

Uncovering the Trail of Lies



How trail hunting is preventing successful prosecutions for illegal hunting with hounds in the UK – a summary report

Introduction

Our report *Trail of Lies* (Casamitjana, 2015) is the biggest study to date on trail hunting – an activity carried out by organised hunts in England and Wales.

Little is known publicly about trail hunting, but our investigators have uncovered a practice that can create false alibis, seriously hindering enforcement of the 2004 Hunting Act. This Act and its resulting hunting ban was overwhelmingly supported by UK citizens appalled by the cruelty towards wild animals that hunting with hounds involves.

Trail of Lies focusses on monitoring of multiple hunts across England and Wales. It contains more than 200 pages of articles, comments, images and expert opinion. The evidence is based on bibliographical research, testimonies of witnesses and experts, statistical analysis of quantifiable data, analysis of court records and proceedings and audio-visual evidence from the field, covering a period of 10 years.

One of the report's key findings is that in 99% of hunt monitoring reports produced by IFAW wildlife crime investigators covering hunts which claim to go trail hunting (sending their dogs after man-made trails rather than foxes), no genuine trail hunting was witnessed.

Our data and evidence, highlighted in this summary report, suggests that trail hunting in general is nothing more than a post-hunting ban creation to provide a false alibi against accusations of illegal hunting. It should not be confused with drag hunting, which aims to cause no harm to wild animals.

Our report removes the cloak of darkness on this subject. It provides critical information unveiling the truth behind a trail of lies and includes recommendations to solve the enforcement problem.

Philip Mansbridge
Director, UK

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Contents

What is drag hunting and hunting with bloodhounds?	04
What is trail hunting?	06
Why do trail hunts use animal scents?	08
Are trail hunts using known fox habitats?	09
Why do trail hunts use terriermen?	10
How does trail hunting work?	12
Trail hunting as an alibi in criminal investigations	14
Identifying trail hunting as a 'false' alibi	16
How to construct a false alibi	19
Method 1 – Laying no trail	19
Method 2 – Creating false evidence	20
Method 3 – Faking it	21
Method 4 – Causing accidents	22
Conclusions	24
Recommendations	26
References	27

What is drag hunting and hunting with bloodhounds (or 'hunting the clean boot')?

Drag hunting, hunting with bloodhounds and trail hunting are frequently confused with each other. However, they have a number of subtle but very important differences.

Understanding drag hunting and hunting with bloodhounds

Drag hunting and hunting with bloodhounds are sports, created in the 1800s, where a pack of hounds follows either a man-made artificially laid scent or the scent of a human over a pre-determined route. Most draghound and bloodhound packs are registered with the Masters of Draghounds and Bloodhounds Association (MDBA).

The MDBA's objective is: "to promote the sport and fundamental ethic of draghunting and hunting the 'clean boot' the essence of which involves the use of hounds to provide pleasure without the pursuit or killing of wild animals" (MDBA, b).

In drag hunting the hounds hunt a 'drag'. This is normally a scented piece of absorbent material dragged across the ground by a rider or a runner. Scent is repeatedly applied to the drag throughout the hunt.

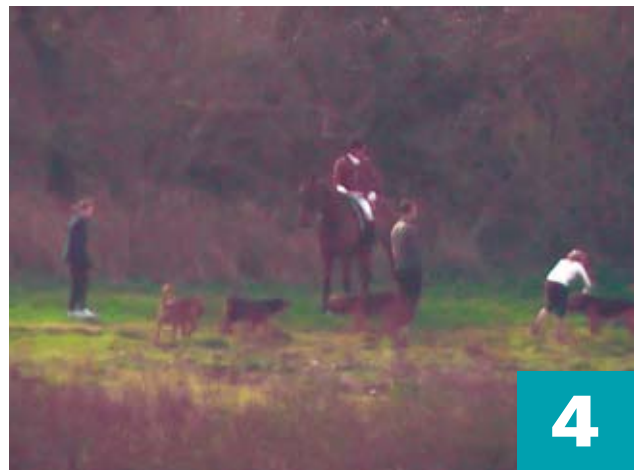
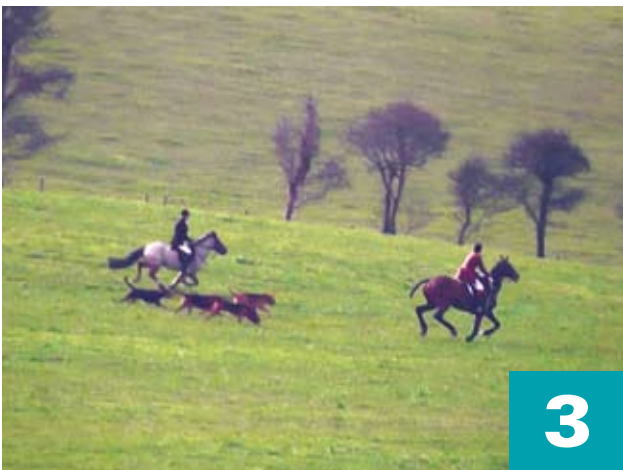
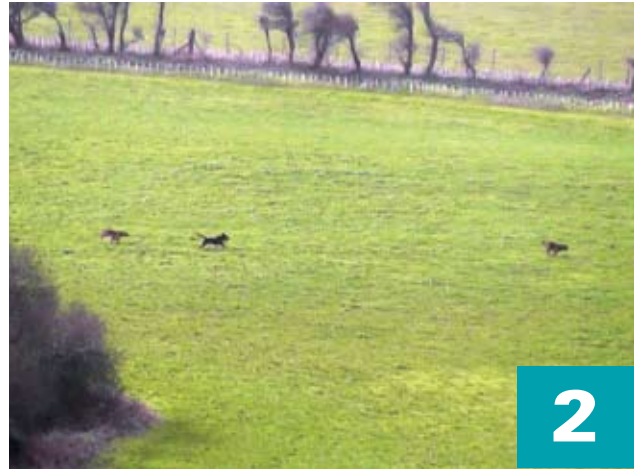
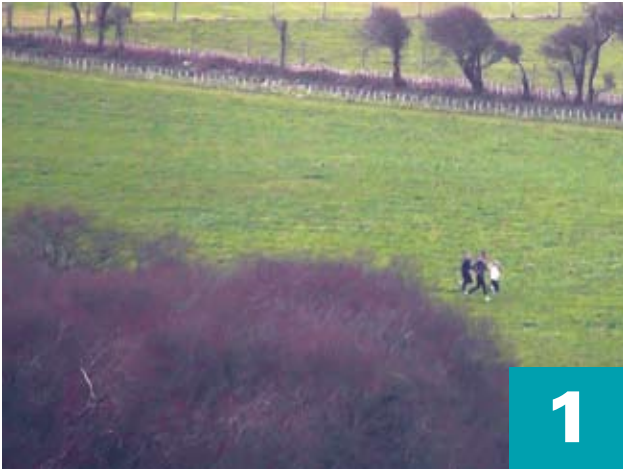
A hunt is divided into 'legs' so the horses and hounds get a natural rest break between gallops. Each leg is scented just before the huntsman casts the hounds. Casting is the directing of hounds to find the scent and begin the hunt. Aniseed or a chemical crystal mixed with water and oil are the scents most commonly used.

Because scents can evaporate very quickly in warm weather, scent-based hunting has to take place during the colder months. To work properly the scent must be fresh and laid no more than 20 minutes before the hounds are directed to find it.

Drag hunts are similar to fast cross-country rides. They happen over a pre-determined course or line. The 'line layer' or 'drag man' will set off ahead of the hunt, perhaps half an hour ahead depending on the length of the line (MDBA, 2000).

Typically between three and eight lines are laid during the day, covering a distance of 10 to 20 miles. The lines would be laid according to a route agreed in advance with the landowners. The route need not be known by the followers, although the huntsman and field master will know the proposed course. Drag hunts usually last about three hours.

Bloodhound packs hunt human scent and follow the scent of a runner or the 'clean boot'. Hunts with bloodhounds are organised in a way virtually identical to drag hunts. When the bloodhounds catch their quarry, they receive a reward of food and praise to ensure they will remain keen to follow the scent next time.



Typical bloodhounds hunt

From left to right,

1. three runners (the quarry) on a field;
2. the bloodhounds follow their trail;
3. hunt staff and the Field follow them;
4. bloodhounds are patted by the runners when the quarry is found.

Drag hunting and hunting with bloodhounds are sports in which a pack of hounds follow either a man-made artificially laid scent or the scent of a human over a pre-determined route.

What is Trail Hunting?

Trail hunting was invented by the hunting fraternity in response to the Hunting Act 2004. It is used by those hunts that hunted foxes and hares before the hunting ban was introduced.

The first published description of trail hunting appeared in October 2005 in the Countryside Alliance Hunting Handbook (Countryside Alliance, 2005). This was six months after the first hunting season under the ban had ended. In its handbook, the Countryside Alliance expressed the following views:

- **Trail hunting and drag hunting are not the same activity.**
- **Trail hunting is a simulation of live quarry hunting; quarry meaning the object of the pursuit.**
- **Trail hunting is a temporary activity in response to the hunting ban, as opposed to a new sport invented with the aim that it would survive if the ban is repealed.**
- **The huntsman may not know where the trails are laid.**

Soon after trail hunting was introduced in 2005, we learned of the use of fox urine as scent, and that the huntsman is not told where a trail is laid. This suggested that the purpose of trail hunting might be quite different from that of drag hunting. During the second hunting season after the ban, purported accidents involving the chasing of wild mammals during trail hunts became common.

Since then the combination of **'trail hunting' + 'accident'**, as an excuse for wild mammals being chased by the hounds, became a very common response from hunts. This excuse was particularly used when allegations of illegal hunting were made.

The public and law enforcers have sometimes treated trail hunting as if it were drag hunting. The mainstream media have not questioned whether the simulation of a crime is actually a legitimate activity or not.

Trail hunting + accident = **excuse**

“ These rural ruffians are blood sports enthusiasts who have been getting away with this lawless behaviour for far too long. To my mind, they are no different from the mindless yobs that blight some of our urban housing estates, but the police, regrettably, are turning a blind eye to their lawless behaviour”

Former MP Chris Williamson, 2013

The following table shows the many differences between trail hunting and draghunting:

Drag hunting	Trail hunting
Created in the early 1800s	Created in 2005
Objective is to practice a sport using hounds to search for a scent without the pursuit or killing of wild animals	Objective is to make an activity look as similar as possible to hunting before the ban
Long-lasting sport	Considered a temporary activity only undertaken while there is a hunting ban
Specific rules created by the MDBA	No written rules
Non-animal based scents	Animal-based scents
Hounds trained not to follow live quarry	Hounds still trained to follow live quarry (trained with purported 'accidents' and reportedly also with cub hunting*)
Hounds taken to search for the scent in areas where a live quarry presence is unlikely	Hounds taken to search for the scent in areas where live quarry presence is likely
Does not use areas, meets and fields where pre-ban foxhunting took place	Uses the same areas, meets and fields where pre-ban foxhunting took place
Huntsman and whipper-in always know where the scent was laid	Huntsman and whipper-in deliberately do not know where the scent was laid
Focus is on the riders following the hounds, who are encouraged to find the scent quickly	Focus is on the hounds searching for a scent (no matter how long it takes to find) rather than encouraging them to find it at the start so riders can join the pursuit
Scent laid only around 20 minutes earlier than casting the hounds to find it	No documented time limit on how much earlier the scent may be laid before casting the hounds to find it
No terriermen present and no need for terriermen**	Terriermen follow the hunt and still pursue foxes underground
Hounds always kept under close control so no 'accidents' with chasing of live prey	Hounds left unsupervised for longer periods, which increases likelihood of 'accidents' with chasing and/or killing of live prey

* **Cub hunting** – pre-ban cub hunting was an autumn activity in which hunts trained their hounds to chase young foxes. Although it is widely understood that cub hunting still takes place, secrecy surrounds the current methods used.

** **Terriermen** – these are contractors to the hunt who use terriers to locate foxes that hide underground. Terriermen either force the fox to flee its hiding place so the chase can continue or they dig the fox out to be shot.

Why do trail hunts use animal scents?

Unlike those scents used in drag hunting, animal-based scents are the norm in trail hunting. Foxhunts mostly use fox-based scents, predominantly fox urine, available from the US for around £11 per bottle.

Many hunts claim that fox urine is used to keep the hounds focused on the scent of foxes – their historical quarry – while traditional hunting is banned. But questions must be asked:

- **Would a legitimate trail hunt, which aims to keep within the law and wants to avoid accidents where wild animals might be killed, use fox urine?**
- **Does the use of fox urine help hunters using a false alibi to cover up illegal hunting and killing of foxes to avoid prosecution under the Hunting Act?**

“ It would be foolhardy to use fox urine and not expect the hounds to also follow live foxes”

Ian McParland, a forensic canine behaviourist and former police dog handler

English Foxhounds



Are trail hunts using known fox habitats?

In England and Wales, trail hunting occurs mostly in the same areas and terrains as traditional hunting before the ban. The days the hunts meet, according to Bailys Hunting Directories pre and post-ban, are also mostly unchanged.

It is the locations rather than dates and times that should cause most concern to those questioning the legitimacy of trail hunting.

Common locations still include woodland, coverts, open fields and natural areas where foxes have always lived and roamed. To ensure hunts follow artificial trails and not real mammals, one would expect that woods and coverts would be avoided in trail hunting. Drag hunts, for example, avoid these areas as they aim to cause no suffering to wildlife.

During our research we looked for the geographical locations mentioned in Horse & Hound magazine's hunting reports. We found numerous incidences of names or descriptions of foxes' natural habitats reported – wood, coppice, gorse, bush, etc.

Comparisons of references to these types of locations in reports mentioning where hunting occurred published before and after the ban showed these locations were more commonly mentioned during the ban period than before. Twenty-six percent of the geographical locations found in Horse & Hound reports from 2010 onwards describe good locations to find foxes compared with 19% in pre-ban reports.



Hounds in a typical fox habitat

Why do trail hunts use terriermen?

Most people who physically trail hunt are part of 'the Field'. These are riders that follow the hunt staff and hounds from a certain distance. They are told what to do by those in charge. The role of the Field has not changed because of the ban.

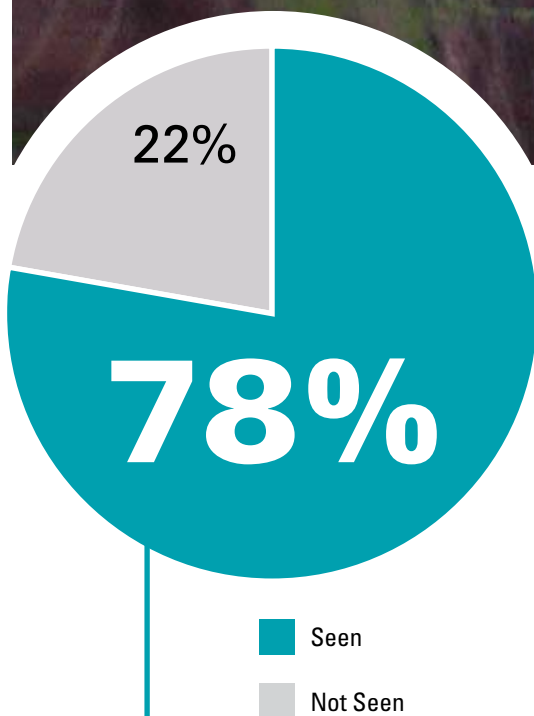
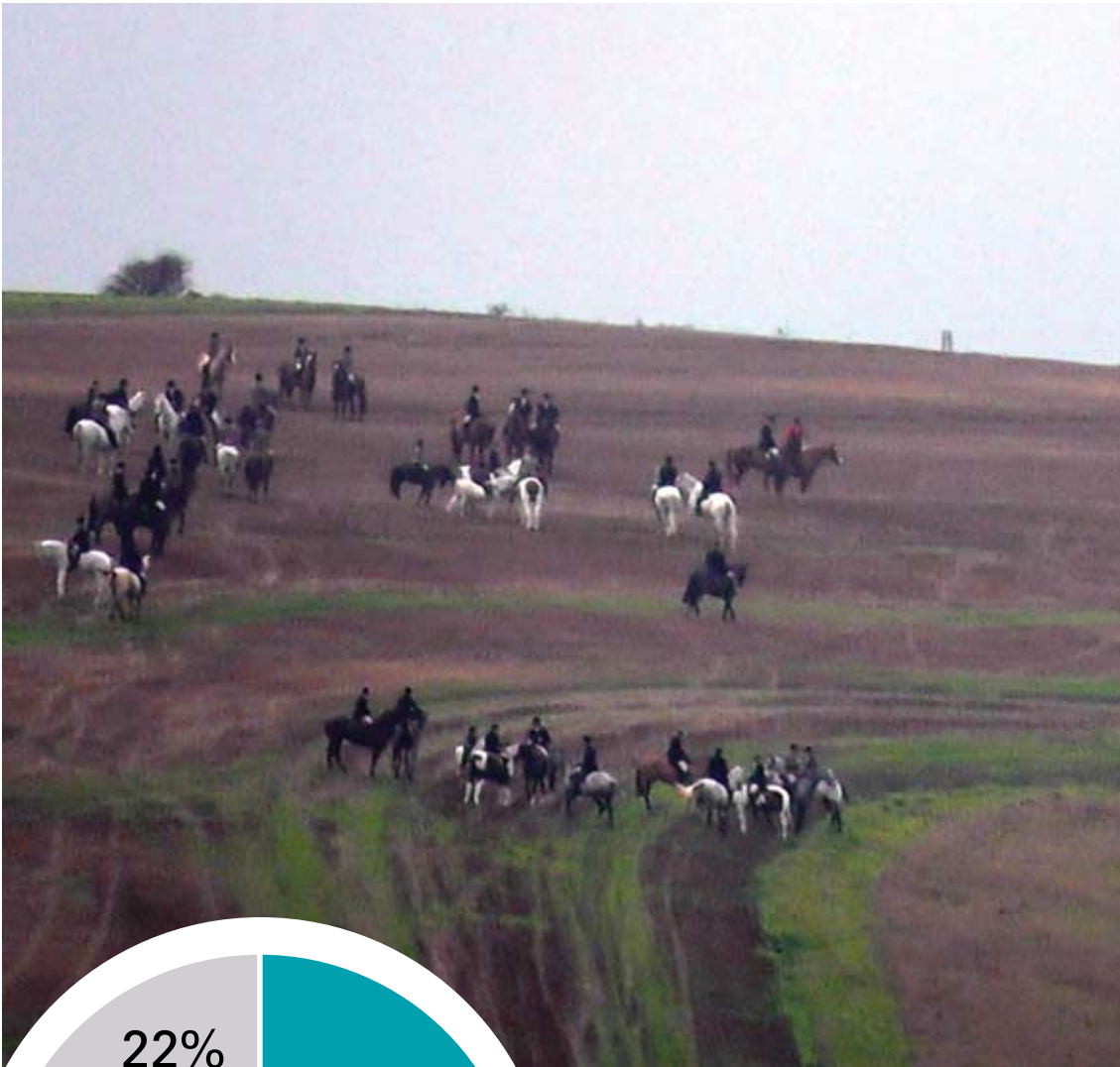
We compared the Bailys Hunting Directory (BHD, 2006) before and after the ban and found that the same traditional hunt staff (huntsman and whipper-in) are used in trail hunting. The leading role of the hunt masters has not changed either.

Terriermen still feature in trail hunting. Pre-ban their role was to block holes so foxes could not hide. They used terriers to bolt foxes from underground so the chase could continue, or to locate and dig foxes to be shot.

It is difficult to imagine what role terriermen could now play in trail hunting where live prey are not to be hunted. Nevertheless, our wildlife crime investigators' hunt monitoring reports over the 10 years of the ban observed terriermen **in at least 78% of the hunt monitoring operations.**

Terriermen on quadbikes during a supposed 'trail hunt'





Mounted Field waiting on a hill for the hounds to find something in a wood

Trail hunting does feature one new role distinguishing it from hunting before the ban. This is the 'trail layer'. A trail layer sets the artificial scent trails before the hunt meets or during the hunting day. They do not tell the huntsman (or often the other hunt staff) where they have laid the trails.

Figure 1. From IFAW's wildlife crime investigators' hunt monitoring reports produced during the 10 years of the ban, when terriermen were seen during a trail hunt.

How does trail hunting work?

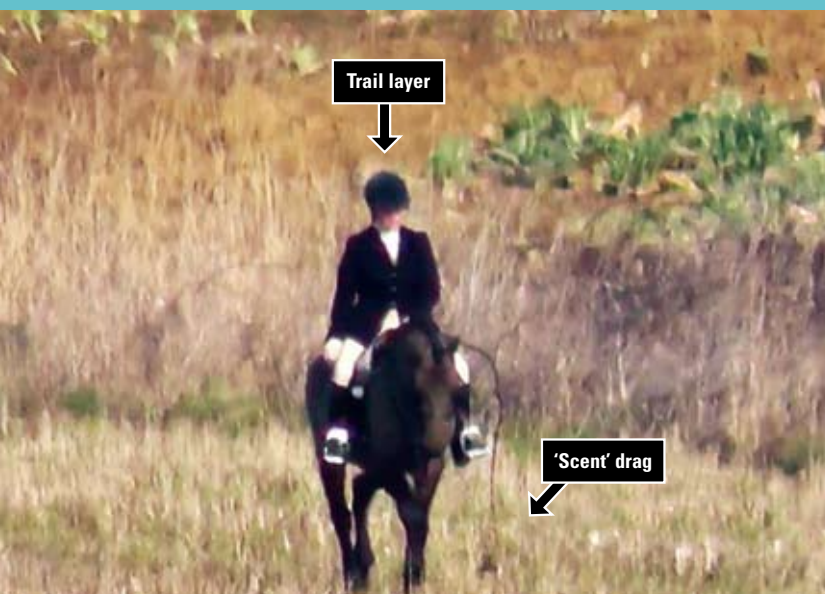
There are no established procedures, protocols or any written rules about how trail hunting should be undertaken. This means any hunt may choose the way they want to do it. However, we believe trail hunting should at the very least replicate the actions below, or similar, to work effectively:

- 1 Create or obtain the scent used and put it on a drag.**
- 2 The trail layer should lay at least one trail (so as to mirror the movements of hunted live quarry), dragging the scent's drag on foot, on a quadbike or on a horse.**
- 3 The hounds are then cast – directed – by the huntsman to find such a scent.**
- 4 If the hounds follow the scent, all the riders follow them.**
- 5 If the hounds do not lose the scent they may be rewarded in one way or another at the end of the trails.**

This whole process may be repeated several times during a hunting day.

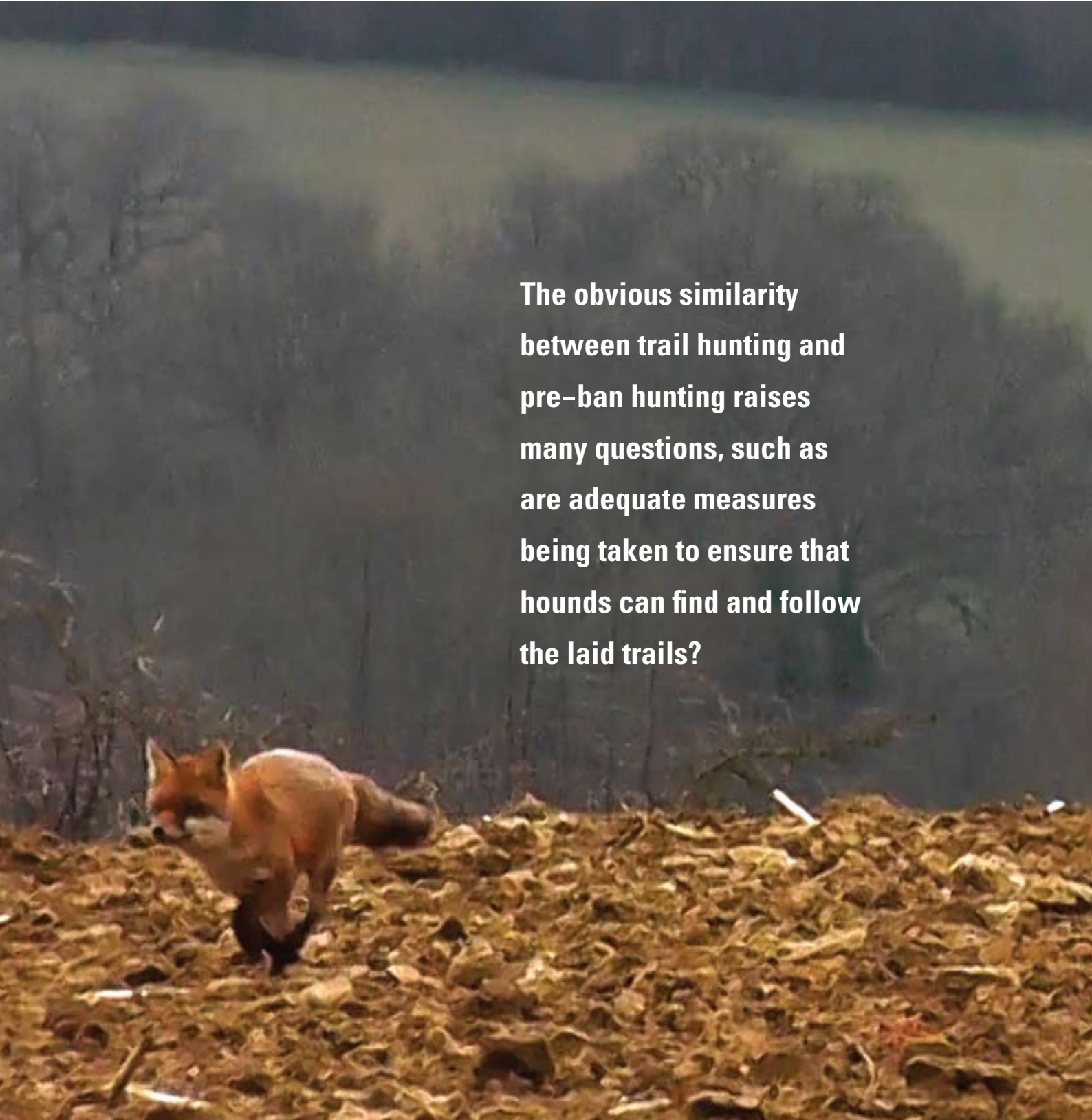
With trail hunting being justified as a simulation of illegal hunting, the obvious similarity between trail hunting and pre-ban hunting raises many questions including:

- **Are adequate measures being taken to ensure that hounds can find and follow the laid trails?**
- **To what extent has trail hunting been designed to be difficult for observers – including law enforcers – to determine whether banned activity is occurring?**



Rider pulling a drag moving through a field

The obvious similarity between trail hunting and pre-ban hunting raises many questions, such as are adequate measures being taken to ensure that hounds can find and follow the laid trails?



Trail hunting as an alibi in criminal investigations

By 'alibi' we mean a defence against an allegation of criminal behaviour whereby the accused provides a specific explanation to avoid blame or to justify an action.

To determine how trail hunting has been used as an alibi in criminal investigations we reviewed all the known cases where a suspect/accused, belonging to a registered hunt, was publicly or privately investigated for allegedly breaching the Hunting Act 2004. We researched the defence/explanation used.

To assess how often trail hunting is used as an excuse we had to look beyond actual court cases into evidence-based allegations of illegal hunting that may or may not have ended up in completed proceedings.

We analysed cases where evidence from our wildlife crime investigators was given to enforcement agencies to seek a prosecution on a Hunting Act 2004 offence. The enforcement agencies included the police, Crown Prosecution

Service (CPS) or the RSPCA. Regardless of whether anyone was eventually charged, or whether or not the case progressed in Court, we recorded, when known, which defence the suspects/accused put forward. Such defence would reveal the alibi they used.

We asked the League Against Cruel Sports and the RSPCA for the same information, and analysed all data together. This amounted to 63 investigations/prosecutions, involving 139 suspects/accused, linked to 44 different registered hunts.

The results of this analysis are shown in Figure 2. Trail hunting was used as an alibi in at least 54% of prosecution attempts. If we include all cases where we do not know the alibi used (marked as unknown in the figure), up to 79% of prosecution attempts could have involved use of the trail hunting alibi.



Seavington Hunt's huntsman David Parker using his horn as part of one of the crucial recordings produced by IFAW wildlife crime investigators that led to his conviction. Mr Parker pleaded guilty to an offence under the Hunting Act 2004.

When confirming the guilty verdict of members of the Fernie Hunt who had used the alibi of trail hunting in the Crown Court at Leicester on 14 October 2011, Judge Michael Pert QC stated (Pert, 2011):

“It’s hardly a surprise therefore that the hounds were following a live fox alongside the Harborough Road at 2.45 and that no steps were taken to alert the Hunt. While of course accidents will happen and the hounds in a well-run hunt may start after live prey, this is, to our mind, an example of the use of a trail to mask the fact that along the route the hounds picked up and followed the scent of a live fox and that that was the intention of those pursuing it. (...) We are perfectly satisfied that no real attempt was made to prevent the Hunt from hunting a wild animal. The reason for this was indeed that the notion of trail hunting was a cover. (...) But the law is the law and no worthy cause is well-served by cynical subterfuge which, in our view, is what we have seen in this case.”

Figure 2. Percentage of investigations or prosecutions where suspects/accused were considered for potential charges of Hunting Act 2004 offences, when such accused were associated with registered hunts in England or Wales, per type of alibi given. In some cases the accused gave more than one defence, and this is why all percentages add up to more than 100% (N=63). Additional alibis mentioned in the graph refer to exemptions under the Hunting Act 2004.

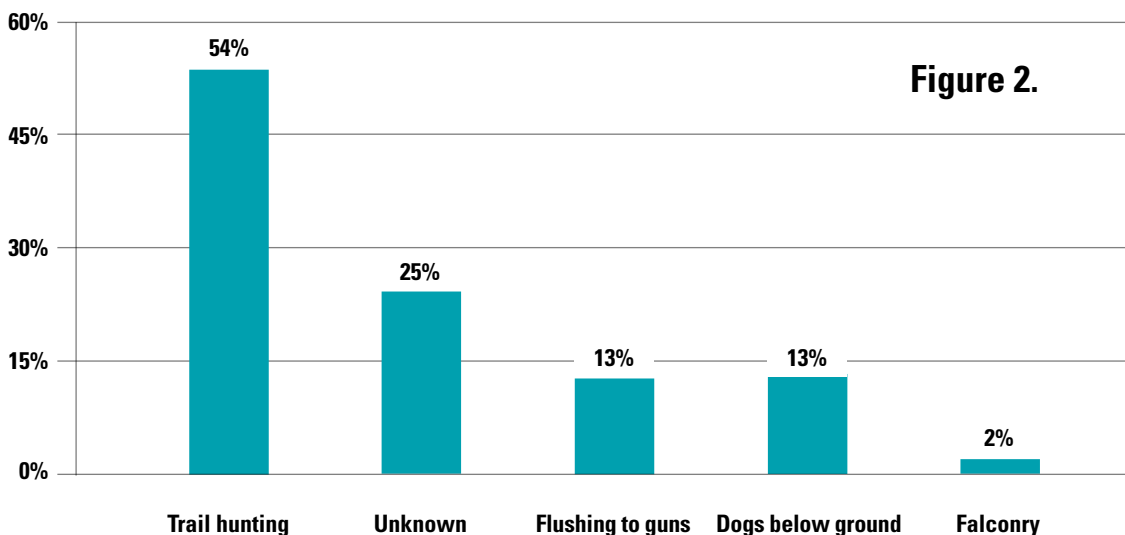


Figure 2.

Identifying trail hunting as a 'false' alibi

In this report 'false alibi' is defined as an alibi which has been purposely constructed with false evidence and/or untruthful statements used to pervert the course of justice.

It is clear that trail hunting is the most common alibi used in criminal investigations involving members of a registered hunt accused of Hunting Act 2004 offences. However, how often does the trail hunting alibi turn out to be false?

When prosecutions were pursued, Figure 3 shows that trail hunting was the most common alibi (62%) used by an accused, who was associated with a registered hunt, when found guilty of a Hunting Act offence. In those cases, trail hunting was definitively used as a false alibi.

It is important to ask, are these cases the exception or the norm? Is trail hunting a legitimate activity occasionally used as a false alibi, or is it a commonly used false alibi, only occasionally exposed?

Our wildlife crime investigators have been investigating trail hunting since 2005. Their mission has been to ascertain if it is a real, non-lethal alternative to hunting or a cover for illegal activity. After 10 years of monitoring hunts weekly throughout the season, they compiled 478 hunt monitoring reports, covering 45 different registered hunts in England and Wales. These reports are from both covert and open hunt monitoring operations.

Figure 4 represents the occasions where investigators witnessed someone laying a possibly genuine trail.

Our wildlife crime investigators typically started their hunt monitoring operations well before any hunts started for the day. Only in eight of the 478 hunt monitoring reports (2%) did they report someone laying something that could be interpreted as a drag trail for trail hunting.

In 99% of the hunt monitors' reports of trail hunts, the investigators reported not having witnessed anyone laying any potentially genuine trail.

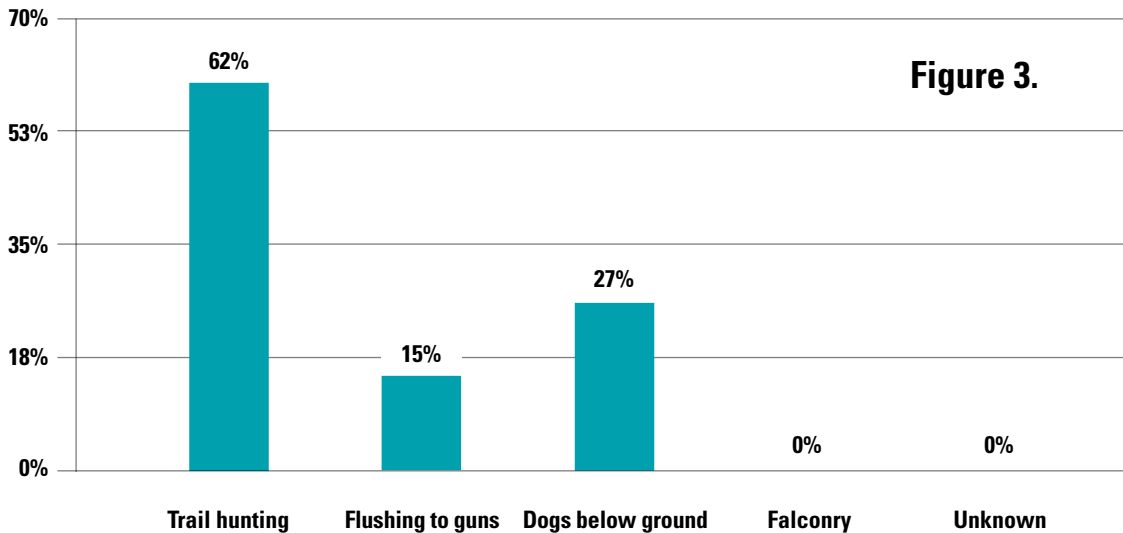


Figure 3. Percentage of those accused of Hunting Act 2004 offences who were found guilty, when the accused were associated to registered hunts in England or Wales, per type of alibi given by such accused (N=26).

In these cases, the investigators could sometimes see other evidence that suggested to them that the trail was not genuine. For example, **hounds completely ignoring the 'drag' when passing close to it as if it had no scent on it.**

There were only four reports (1%) where they reported something that could potentially be genuine trail hunting. This involved seeing someone who could be pulling a drag. But they could not see anything else that indicated whether the drag contained a scent, or whether the hounds would follow it if they came across its trail.

Thus, in 99% of the hunt monitors' reports of trail hunts, the investigators reported not having witnessed anyone laying any potentially genuine trail.

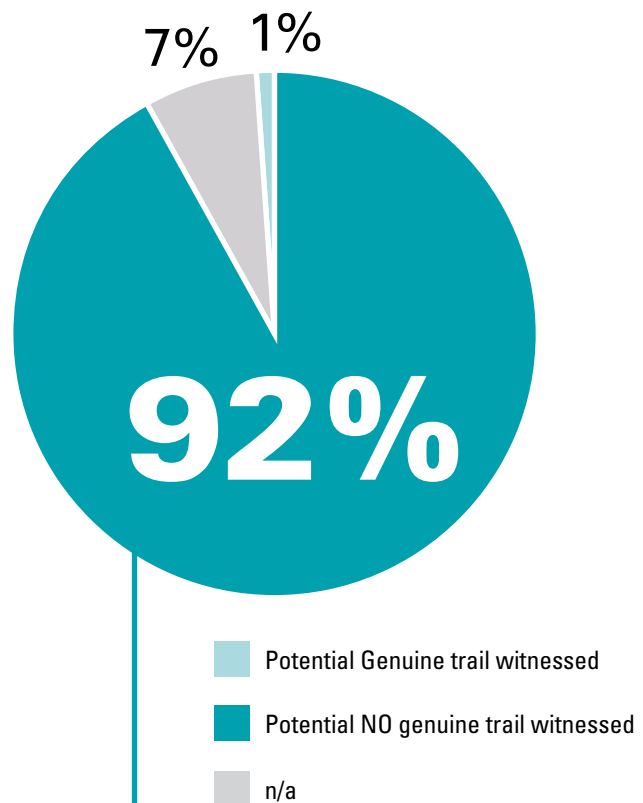


Figure 4. Percentage of IFAW's hunt monitors reporting having witnessed possible genuine drag trails being laid, from 478 reports covering 45 different hunts in a period of 10 years. N/A cases are hunts that do not claim they go trail hunting, such as stag hunts (N=478).

Identifying trail hunting as a ‘false’ alibi

continued

When observing genuine trail hunting, one would expect to witness someone laying a trail several times in different locations during the entire day. This is because it would be unreasonable to expect that a trail laid in early morning in one place would still be fresh enough to be found during late afternoon.

It is significant that wildlife crime investigators continually observing hunts from different locations – from before the start and until the end – have not witnessed anyone laying any trails. Their vigilance and documentation rules out cases where hunts may claim the trail layer was ‘just missed’ by the investigators.

It is also important that, in the 1% of operations where investigators reported seeing what they believed could be genuine trail laying, they may have witnessed a method which is still a false alibi. This will be discussed later under Method 4.

Because our data is wide reaching, it is unlikely that it simply reveals one or two ‘bad apples’. Our data covers 45 different hunts from 28 different counties in England and Wales. The hunts investigated represent 16% of those registered. The counties included represent 50% of the counties in England and Wales.

The findings of our investigators are consistent when cross-checked with those from the other main organisations in this field. These include the League Against Cruel Sports, Hunt Monitoring Association (HMA) and Protect Our Wild Animals (POWA). They too have communicated that most of their monitoring operations have not found evidence of genuine trail hunting.

As a result, we believe that the overwhelming majority of hunts claiming trail hunting are hunting illegally under an effective false alibi smokescreen.

This false alibi may take any of four different forms, each of which is examined in more detail on the following pages.

There have been occasions when journalists have managed to extract a confession from hunters illustrating the whole deception behind trail hunting. An anonymous hunter told *The Economist* in 2015:



The huntsman who welcomed your columnist explained that, in practice, this means that before a hunt one of his helpers films himself laying a pretend scent-trail – by dragging a rag theoretically, but not actually, soaked in fox scent, from a quad bike – to provide evidence for a possible defence in court. Then the hunt goes out and hunts as it always has, but illegally.”

(Bagehot, 2015)

How to construct a false alibi

Method 1 – Laying no trail

In this method the hunts make no attempt to lay trails. They seem to simply trust that the authorities will believe that they do. This method involves four phases, which can be developed over time, and repeated if necessary.

- 1 Announcement:** The hunt publicly states they will be trail hunting when they meet.
- 2 Showcasing:** They invite the media to witness that they are laying trails, usually on Boxing Day.
- 3 Crime:** When the public, police and authorities already believe that they hunt 'legally', there is no further need for the pretence of laying trails and they go hunting as before the ban.
- 4 Deception:** If evidence is obtained of the hounds chasing live quarry, they simply state that the hunt was trail hunting, and hope the case will be dropped.

Considering that in 98% of IFAW's hunt monitoring reports no laid trails have been reported, it seems likely that this is the most common method trail hunts use. Our investigators are at the scene to ensure they do not miss trail laying during a time period when hounds would reasonably be expected to pick up the scent. Nor have the trails been refreshed during the day.



Forensic canine behaviourist Ian McParland, when asked his recommended time to lay the artificial scent trail relative to the time the hounds are cast to find it:

“ I cannot envisage any situation where a period of more than two hours would be required.”

How to construct a false alibi

Method 2 – Creating false evidence

In this method the hunts occasionally create some evidence to support their alibi. They will keep this to use in future while hunting normally as before the ban. This method requires the following five phases. They can be developed over time, and repeated if necessary.

- 1 Announcement:** The hunt publicly states they will be trail hunting when they meet.
- 2 Showcasing:** They invite media to show they are laying trails, usually on Boxing Day.
- 3 False evidence:** The hunt sometimes film themselves laying a trail with a drag (with or without any scent in it), and keep the footage for later use.
- 4 Crime:** They go hunting as before the ban.
- 5 Deception:** If evidence is obtained of the hounds chasing live quarry, they produce the video recording to falsely claim the trail was laid and hope the case will be dropped.

With this method it would be possible to record the trail without date/time or any direct evidence of when or where such a trail was recorded. This is in the hope that the authorities will believe it happened on the day of the alleged offence.

Alternatively, they may not hide that the evidence was recorded another day. This is in the expectation that authorities will conclude a hunt is unlikely to hunt illegally on one particular day given the previous footage suggesting legal hunting. It is also possible to record this kind of footage on days hunt monitors are spotted. This means they can record the monitors filming the trails, to reinforce the alibi.



Images obtained by IFAW wildlife crime investigators of a 2014 prosecution attempt where trail hunting was used as a defence

How to construct a false alibi

Method 3 – Faking it

This method is based on systematically creating some evidence of trail laying to support the alibi, but nevertheless continuing to hunt as before the ban. The evidence is fake and does not represent genuine trail hunting. This method requires the following five phases. They can be developed over time, and repeated if necessary.



Sequence of images that show the hounds ignoring the supposed trail laid by a rider. From top to bottom: rider pulling a drag moving through a field; hounds already right on the trail; hounds deviating from the trail as if they did not pick up its scent. In yellow, the line the trail layer took and two distinctive bushes that can be used as geographical references

- 1 Announcement:** The hunt publicly states they will be trail hunting when they meet.
- 2 Showcasing:** They invite media to show they are laying trails, usually on Boxing Day.
- 3 Pretence:** When going out on an advertised meet, someone lays a pretend trail with a drag (with or without any scent in it). The hope is that hunt monitors or police will witness this trail laying.
- 4 Crime:** They go hunting as before the ban.
- 5 Deception:** If evidence is obtained of the hounds chasing live quarry, the hunt refers to the mock laying of the trail that day. This is in the hope that hunt monitors or the police may have recorded it as genuine, and that the case will be dropped.

IFAW investigators reported witnessing the laying of trails in only 2% of the hunt monitoring operations. Consequently, this method may not be the most common.

How to construct a false alibi

Method 4 – Causing accidents

This method is based on developing some sort of real trail hunting while at the same time inducing the hounds to hunt a live mammal by 'accident'.

To fully operate this method the following six phases are required. These can be developed over time, and repeated if necessary.

- 1 Announcement:** The hunt publicly states they will be trail hunting when they meet.
- 2 Showcasing:** They invite media to show they are laying trails, usually on Boxing Day.
- 3 Alibi building:** At every meet someone lays a trail with a drag soaked in fox urine in areas where foxes are likely to be.
- 4 Inducing an 'accident':** The huntsman sends the hounds to areas where foxes are likely to live and the urine trail was laid. He lets the hounds find one scent (the urine scent or a real mammal scent), but keeps a certain distance from them so he may not easily see if there is a wild mammal fleeing ahead.

He encourages the hounds to follow this scent while claiming that he does not know whether the scent is from a real fox or from the urine trail. If it turns out that it is the scent of a live mammal, he then claims that it is too late and he cannot stop the hounds.

5 Crime: Deliberately allowing the hunt to chase or kill a wild mammal.

6 Deception: If evidence is obtained of the hounds chasing live quarry, simply state that it was an 'accident', and hope the case will be dropped.

A variation of this method is when the hounds start following the urine trail and then deviate onto a wild mammal trail. Real scent is fresher and more powerful than bottled urine and the huntsman is aware of this. He may have seen the animal fleeing or will clearly realise that the trail could not have gone through thick hedges or across busy roads. He pretends he is not aware and continues to encourage the hounds.



IFAW investigators reported witnessing someone laying trails in only 2% of the hunt monitoring operations. In the case of the 45 hunts investigated, this method may not have been the most common. It could, however, be common practice with other hunts that have not been investigated.

We do know, though, that contrary to drag hunting where actual accidents are very rare, 'accidents' are common in trail hunting. Hunts claiming to genuinely trail hunt, and able to prove they lay a trail every day they meet and that it is followed by hounds, could still be using this method as a false alibi if...

- a) they insist on using animal-based scent;**
- b) they cast their hounds in areas where wild mammals they used to hunt still live;**
- c) they design their trail hunting with the key hunt staff not knowing where the trails were laid.**

It is perfectly possible for any hunt to have been involved in illegal hunting by using false alibis in any of the four method forms. There could also be hunts that have genuinely developed a form of trail hunting not involving these three components, but we have not found any.

Conclusions

The hunting ban in the UK has an enforcement problem. Trail hunting – the most common alibi used against allegations of illegal hunting in England and Wales – would seem to be the key reason for this.

Opinions vary as to what trail hunting actually is:

- **For those involved in hunting: It is a harmless temporary simulation of hunting before the ban.**
- **For those against hunting: It is a false alibi to avoid prosecutions for illegal hunting.**
- **For the general public and authorities: It may be viewed as a slight variation on the cruelty-free and legal sport of drag hunting.**

Evidence from our research has convinced us that the hunting fraternity is right in saying that trail hunting is not just a slight variation on the cruelty-free sport of drag hunting. It is something quite different.

Our research also suggests that although there may be exceptions, trail hunting is primarily a false alibi to avoid prosecutions for illegal hunting, rather than a harmless temporary simulation of hunting before the ban.

And as detailed above, trail hunting as a false alibi takes primarily four forms, or methods, as explained previously.

We also believe that most hunts may not be laying a trail at all. In 99% of the 443 trail hunting events run by 45 different registered hunts observed by our investigators over the last 10 years, they did not see anyone laying genuine trails. **Their findings are mirrored by the testimonies of hunt monitors from other organisations across the country.**

These conclusions are also supported by the circumstantial evidence presented analysing the **motive, means and opportunities** of trail hunters, discussed in the *Trail of Lies* full report.

The **motive** could be defiance of the ban as a matter of principle. It could be to keep everything as before due to the perception of the ban being temporary, and/or to sabotage the ban's enforcement to support arguments for repeal of the Hunting Act.

The hunts have all **means** necessary to develop the alibi. These include people, animals, access to live quarry, animal-based scents and the unrivalled knowledge to produce a convincing deception and pretence.

Opportunities to develop the alibi include the lack of rules, the use of private land and the perceived lack of credibility of anti-hunting witnesses in the eyes of some enforcement authorities.

In conclusion, although there may be exemptions, we believe the available evidence suggests that trail hunting, in general, is primarily a false alibi to avoid prosecutions of illegal hunting, rather than a harmless temporary simulation of hunting before the ban, or a slight variation of the cruelty-free sport of drag hunting, as many want us to believe.

Full report: www.ifaw.org/trailoflies

Although there may be exceptions, we believe all of the available evidence strongly suggests that trail hunting, in general, is primarily a false alibi to avoid prosecutions for illegal hunting. It is not a harmless temporary simulation of hunting before the ban, or a slight variation of the cruelty-free sport of drag hunting.

The following table shows the components of trail hunting which facilitate its use as a false alibi:

Unique characteristics of trail hunting	Usefulness for false alibi purposes
Objective is to make an activity look as similar as possible to hunting before the ban	Looking like illegal hunting is no longer evidence of illegal hunting
Considered a temporary activity only undertaken while there is a hunting ban	Conveying to enforcement authorities a sense that the accused are not criminals but are simply trying to 'right a temporary wrong'
There are no written rules	Each of the accused is a free agent who can claim he/she does 'trail hunting' in his/her own way. Each piece of evidence that may suggest illegal hunting may be claimed to be part of 'trail hunting', even if it varies from previous testimonies
Animal-based scents	Hounds remain trained to follow mammal scents. Therefore 'accidents' (chasing a live mammal scent) can easily happen without the accused directly encouraging the chase
Hounds are still trained to follow live quarry (trained with 'accidents' and cub hunting)	Hounds are still trained to follow mammal scents, so 'accidents' (chasing a live mammal scent) can easily happen without the accused directly encouraging the chase
Hounds taken to search for the scent in areas known to have the live quarry the hunt used to pursue	Live mammal scents are likely to be picked up by the hounds. So 'accidents' (chasing a live mammal scent) can easily happen without the accused directly encouraging the chase
Takes place in the same locations where pre-ban foxhunting took place	Live mammal scents are likely to be picked up by the hounds. So 'accidents' (chasing a live mammal scent) can easily happen without the accused directly encouraging the chase
Huntsman and whipper-in are deliberately unaware of where the scent was laid	Accused can claim they did not know the hounds were chasing a live mammal scent. This is why they did not stop them - instead they can claim that they thought the hounds were following the trail
Activity focuses on the hounds searching for a scent regardless of how long it takes to find, rather than facilitating them to find the scent quickly so the riders can join the pursuit early on	Accused can explain long periods of inactivity with riders waiting around (when they might otherwise be expected to be following a continuous trail) as being due to hounds searching for scent
No time limit about how much earlier the scent should have been laid before casting the hounds to find it	Accused can explain the absence of anyone laying the trail by saying that someone did it many hours prior to the meet
Hunts operating with terriermen who follow the hunt but still pursue foxes underground 'independently'	Terriermen still able to bolt foxes from underground cover so hounds can continue hunting them, while hunt officials claim they did not call nor employ the terriermen for the hunt
Hounds being left 'unsupervised' for longer periods which leads to 'accidents' when they chase and/or kill live prey	Accused can explain/justify why hounds chasing a wild mammal were not stopped

Recommendations

The use of trail hunting by illegal hunters as a false alibi is a problem that can be easily solved via the three options below.

- 1.** The conversion of trail hunters to drag hunting/clean boot hunting.
- 2.** The design of strict standardised rules regulating trail hunting to enable easy external monitoring and to prevent the use of trail hunting as a false alibi.
- 3.** The amendment of the laws that ban hunting to ensure they no longer allow trail hunting to be used as a false alibi.

IFAW believes that the third step is the solution with the highest probability of success.

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