



January 2024

Dear Constituent,

Thank you for contacting me about the Hunting Act 2004.

This is a highly emotive issue and I appreciate the depth of your concerns for the welfare of our animals and wildlife.

The Hunting Act 2004 makes it an offence to hunt a wild mammal with dogs except where it is carried out in accordance with the exemptions in the Act. Those found guilty under the law are subject to its full force.

The investigation and prosecution of all criminal offences, including consideration of whether an actual offence has been committed, is a matter for the police and Crown Prosecution Service, who have comprehensive powers to take action under criminal law. The Government was elected on a manifesto which committed to not amending the Hunting Act.

Since the introduction of the Hunting Act 2004, many hunts have turned to trail hunting as an alternative to live quarry hunting. This involves a pack of hounds following an artificially laid, animal-based scent so does not involve a hunt for a live fox, and therefore is not banned. For an offence to be committed it is necessary to prove that a wild animal is being hunted intentionally. If proven, this can lead to a prosecution and an unlimited fine.

I recognise it is possible that dogs used for trail hunting may on occasion pick up and follow the scent of live foxes during a trail hunt. If that occurs, it is the responsibility of the huntsmen and women and other members of hunt staff to control their hounds and, if necessary, stop the hounds as soon as they are made aware that the hounds are no longer following the trail that has been laid.

I know that failure to prevent dogs from chasing or killing a fox may be taken as intent to break the law. Anyone who believes that an offence has taken place should report the matter to the police, as the police deal with complaints of illegal hunting. I understand that decisions on the arrest and prosecution of those taking part in illegal hunting activities are matters for the police and prosecuting authorities. They will, among other things, need to take into account any failure on behalf of the huntsman to



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prevent the dogs from chasing or killing a fox. If anybody is found to be breaking the law on this sort of activity, I would fully welcome prosecutions being brought.

I understand that issuing a licence or giving permission for trail hunting is an operational matter for the landowner, and the Department for Environment, Food and Rural Affairs does not play a central role in this. It is up to each Local Authority and landowner to decide whether trail hunting can take place on public land within its jurisdiction. Likewise, it is up to an individual public body or private individual to decide what activity takes place on its / their land.

Anyone who believes that an offence has taken place during a hunt, including during a trail hunt, should report the matter to the police.

Thank you for taking the time to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Chris'.

**CHRIS HEATON-HARRIS MP  
MEMBER OF PARLIAMENT FOR DAVENTRY**