, if not increased, level of interest from members on this issue during the current consultation.

The principle of following sound science
Warwickshire Wildlife Trust bases its policies on scientific and objective evidence / advice wherever possible. We accept that bTB is present in some parts of the UK badger population, and that, where disease incidence is high, badgers along with other native mammals act as a reservoir for the disease and a source of bTB infection in cattle.

The Wildlife Trusts have looked carefully, for a number of years, at the pros and cons associated with culling badgers as part of a bTB control strategy. We were fully supportive of the work of the Independent Scientific Group on Bovine TB (ISG) leading up to its report in 2007. On the basis of the sound and peer-reviewed science within the Randomised Badger Culling Trial and the thorough and independent review of the ISG, we did not consider that culling of badgers would be an effective part of a bTB control programme at that time, and we supported the decision of the Government in 2007 to reject badger culling as part of their bTB control strategy.

We have followed other scientific studies and analysis conducted since the publications of the ISG’s findings in 2007. On learning of the Government’s intentions to proceed with badger culling and the current proposals that have developed, The Wildlife Trust at national level has consulted a number of scientists, including those involved with the Randomised Badger Culling Trial (RBCT) and the ISG and past and current work on badgers and bTB within FERA, and asked for the most current objective evidence on many aspects of bTB control and badgers. We have used this evidence to form our policy.

Practical application of science led conclusions
One particular aspect of the ISG’s work which has been helpful in analysing the potential effectiveness of the current proposals is the list of conditions that any badger cull should have if it is to be effective in practice. These are as follows, with our analysis of the impact of the Government’s proposals against each item:

1) **Culling in areas where there is a high and persistent level of bovine TB in cattle**
   
   This could potentially be met through the Government’s proposals.

2) **Four consecutive annual removal operations appear to be the minimum needed to give overall beneficial results on a local scale**
   
   This will be extremely difficult to enforce and monitor through the Government’s proposals, through a number of people licensed to undertake culling / shooting, lack of co-ordination of effort and the variability of application that would result, particularly over time. Any licence to cull / vaccinate badgers must therefore contain a legally enforceable requirement to prove that well organised and consecutive ‘removal operations’ actually took place for at least four years. Such work must be carefully monitored, controlled and reported on clearly and openly, so that the results are available publicly.

3) **Culling should be delivered in a co-ordinated manner and done as completely and efficiently as possible.** Additional suggestions made by the ISG is that culling should be simultaneous across the culling area; there must be access to most of the land in the cull area; and that inaccessible areas must be targeted (e.g. by ‘ring trapping’).

   The Government’s proposals, to allow landowners / managers to deliver culling across a minimum of 70% of an area no less than 150km², makes this condition highly impracticable to achieve. We believe that there is inevitably going to be a high level of variability and inefficiency in the implementation of control measures, this coupled with a lack of enforceable rigour in application of licensing conditions and insufficient monitoring, would inevitably lead to
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an inefficient and incomplete cull, thereby increasing the perturbation effect in badger populations and potentially increasing bTB incidence in cattle as a result.

4) **Culling should be carried out over a minimum size area of 150km²**

This could be achieved through the Government’s proposals.

5) **Steps should be taken to help mitigate the detrimental effects of culling observed in the area surrounding the culled area**

The proposals include vaccination of badgers around the edges of a cull zone in an attempt to minimise the perturbation effect in these areas. However, the inefficiencies described above would not only increase the perturbation effect within the cull area, they may also lead to incomplete and ineffective vaccination of badger populations around the edges of a cull zone. We therefore do not consider that this condition would be satisfied by the Government’s proposals.

6) **Where possible, geographical boundaries (motorways, conurbations, coast, substantial rivers) or land without cattle should surround the cull area to minimise the disease risk from perturbation**

This condition would not be met by the Government’s proposals.

In summary, Warwickshire Wildlife Trust does not believe that all these conditions can be met effectively and at the same time, failure to meet them will not only lead to an ineffective cull; through an increase in the perturbation effect, it could increase the level of bTB infection within cull areas. We note the comments from the ISG report that ‘culling badgers under licence not only could fail to achieve a beneficial effect, but could increase the incidence of cattle TB and increase the geographical spread of the disease, irrespective of whether licences were issued to individual farmers or to groups’.

We also strongly believe that any proposals to control bTB should include both a means of measuring success or failure, and a clear exit strategy. This principle should be applied to any badger cull as much as any strategy, and we see no evidence of this basic principle of good practice being applied in the Government’s proposals.

Warwickshire Wildlife Trust does not believe that the recently cited reviews of evidence make any significant changes to the extent or impact of culling within the current Government proposals.

**Warwickshire Wildlife Trust concludes that the currently available science does not indicate that the current Government proposals for badger culling will be successful in helping to control bTB in England. In fact, the science suggests that if these proposals are implemented, they could in fact make the bTB problem worse.**

**Practicalities and implementation**

Warwickshire Wildlife Trust also has significant concerns about the way in which the Government’s proposals for badger culling would be implemented on the ground, and the impact that this would have at the local level on both our own operations and that of farmers.

We have major concerns that open shooting of badgers is being proposed as a viable alternative to trapping and shooting. Open shooting of badgers is difficult to achieve effectively and humanely. We fear that promotion of this method as an acceptable (and cheaper) alternative to trapping would not only lead to further inefficiencies of culling within the cull zone and therefore lead to further risk of perturbation effect, but that it has a high probability of injuring and maiming
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badgers rather than killing them. There are further considerations of public safety (particularly near to rights of way) and public acceptability that should be taken very seriously by the Government, before any licensing of open shooting as an acceptable method of badger control.

Warwickshire Wildlife Trust has serious concerns that, despite any attempt at licensing of badger culling, a signal that an inefficient and diffuse badger cull is ‘acceptable’ by the authorities will lead to an increased incidence of illegal badger killing, by shooting and by other banned methods such as snaring, gassing, poisoning, blocking of setts and badger digging. There is already incidental evidence from various parts of England about some of these activities taking place. Such activity has been a significant problem in the recent past with a badger being shot illegally on one the Trust sites during a Badger watch evening. In Warwickshire, the specific Wildlife Crime Officer post in the police force has been removed, so there is very little resource to address this issue currently with current levels of wildlife crime activity. We believe that Government must put in place measures to protect badgers from being illegally and inhumanely killed/snared/gassed outside of licensed cull zones. Clarity will be required on who will be responsible for effective monitoring and policing of the arrangements?

The Trust has significant concerns about our own land holdings in this respect as we manage over 800 hectares of land which is scattered across Warwickshire, Coventry and Solihull. Some of these sites could be located within planned cull zones. The Trust will not give permission for badger culling on its own land, in line with our policy, but may consider vaccination.

The Trust would obviously expect its wishes to be respected by those promoting and organizing any badger culling activities. Significantly, much of our land has open public access at all times and many of our sites are heavily visited by local communities and for educational activities with school children and youth groups, as well as adult training events. The Trust is concerned about public safety, wildlife crime and conflict between staff, local landowners, members, visitors and activists – particularly as there is a low level of police resource and support in Warwickshire for wildlife crime and associated issues. The Trust would expect additional support from Government or the farming sector to address these issues.

The support of farmers and landowners is crucial to a vibrant and healthy countryside in England. Warwickshire Wildlife Trust works very closely with the farming sector. We welcome the Government’s role in environmental leadership, and we are pleased to see Government encouraging both farmers and the general public to value farming as having real, long-term stewardship of our wildlife and our countryside. The Trust genuinely sympathises with the problem of bTB and would like to help reduce the problem. However we consider that with the imperfections of the real world a cull of badgers will simply not address the problem whilst causing a significant impact on the population of an important and highly valued wild species. A cull may lead to a lasting cultural and ethical rift between the farming sector and the general public about the role of farmers and farming. This could be highly detrimental to the current good working relationships between farmers, land managers and their local communities / markets that have been developed to such mutual benefit in recent years.

A comprehensive bTB eradication programme
The Wildlife Trusts believe that the solution to the current bTB problem is a long term strategy containing a number of different measures to eradicate the disease. It is essential that the focus should be eradication of bTB (rather than mainly on badgers as appears to be the case in the current consultation). The Wildlife Trusts note that the main cause of transmission of bTB remains cattle-to-cattle rather than badger-to-cattle. Whilst we recognize some attempt by Government in this consultation to communicate thoughts on improving other bTB control measures, Warwickshire Wildlife Trust are disappointed that there has not been more consultation on other measures and that (despite the science) the major emphasis has been disproportionately placed on tackling the disease reservoir in badgers. We await the publication of the Government’s bovine TB eradication programme next year, and we would welcome input to its development if possible.

Badger vaccination

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We believe that vaccination of badgers is the strategy which offers the best and most cost-effective route to controlling and eliminating TB in badgers. This should form the central part of a short to medium term strategy to address badger-cattle transmission of bTB.

• A number of Wildlife Trusts are now trialling the currently available badger vaccine.

• We seek assurances that vaccinated badgers will not be killed in any culling programme so that these efforts are not wasted and the number of immunized badgers is increased significantly.

• We believe that Defra should consider funding the development of an oral TB vaccine for badgers as a matter of urgency. The Wildlife Trusts at a national level would like to discuss how we can help to trial and deploy such a vaccine.

Bio-security, testing and regulation
The ISG concluded in 2007 that ‘substantial reductions in cattle TB incidence could be achieved by improving cattle-based control measures’ (ISG report p21). A number of detailed recommendations were made by the ISG on such measures.

Warwickshire Wildlife Trust encourages Defra and the farming community to implement as many of these recommendations as possible, in order to ensure that all avenues for prevention of disease incidence and transmission on-farm are undertaken as a matter of course. Warwickshire Wildlife Trust strongly supports the provision of advice and support for farmers in implementing such measures, and we would like to see regulation implemented where possible to ensure that bio-security measures are being followed.

We also recommend that further research is carried out into the relative incidence of bTB in different types of farming and, specifically, different intensities of stocking densities and conditions. In this way, the farming sector can make informed choices about promoting farming systems that mitigate against the disease.

Cattle vaccine
Warwickshire Wildlife Trust believes that the ultimate long-term solution to the bTB problem has to be development of a cattle vaccine. We welcome the statements in the consultation regarding approval of the DIVA test by 2012, and also seeking changes in EU legislation to allow a cattle vaccine to be used. However, we note that the Government has made open-ended and long term promises about overcoming these hurdles to a cattle vaccine for a number of years now, and we question how urgently this option is being pursued. We strongly encourage as much effort and resource as possible to be made available to achieve this long term solution. It would ultimately be an effective, efficient, wildlife-friendly way of controlling bTB and a far preferable use of taxpayers’ and farmers’ money on controlling the disease.

Warwickshire Wildlife Trust’s preferred approach for eradicating bTB
Warwickshire Wildlife Trust recommends the following components as part of a long-term strategy to eradicate bTB in England:

• On the basis of current scientific evidence, we do not consider that the current proposals for a cull of badgers would be acceptable as a control measure: they may, in fact, make the bTB problem worse.

• Badger vaccination should be explored as one of the main ways of tackling transmission of the disease from badger to cattle and badger to badger.

• All possible biosecurity measures should be pursued following the ISG recommendations, and advice, support, policing and enforcement measures should be implemented as appropriate – particularly in areas of high disease incidence and certainly as a condition within any licensed cull area.
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- More research should be carried out into the incidence of bTB within different farming methods and intensities.
- The current testing methods and regime should be reviewed and more effective testing methods developed.
- A cattle vaccine against bTB should be developed as a matter of priority and all legislative hurdles overcome to enable this to become the long term solution to bTB.

Specific responses

Q1: Comments are invited on the options, costs and assumptions made in the Impact Assessment

Please see our comments on the options, costs and assumptions made above.

Warwickshire Wildlife Trust advocates Option 3 - a Government-led policy of badger vaccination under the Animal Health Act 1981. Vaccinating badgers is the best option because there is no perturbation effect with vaccination, and therefore it would not cause an increase in cattle heard breakdowns unlike culling – however, over time, the existing science suggests it could make a significant contribution to the reduction of badger –cattle transmission of bTB.

We are disappointed that cattle vaccination, cattle husbandry/biosecurity and cattle testing have not been considered as options within the current consultation.

Q2: Do you agree with the preferred option?

No, Warwickshire Wildlife Trust does not agree with the ‘preferred option’. All evidence of culling trials to date points to the fact that this approach is highly likely to result in widespread perturbation to the badger population, and therefore this option would result in an increase in cattle herd breakdowns – making bTB worse, not better.

Option 6 appears not to be based on scientific evidence, but still makes the assumption that culling badgers is an effective solution to tackling the bTB reservoir in badgers - despite the results of the RBCT and the recommendations of the Independent Scientific Group. We do not believe that the recent reviews and analysis of the science provided by Defra make sufficient difference to the existing evidence base to alter the likely negative outcome of option 6.

Q3: Do you agree that this approach, of issuing licences to farmers / landowners, is the most appropriate way to operate a badger control policy?

No, Warwickshire Wildlife Trust does not agree as per previous comments.

The Trust is concerned that by giving licences to farmers to carry out the policy is likely to lead to an uncoordinated approach which could cause a large perturbation effect, and therefore a large increase in cattle TB breakdowns. Even during the RBCT, where huge resources of manpower were put in to cull wide areas of badgers simultaneously using cage trapping, there was still an increase in cattle herd breakdowns in some areas, and only a very marginal benefit overall. Anything less than expertly, simultaneously, and repeatedly implemented culling will result in a perturbation effect in the badger population, and therefore an increase in cattle TB.

We are also concerned that the proposal to licence farmers and landowners to undertake badger culling will lead to significant issues of safety, local conflict, poor public perception of farmers, animal welfare, and potential wildlife crime.
It is unclear how proposals for cull areas would work in practice, how these might be co-ordinated and regulated, and how vaccination and culling will be used together.

**Q4: Do you agree with the proposed licensing criteria for culling and vaccination?**

No. We think that these criteria cannot be met, and we are not clear how applicants for a licence can demonstrate that these criteria have been met. For example, how can an applicant for a licence demonstrate that ‘culling will achieve badger densities low enough to reduce TB transmission, but not lead to local extinction.’ How will this be monitored? We wish to see far more information on licensing criteria and how they will be enforced.

**Q5: Do you agree that the proposed methods of culling are effective and humane?**

No, we do not agree. We do not think that shooting free ranging badgers will be effective, or humane. Considerable skill is needed to shoot a free ranging badger and kill it. Even if a badger is shot and killed effectively, all other badgers in the area will scatter. It will take many nights work to shoot all the badgers in an area - this is not a viable, cost effective or practical control method, and there is a very real danger that landowners will not sustain the number of nights needed to kill all the badgers in an area, therefore leading to a greater perturbation effect.

We fear that promotion of this method as an acceptable (and cheaper) alternative to trapping would not only lead to further inefficiencies of culling within the cull zone (therefore leading to further risk of perturbation effect), but that it would fall short of animal welfare standards. There are further considerations of public safety (particularly near to rights of way) and public acceptability that should be taken very seriously by the Government, before any proposal of open shooting as a method of badger control. There is also a strong likelihood that vaccinated badgers would be culled unnecessarily by such an un-targeted approach.

**Q6: Do you agree with the proposed use of vaccination, particularly its focus on mitigating the perturbation effects of culling?**

No. Warwickshire Wildlife Trust advocates the use of vaccination on its own, but not in combination with culling.

1. If DEFRA do not feel that vaccination is adequate to use on an unperturbed badger population (ie without culling badgers) then it cannot be adequate to use on a perturbed population.
2. Secondly there is a great probability that vaccinated badgers may be culled.
3. Thirdly it will be impossible to evaluate the relative efficacy of both methods if they are used together.
4. The whole plan of how to use both methods together is very unclear - see p51.

**Q7: Should anything further be done to encourage the use of vaccination?**

Yes. Warwickshire Wildlife Trust advocates that much more effort be put into the use of oral vaccines for badgers, and the technical & legal barriers to deployment of cattle vaccines.

**Q8: Do you agree with the proposed monitoring?**

No. Warwickshire Wildlife Trust is extremely concerned that the monitoring proposed is inadequate. For example, how is compliance with licenses going to be enforced and monitored? How is data going to be gathered and exchanged? How will the status of the badger population be monitored to ensure effective control operations and that there will be no local extinction?
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There are no details about how local actions will be assessed, whether guidelines are being adhered to, or whether culling has worked. How will the relative success of culling vs vaccination be measured? How will adequate monitoring be paid for?

Under the current proposals, the Government will have no way of telling whether there is compliance with the law, whether conditions of measures are being adequately met, or whether the proposed programme of culling and/or vaccination is effective. The Wildlife Trusts believe that a great deal more work on monitoring and enforcement is required before any actions to tackle the bTB reservoir in badgers could take place.