

Badger diggers frequently tried to cover their activities by claiming to be digging for foxes. The Hunting Act 2004 has introduced legislation preventing this excuse. The use of dogs underground is strictly controlled under what is termed as "The Gamekeepers Exemption"

A single dog may be used below ground to stalk or flush out a wild mammal (a fox but not a badger) if:

- the stalking or flushing out is undertaken for the purpose of preventing or reducing serious damage to game birds or wild birds which are being kept or preserved for shooting;
- the person doing the stalking or flushing out carries written evidence of land ownership or the permission of the owner or occupier. This evidence must be shown to a police constable immediately on request.

#### How you can help?

If you suspect badger persecution or sett interference then make notes to record:

- the number of men;
- general descriptions;
- direction they are heading

noting particularly;

- vehicle types
- colours
- registration numbers
- 

DO NOT approach or challenge the suspect/s but monitor the event from a safe distance.

#### **Contact the POLICE – details overleaf.**

Information can also be passed to us confidentially on [info@durhamcountybadgers.co.uk](mailto:info@durhamcountybadgers.co.uk) or 0191 5842293.

The horrific persecution of badgers is taking place in the North East of England.

## **Badger Persecution in Durham, Gateshead, South Tyneside, Sunderland & Darlington**



**Durham County Badger Group**

**Message Service 0191 5842293**

#### Local Contacts

#### **Crime in progress 999**

**Durham Constabulary 0345 6060 365**

**Northumbria Police 03456 043 043**

**RSPCA (Cruelty) 0300 1234 999**

**RSPCA (Advice) 0300 1234 555**

**Crimestoppers 0800 555 111**



## **Badger Legislation & Persecution**

**TOGETHER WE CAN SAVE  
THAT BADGER!**

[www.durhamcountybadgers.org.uk](http://www.durhamcountybadgers.org.uk)  
[info@durhamcountybadgers.co.uk](mailto:info@durhamcountybadgers.co.uk)

## **Badgers in Durham, Gateshead, South Tyneside, Sunderland and Darlington**

Our area has a healthy population of badgers; they occur mainly in the more rural areas but there are a number of small populations, which extend into towns and cities.

For centuries badgers have been persecuted by man in the North East and have been subjected to horrific cruelty, sadly this treatment continues today. It is estimated that 10,000 badgers are killed every year through persecution.

The legislation protecting badgers is comprehensive.

### **Protection of Badgers Act 1992**

The Protection of Badgers Act 1992 is the main legislation protecting badgers in England and Wales. This Act consolidates all previous legislation including the Badgers Act 1973 (as amended) and the Badgers (Further Protection) Act 1991.

Under the 1992 Act it is an offence to:

- Wilfully kill, injure, take or attempt to kill, injure or take a badger;
- Possess a dead badger or any part of a badger;
- Cruelly ill-treat a badger;
- Use badger tongs in the course of killing, taking or attempting to kill a badger;
- Dig for a badger;
- Sell or offer for sale or control any live badger;
- Mark, tag or ring a badger;
- Interfere with a badger sett by:-
  - o damaging a sett or any part thereof;
  - o destroying a sett;
  - o obstructing access to a sett;
  - o causing a dog to enter a sett;
  - o disturbing a badger while occupying a sett.

The 1992 Act defines a badger sett as:-

*"Any structure or place which displays signs indicating current use by a badger".*

This definition could include land drains, outbuildings, barns and other structures displaying signs of use.

## **Badger Digging**

A common method used by badger diggers is to send terriers into the sett. The dogs are fitted often with radio transmitters on their collars, which allow them to be tracked with a receiver box above ground. Once the badger is located in the underground tunnels, the offenders will dig into the sett. Usually only one terrier is entered but occasionally it is necessary to replace badly injured and exhausted terriers with fresh animals. The badger is not a vicious animal, however, when in danger it will defend itself vigorously. Injuries sustained by the terriers can be substantial, often suffering wounds to the lower jaw, chest and legs and it is not uncommon for their bottom jaws to be virtually torn away. Because of the clandestine nature of the activity it is unusual for the injured dogs to be taken for veterinary attention.

More often these days, the damage is being "made good" so it doesn't attract attention and perhaps easy access for a return visit?

In the event of offenders being disturbed whilst a terrier is underground, they may leave the area and return later.

Badger setts have a number of different entrances and where digging or baiting may be in progress there may also be evidence of some of the openings being blocked. Rocks are often used.

Another method used to catch badgers with a view to taking them away from the scene, is to peg net over the holes when the badger is away from the sett, and then chase it with dogs back to the sett where it gets caught up in the meshing. This type of operation leaves little sign of disturbance when the net is removed.

The fate of the badgers once removed from the sett varies. Sometimes they are removed to a less conspicuous location to be baited – EVEN TRANSPORTED TO OTHER PARTS OF THE UK. Or they are thrown to the dogs at the dig. They are often 'stunned' with blows to the head by spades, stabbed to death with a knife or shot.

## **Lamping**

Over the past few years there seems to have been a steady increase in the instances of lamping badgers with long dogs such as lurchers (crossed with other dogs with other attributes) etc. Powerful hand held lamps are used to illuminate the badger then a dog or dogs are dispatched to catch the target.

## **Shooting**

Instances of land owners/gamekeepers using shooting as a system of control are documented but rare. This method is usually used at dusk when they emerge from their setts.

## **Snaring**

The use of snares is allowed as a method of controlling "pest" species. Unfortunately snares are indiscriminate in which animals they trap. Recent figures indicate that as many as 50% non-target species are caught and killed every year through snaring – domestic pets, livestock, badgers, otters and deer have all suffered as a result of becoming trapped by these devices.

Durham County Badger Group supports all campaigns to outlaw the manufacture, sale and setting of all types of snares.

The use of snares in Britain is regulated under the Wildlife and Countryside Act 1981.

Under the Act it is an offence for a person:

- to set a "self-locking" snare in such a way as to be calculated to cause bodily injury to any wild animal.
- to kill or take any wild animal using a "self-locking" snare.
- to set a snare (or other article) in such a way as to be calculated to cause bodily injury to any animal listed in Schedule 6 of the Act (e.g., a badger).
- to kill or take any animal listed in Schedule 6 of the Act (e.g., a badger) using a snare.
- who sets a snare to fail to inspect that snare (or have someone else inspect it) at least once every day.
- to set any type of snare unless they are an 'authorised person' under the Act - that is, the owner or occupier of the land on which the snare is set, any person authorised by the owner or occupier of the land, or a person authorised in writing by the Local Authority for the area.
- to possess a snare for the purpose of committing any of the above offences.

To sum up, the use of self-locking snares, the setting of any type of snare in places where they are likely to catch badgers, failure to inspect snares on a daily basis, and setting snares on land without permission, are all offences under the Wildlife and Countryside Act.

Removing or destroying a snare could leave you liable to prosecution through theft or criminal damage so please contact us with the location details.