



Pembrokeshire Against the Cull
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Welsh Assembly Government Consultation on Badger Control in the Intensive Action Area

Response from Pembroke Against the Cull (PAC)

PAC is a group of landowners, farmers and residents living in and around the proposed badger cull area in west Wales. It was formed in response to the previous Welsh Assembly Government proposals to cull badgers and related TB Eradication Order 2010 which was quashed by the Court of Appeal in July 2010. The PAC network grew steadily throughout that time as more people became aware of and concerned about the proposals to kill badgers and the many negative impacts for badgers, wildlife and the environment, individuals, local community and wider west Wales.

We take bovine TB seriously and recognize its impact on the farming community. However, we are opposed to the culling of badgers as a means of controlling bovine TB as scientific trials have shown that it is unlikely to help and there are alternative and effective measures available to reduce the incidence of bovine TB.

PAC aims to support farmers, landowners, and residents who oppose the cull and will be affected by it; promote effective and sustainable measures to manage bovine TB; and raise public awareness of the factors involved in the above.

We are registering our opposition to the Welsh Assembly Government's new proposals to cull badgers in the Intensive Action Area and draft Order.

Question 1: Do you object to the culling of any wildlife for the purposes of controlling disease in farm animals? If yes, please explain why?

This question should be specific to the proposal being consulted upon. By making it 'universal', the Minister may have misled or confused potential respondents. The Minister may have a general interest in the public's wider views on killing wild life, but any such enquiry should not substitute for (and distract from) a question specific to what she proposes – killing badgers in an attempt to reduce TB in cattle.

And, why is the Minister interested only in answers which appear to disagree with her proposed policy? The Minister should scrutinise the reasons that consultees may agree with her proposals with equal diligence; for example, one reason for agreeing with culling badgers may be that this is viewed by some as an opportunity to engage in the illegal practice of badger-baiting; another may be that the respondent believes badgers are responsible for damage in their garden; presumably the Minister would regard such reasons as unacceptable grounds for culling and wish to treat them differently from 'acceptable' reasons for agreeing with her proposals.

Yes, in the circumstances proposed and on the grounds put forward, PAC objects to the culling of badgers as a means of eradicating bovine TB in cattle.

Reasons:

i. the extent to which badgers in the IAA are infected by bovine TB has been misrepresented by the WAG Chief Veterinary Officer to the Minister, and to the public in this consultation. Annex 5 of the Submission to the Minister does not show, as claimed, that the prevalence of bovine TB in badgers in the RBCT was 33%, even allowing for the ‘Crawshaw’ correction that WAG use to double the published figures; the Submission includes simple arithmetical errors as well as unsound scientific reasoning. The prevalence of bovine TB in badgers in endemic areas of Wales is published in Annex 6; this data includes the Welsh Badger Found Dead survey data (Annex 22) for those areas and indicates an overall average of 8.6% badgers infected, with a range from 4.4% in Carmarthen to 12.7% in Gwent. Data for *the IAA itself, as is required for legal reasons*, can be extracted from here and from data presented in Annex 8 of the evidence submitted for the 2009 consultation but ignored this time. 95% of the IAA has been surveyed and shows levels of TB in badgers of only 5%. Collectively therefore, even accepting a Crawshaw correction the evidence presented does not indicate the high levels of badger infection claimed. The Minister should seek independent scientific advice on this point and not rely on advisors whose advice led her to the Court of Appeal judgement in July 2010.

ii. the extent to which badgers transmit bovine TB to cattle has not been properly established, and has been misrepresented by the WAG Chief Veterinary Officer to the Minister, and to the public in this consultation. In the Submission to the Minister (Section 4.3, ‘Transmission of Bovine TB’), the WAG CVO has assumed that re-infection of cattle is due predominantly to transmission from infected badgers, without providing evidence to this effect and while ignoring the phenomenon of disease-latency in cattle and giving scant consideration to infection from other sources. Latent infection in cattle is a serious complicating factor; Professor Glyn Hewinson at the Cattle Control Measures seminar run by WAG on 13 March 2010 in the IAA stated: “Once an animal has been infected with as few as five bacteria it can take from three weeks to a lifetime for that animal to develop the disease.”

Paras 32-34 of Section 4.3 are not sound scientific reasoning; the Donnelly and Hone figure of 3.4% as the expected level of herd breakdown in the *absence* of infection from badgers does not show that the remaining cattle infection is caused by transmission from badgers. The use of the Donnelly and Hone data in the manner set out in para 33, applied to the levels of confirmed herd breakdown in Wales (which are currently below 3.4%) would indicate that there is no challenge from infected badgers. Re-infection seems more likely to result from failure to detect and remove all infected cattle as the sensitivity of the skin test is poor when used to assess individual cattle.

The Minister should seek independent scientific advice on these points.

iii. there are alternatives to the destruction of badgers. Both continuation and/or intensification of ‘cattle control measures’, and vaccination, demonstrate that culling badgers is not ‘necessary’ in the sense of being the only available means of reducing bTB in cattle. In the Submission to the Minister (Section 4.1.10-21, ‘Bovine TB Problem in Wales’) the trends in bTB in cattle and the effects of ‘cattle control measures’ are misrepresented; the evidence does not substantiate the CVO’s argument that bTB is increasing and that therefore culling badgers is required. The Minister should seek independent scientific advice on this point.

For PAC comments on vaccination, see Question 2 below.

iv. any proposal to cull badgers should have overwhelming support from the scientific community (which this proposal lacks), should have broad public support (which this proposal lacks), should balance the interests of all sections of community (which this proposal does not) and should bring economic benefit to the whole community (which this proposal does not).

Question 2: In view of the fact that a licence for an injectable vaccine for badgers is now available, do you think that vaccination of badgers in bovine TB endemic areas is a viable alternative to culling *to prevent disease transmission*? If yes, please explain why?

The question's emphasis on "disease transmission" is presumably intended to remind consultees that vaccination does not 'cure' diseased badgers and therefore lead the consultee to an answer favourable to the Minister's proposal. As such, the wording of this question has an inherent bias that compromises the fairness of this consultation.

Yes, PAC does think that vaccination of badgers is a viable means of reducing any transmission of bovine TB to and from badgers and cattle.

Reasons:

i, Over the period of the proposed cull, annual vaccination of badgers would steadily increase the proportion of badgers immune to bTB, and during this period the small proportion of infected badgers would reduce (this reduction being enhanced as their life expectancy may be shortened by being infected). In the absence of new infection the number of infected badgers would halve within about 2.5 years.

ii, Vaccination will minimise the peripheral and within-cull-area perturbation caused by culling badgers; this perturbation is widely recognised as causing a (counter-productive) increase in bTB prevalence. Although the procedure for vaccination will cause some disturbance, this is likely to be much less and a vaccination programme will receive much greater support from landowners and the wider public.

iii, Vaccination would be a once-only programme, with immunity building up in the badger population. The weight of evidence shows that culling badgers has at best a temporary benefit and that future culls are required. Therefore, badger vaccination will contribute to the *eradication* of TB because it reduces the proportion of badgers which are infected, whereas culling increases this proportion.

iv, The WAG CVO's advice in the Submission (Section 5, 'Options for Badger Intervention') to the Minister misrepresents the viability of badger-vaccination, based on the evidence available at the time the Submission was prepared; one example is given below. The Minister should seek independent scientific advice on this point.

v. In the Submission to the Minister (Section 3, para 1), the CVO states "*Any benefits in reducing the number of confirmed cattle herd bovine TB breakdowns from vaccinating badgers would take longer than widespread, effective and efficient culling of badgers.*" No source is given for this statement, and PAC does not believe that such evidence exists. The summary of scientific advice provided to WAG last year noted that "*the model cannot predict the time until benefits can be seen with each approach*" (former Annex 1, section 4.3, pg 22), and "*There was only very limited information available, even from modeling, on the likely timescale and level of benefits that could be achieved*" (former paragraph 9.2.2). PAC believes that the statement in para 1 of Section 3 of the Submission is an unsafe basis for the Minister to proceed upon.

vi, More recently, new information on the viability of badger-vaccination has been published. This strengthens the case for vaccination as an alternative to culling and further undermines the CVO's argument for the 'necessity' of culling badgers. The Minister should take this new information into account, with independent scientific advice, and reverse her provisional decision to conduct a cull of badgers. One of the two new scientific papers demonstrated substantial reductions in the

incidence of TB in wild badgers as a result of vaccination using injectable BCG, while the other showed that oral vaccination of captive badgers could provoke immunity to TB challenge. Together these papers show that vaccination of wild badger populations is likely to be both practical and effective.

vii, Experience with other diseases once endemic supports the case for vaccination. The eradication of rabies in western Europe was achieved not by culling of foxes, although widespread efforts were made repeatedly over many years, but, eventually, by vaccination. The Minister would benefit from wider sources of advice from experts whose minds have not foreclosed on the viability of alternatives of culling.

Question 3: Do you believe that culling badgers can achieve a reduction in bovine TB incidence in cattle, to justify its use? If no, please explain why?

As before, the wording of the question is unclear and may confuse consultees, affecting the adequacy of this consultation. Presumably the meaning is intended to be "...*sufficient* to justify its use?" Or perhaps, "*substantial enough* to justify..."? From the wording, consultees may well think that what is involved here is a casual, broad-brush opinion whereas in fact it is a legal test or threshold, which the CVO's previous efforts have failed to meet. What is the value in asking the public to guess whether a legal test has been met?

And, is the Minister not interested in the reasons that consultees may *agree* with her proposal, in the face of independent scientific evidence that culling badgers will not reduce bTB in cattle?

No, PAC does not believe that culling badgers will reduce bTB in cattle sufficiently to justify its use.

Reasons are evident from the answers to the questions above, and also:

i. The Submission to the Minister assumes that a government-led cull in the IAA would achieve a reduction in cattle TB at least as great as that delivered by RBCT proactive culling. However, the ISG repeatedly noted that the results of culling reflect the methods used, and in the most recent paper to emerge from the RBCT, the authors highlighted the point that "*the effects described here relate only to culling as conducted in the RBCT, i.e. deployment of cage traps by highly trained staff in coordinated, large-scale, simultaneous operations, repeated annually for five years and then halted*". Most RBCT proactive culls were commenced simultaneously across the entire area and were completed within two weeks. A minority of culls were commenced on different dates in different sectors and prolonged over periods of 1-7 months; these non-simultaneous culls were followed by even greater increases in the prevalence of infection among badgers than were the simultaneous culls. Culls not conducted simultaneously would therefore be expected to deliver smaller reductions in cattle TB than would simultaneous culls. The evidence as presented in the consultation documents does not allow assessment of whether sufficient consideration has been given to the need for an expeditious cull, and no indication of how this would be achieved.

ii. In the Submission to the Minister, the CVO cites only four of the over-1,000 culls conducted in the UK (Section 5, 'Options for Badger Intervention'); it is in these four that benefits have been found. This is a highly selective use of available evidence. Further, note that in only one – the RBCT – were the methods used acceptable in the present day. All the others either gassed or snared badgers, methods clearly identified as unacceptable in para 102. Therefore paras 83 to 87 of the Submission are inadmissible as comparable evidence.

iii. Data from the RBCT is misrepresented in the CVO's Submission to the Minister. Submission para 118, "*A proactive, non-selective badger cull will reduce the level of confirmed herd*

breakdowns within the culling area from the first year” is incorrect. Inside RBCT proactive areas, there was no significant effect of culling between the first and second culls, which is roughly equivalent to the first year. Statistically significant reductions in cattle TB only emerged after repeated culling had been established. This statement regarding effects inside the culling area also ignores important effects on adjoining lands in the first year of culling; here, in the same period, there was a statistically significant increase in the incidence of cattle TB. This means that the overall effects of culling were detrimental in the first year; at least three annual culls were needed to achieve net benefits.

iv. Submission Section 3.3 para 4 states “*the analysis of [RBCT] results suggests that a sustained reduction in confirmed herd breakdowns within the area following culling can be achieved.*” This is another misrepresentation; in fact the most recent analyses indicate that the benefits of culling are declining over time and projected to disappear soon (about 5 years’ post-culling). Therefore if culling ends and no other action is taken, WAG will be no closer to eradicating TB.

v. Long-term benefits of culling badgers have been seen only once (Thornbury) in well over 1000 culls, and this by repeated application, over 6 years, of methods that today are regarded as barbaric.

vi. No data is presented that substantiates the claim of a 22% or 28% reduction in bovine TB in cattle on which the proposal is largely based. No explanation is given for the change from the previous claim by WAG of a 6 – 9% reduction in the rate of increase of bovine TB.

vii. The destruction of a valued native species, the infringement of civil liberties, the net cost of the programme, and the detrimental effect of the increased TB prevalence in the remaining badgers does not justify the small gains in reduced herd breakdowns. The elevation of TB levels in badgers that results from culling is a serious retrograde step in a policy to ERADICATE TB.

viii. Bovine TB is primarily a disease of cattle and should be dealt with in cattle, not in wildlife which may also become infected. It has been shown that when TB levels go down in cattle they also reduce in the badger population. Culling increases TB prevalence in badgers.

Question 4: Do you agree that the Intensive Action Area has a high incidence of bovine TB in cattle which needs to be dealt with? If no, please explain why?

Another procedural observation: this sentence elides two questions: do you agree the IAA has a high incidence of bTB in cattle? And do you agree this needs to be dealt with? A consultee may wish to answer each question differently. From a single yes/no answer, how will WAG interpret what the consultee is really saying about the two questions embedded in this sentence?

In the absence of comprehensive data specific to the IAA and with misleadingly selective information about the incidence of bTB in the IAA and about alternatives to culling, this question has an inherent bias that will affect the adequacy of this consultation.

No, PAC does not agree that the IAA has high incidence of bTB compared with some other areas of Wales where WAG has inexplicably chosen not to cull badgers, but **Yes** the IAA has a high incidence of bTB, and **Yes** it needs to be dealt with but **No** not by ineffective & short-term methods. The question warrants this answer. How will you record this answer?

Reasons:

i. The incidence of bTB is higher in some other parts of Wales; if “needs to be dealt with” is meant to be inferred from “high incidence”, some explanation is required for WAG’s different approach in

other areas of high, and higher, bTB incidence. Especially when the IAA is no longer the IAPA (Pilot Area). PAC cannot agree that bTB “needs to be dealt with” in the IAA by means of a badger cull without a convincing rationale for the different approach adopted here.

ii. The CVO’s Submission to the Minister (Section 4.1.10-21, ‘Bovine TB Problem in Wales’) is fundamentally flawed: data on the numbers of herds suffering TB breakdowns, cattle being slaughtered and rising costs of compensation are presented, but there is no information about the database from which the numbers are taken. No information is given on the prevalence of TB in cattle, or whether infection levels are rising or falling. Although various parameters are said to be increasing (e.g. paras 11, 12, 15, 18, 21) the crucial parameter of prevalence among cattle and cattle herds, as evidenced by the proportion of herds or cattle tested proving positive, is not mentioned. Yet these data are readily calculable from National Statistics and show that, with the notable exception of 2008, the proportions of herds tested that are confirmed positive has been falling since 2005.

iii. The Submission takes evidence from a single, anomalous year, 2008, to reinforce the assertion that TB is increasing. Yet elsewhere (para 16) the Submission warns against taking a narrow view of statistics.

iv. It is only since 2008, when increased efforts were made to provide the more accurate picture of TB that annual testing of all herds would give (the TB Health Check Wales) and only since 2009 that the whole National Herd has been tested annually. It is only since then that there has been an accurate picture of the disease, as para 14 acknowledges. A comparison between the National Statistics for 2009 and 2010 for the period 1 Jan to 31 July therefore gives a picture based on as full and comparable a statistical basis as is available, showing that the absolute number of new incidents has fallen 20.3%, the absolute number of confirmed new incidents has fallen by 19.5%; the proportion of the National Herd with such incidents has fallen 18% and 20% respectively; and that the proportion of tested herds with an incident is down 17.7% and those with a confirmed incident down 15.6%. These same statistics show that the absolute numbers of cattle slaughtered fell by 28.4%. It is clear that the trend over the last 5 years is downwards; to state that the disease is increasing is not substantiated by the evidence.

v, on the other hand, yes - cattle controls need to be stricter and farmyard practices more secure. Slurry spreading should be banned and centres for secure disposal set up. Introduce an accredited herd system. Legal systems to support cattle vaccination should be prioritized. Use the methods of human disease epidemiology to identify which farms and farming practices suffer most herd breakdowns, and change the farming practices, breeds, herd densities etc which are associated with bTB.

Question 5: Do you believe that access to land for culling badgers should be enforced? If not, why not? Please give reasons for your answer.

Procedural observation: it would have been clearer for the consultee if the question had stated “all land, regardless of the wishes and interests” of the landowner, and if the corresponding section of the consultation document had been worded similarly, with explanation of why a ‘cull’ (which is defined as a reduction in numbers, i.e. less than total extermination) or badger ‘control’ (also suggests less than total extermination) requires access to all land in the IAA.

No. Reasons:

i. Other culls, upon which the CVO in her Submission to the Minister draws upon for evidence of the efficacy of culling badgers to reduce bTB in cattle, have not relied upon enforced access onto

private land; the Submission does not explain why what has not been required elsewhere will be required in the IAA.

ii. The Submission and the consultation documents do not state that it is intended to or necessary to or even practical to kill *all* badgers in the IAA, as one of several measures designed to reduce bTB in cattle; therefore, it is not evident why enforced access to all land would be required. See procedural note above. The reference in Question 6 to “*harm caused to the badger population*” also suggests that less than total extinction of badgers in the IAA is envisaged by the Minister.

iii. Enforced access to all land would only be required if the CVO or the Minister thought that opposition in the IAA to the proposed cull was so great that refusal of access would render the cull ineffective; this is at odds with the Minister’s frequent public references to “a tiny minority” being opposed; and if public opposition is so great as to potentially have this effect, the proposed cull should not proceed simply on grounds of democracy and community cohesion.

iv. Enforced access onto the land of people who object to the cull, with the aim of benefitting one section of society (farmers with cattle) which, ironically, is often highly protective of its rights over its land, should be no part of public policy. There are also some farmers with cattle in the IAA who do not support the proposals to cull or enforce access to land.

v. The draft Order being consulted upon makes no explicit reference to enforced access, referring more obliquely to ‘the control area’ and without any reference to a time-frame. From this, the consultee may not realise that answering ‘yes’ to this question is to concede to WAG personnel, contractors etc, a power unlimited in duration, frequency, method and equipment etc, to enter their private property. Had consultees been made fully aware of this by WAG, they might respond differently.

vi. A power unlimited in duration, frequency, method and equipment etc, to enter private property against the wishes, beliefs or interests of the landowner is wholly disproportionate to the aim of reducing bTB, whether or not the Minister agrees with the many objections to culling badgers as a method of achieving that aim. The purposes for which enforced access is sought are time-limited, whereas the power of access will be unlimited in time.

v. A power of enforced access in the IAA will place landowners on a different footing from landowners in other parts of Wales, including parts of Wales with higher endemic levels of bTB in cattle. PAC notes that the Minister no longer regards the IAA as a ‘Pilot Area’, and has made no mention of a plan to roll-out similar policies elsewhere in Wales.

vii. The landowner’s right to peaceful enjoyment of his/her private property will be curtailed, for purposes offensive to his/her beliefs, values, interests and way of life. There are profound objections to this aspect of the proposal, both in principle and practically (e.g. the safety issues of contractors attempting to cage and shoot, and also free-shoot uncaged badgers; in this part of Wales, children as well as adults are used to roaming widely with a freedom and safety that has largely disappeared in other parts of the UK; similarly with domestic pets and other animals; it is these rights and values that will be adversely affected by the Minister’s present proposals).

viii. In this context, ‘interests’ include the renting of holiday cottages by the many small businesses which gain a supplementary income in this way. It is the land of these holiday cottage owners that will also be subject to WAG’s unlimited power of enforced access. Many of the holidaymakers who come to N. Pembrokeshire, Ceredigion and Carmarthenshire are regular visitors, returning each year precisely because they value the relative peace and freedom here, and to watch the abundant wildlife. Small holiday cottage businesses are supporters of PAC, and several have reported a

drastic drop in booking in 2010 which recovered somewhat after the Court of Appeal judgement became known last July. In a wider sense, the local tourist industry will be adversely affected and thereby the local economy.

ix. The prohibitions included in the draft Order indicate that WAG believes it will have to force access onto private land, and contemplates criminalising those who object to this one part of the wider programme of reducing bTB in cattle. Enforced access, and prohibitions with the power of law, has the potential to cause division and dissension in the small, peaceful rural communities of the IAA.

x. Such a power of enforced access backed by ‘criminal’ prohibitions, unlimited in time and specific to this one area of Wales, should not be achieved by secondary legislation made under primary legislation which predates the Human Rights Act. The Submissions, consultation documents and public statements by the Minister to date give no indication the human rights aspects of what is proposed have been considered.

Question 6: On balance, do you think the benefits of culling outweigh the harm caused to the badger population in the Intensive Action Area? Please give reasons for your answer. Would you include other factors in the balance of harm and benefits? If so why?

Procedural observation: the wording of this question directs the consultee’s attention to “*the harm caused to the badger population*”. However it is the harms in a wider sense of the Minister’s proposal to cull badgers that must be balanced against the projected benefits of the cull.

No, PAC does not think that the benefits of culling badgers outweigh the harms and costs of doing so, and has seen no evidence that the Minister and her advisers have properly carried out this balancing exercise. Further reasons:

i. The potential benefits of the proposed cull of badgers in the IAA are greatly over-estimated in the Submission to the Minister, by means of selective mis-representation of what the science and experience tells us about the consequences of culling badgers (see answers to previous questions); many scientists do not agree with what the CVO asserts in her Submission to the Minister – the Submission would not fare well if subjected to peer-review.

ii. As an integral part of the natural environment, living in harmony with the ecosystem, a badger is far less damaging than a cow. Infected cattle could be removed to secure holdings and treated for their TB, but there is no compassionate will to do this. Farmers could cover their potential losses through insurance rather than the public purse. A few farmers will benefit from the small reduction in herd breakdowns but many people will be distressed by slaughter of badgers.

iii. The balancing exercise required of the Minister must include all the potential harms, including costs; it must be a comprehensive cost/benefit exercise using realistic and justifiable estimates. Harms/costs may include:

- removal of a major predator from a complex ecosystem and effects on other species; the Submission (Section 8.2.1.1-2, ‘Ecological Impact’) optimistically claims that any adverse effects will be small and short-term. But badgers are a native apex predator species with a significant role in the ecology and the effects of such a large cull are highly unpredictable.
- disturbance of other wildlife, flora and fauna, by contractors operating often at night, in previously undisturbed areas of countryside, including the effects of increased foot-traffic, offroad vehicles, quadbikes and gunfire in undisturbed areas; the Submission (Section 8.2.1.1-2)

makes no detailed or sensitive assessment of these complex effects of badger-culling operations. No evidence for such considerations by advisory bodies has been presented in an Annex.

- effects on the quality of life of people living in the IAA; these effects may include reduced property-value and inability to sell properties, obligation to notify vendors' solicitors of the perpetual rights of access, prohibitions and activities for which these have been enforced; reduced freedom of movement; reduced enjoyment of property; etc.
- effects on local incomes of reduced holiday-bookings (see above); harm caused to tourism could well outweigh any benefit to cattle farming in the IAA; many people depend on their environmental credentials for activities in the IAA including tourism, which contributes more to the economy of this areas than does cattle farming.
- distress of landowners subject to the proposed cull operations and powers taken by WAG; the Submission (Section 8.1.13, 'The Socio-economic Impact of Bovine Tuberculosis') focuses solely on cattle farmers in this area (there are only 321 cattle herds in the IAA); no consideration is given to the rest of the community (i.e. majority of the population). While farmers may be under stress from bTB so are many other sections of the community from many causes, to which the cull operations and powers taken will add; the Submission includes no balancing of stress reduction in farmers against stress induction in other sections of the community.
- economic effects: although the Submission (Section 8.1.2.3) claims that culling badgers will be at least cost-neutral and possibly cost-saving, proper examination of the CVO's own evidence in the Submission, and correction of arithmetical errors, shows that it is *not* cost-neutral and that financial dis-benefits far outweigh benefits; this is the case with both versions of the Submission which have appeared on the WAG website. The economic case requires fuller exposition, but for brevity here are two examples. Firstly, Version 1 of the Submission claims a cost of £4,890 per km² per yr for the cull; in para 180 this is translated into a total cost over 5yr of £5,281,200 – this figure is an error, £4890 x 288km² x 5 is £7,041,600; version 2 claims a cost of £4,250 per km² per yr, translated in para 179 into £4,590,000 over 5yr – again an error, £4,250 x 288 x 5 is £6,120,000. Secondly, in both versions of the Submission an average total compensation cost of £53,621 per confirmed herd breakdown is given; in Version 1 a saving of 94 herd breakdowns is envisaged with a value of £5,040,379; this cull (and therefore the taxpayer) would be out-of-pocket by £2,001,221; in Version 2 a saving of 83 herd breakdowns is envisaged, value £4,463,503; this cull would be out-of-pocket by £1,656,497. Moreover, the consultation documents fail to consider the viable (and more cost-effective) alternatives.
- Badgers have an inherent value which is recognised in their legally protected status. Dairy cattle have a commercial value which is being allowed to take precedence over the inherent value of badgers. Even the loss of commercial value of dairy cattle caused by bovine TB is overstated: cattle with bTB still enter the food chain. With regard to any economic loss suffered by cattle farmers as a result of bovine TB those farmers could take out insurance as do other forms of commercial enterprise, and WAG could assist in the transition to this more normal way of coping with the risks of running a commercial enterprise.
- The balancing exercise should consider the negative impacts on badgers, farmers and the local economy, and the local environment (rather than simply the wider ecosystem) in the areas adjacent to the proposed culling area.

Question 7: Do you agree with the prohibitions under the draft Badger (Control Area) (Wales) Order 2010? If not, why not?

No. See reasons given in answer to Question 5.

8. Related issues:

The possibility of shooting of badgers roaming in the wild (not in a cage) is included. This is not acceptable due to both the risk that this would present to all countryside users and the nature of attempting to shoot an animal that would not present an easy target allowing huge opportunity for injury and also shooting of non target animals. This method of killing cannot be considered humane as it is likely to result in considerable suffering for badgers and other animals that are injured but not killed outright. It is also unacceptable in terms of public safety.

Free shooting of badgers is an untested method, and it is not at all certain that it can deliver rapid reductions in badger numbers equivalent to those achieved by cage trapping. Moreover, using free shooting as a principal culling method would preclude simultaneous culling on Health and Safety grounds.

It is also suggested that unoccupied land will be accessed without attempting to contact the owners. This is likewise not acceptable and consent should be sought from all landowners within the IAA before attempting to access land.

It is highly likely that vaccination of cattle will be introduced within the 10 year timeframe that has been used to calculate the supposed benefits in reduction of bovine TB in cattle from culling badgers – yet there is no mention of the impact that this would then have on relative benefits that could supposedly be attributed to culling badgers once cattle vaccination was introduced. Nor is there any consideration of the wisdom or otherwise in committing such a large amount of money to a programme of culling with cattle vaccination on the horizon. Nor is there any mention of the need to expedite the necessary permissions and licences to bring cattle vaccination into the toolbox for dealing with bTB in cattle.

Conclusion

PAC has the benefit of advice from scientists involved in the RBCT trials upon which the CVO draws (selectively) in her Submission to the Minister; that expert advice strongly argues against the Minister's proposed course of action, therefore PAC urges the Minister again to pause and consult more widely and fairly before making her final decision. Whilst it is not practical to include scientific references or a bibliography in this consultation response, the sources for statements made in the consultation response can be provided in a different forum. PAC recognises that there are broad public interests in finding an effective and sustainable solution to the problem of bovine TB and would like to engage in a process of dialogue where there is *not* a prior commitment by government and/or its advisors to one of the potential solutions. The problem of bovine TB is not so urgent that measures most likely to be counterproductive in efficacy and public acceptance should be pursued.

PAC urges the Minister to open the advice she has received to full and independent scientific and legal review before making her final decision. A policy which has been scrutinised in this way is far more likely to carry widespread public support, to minimise the harms/costs identified, and to have enhanced effectiveness. And the contrary applies.

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