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Our Reference: 202200312634

Your Reference: FW: Avian Influenza with reference to The Guga Hunt & Animal & Bird Sanctuaries

17 August 2022

Dear John F. Robins,

Thank you for your letter of 25 July 2022 regarding avian influenza in relation to the annual guga hunt and bird sanctuaries. I have been asked to respond.

We understand your concern over the protection of this important species. As has been mentioned to you in previous correspondence, the hunt is specifically provided for in section 16(2) of the Wildlife and Countryside Act 1981. The clear implication being that Parliament has considered this matter and is content for the tradition to continue, provided it is done according to the terms of a licence issued by NatureScot who are responsible for licensing functions from the Scottish Government as part of the implementation of the Wildlife & Natural Environment (Scotland) Act 2011.

In issuing a licence for this activity, NatureScot focuses on two main issues. The first question is whether the hunt is sustainable in that it is not having an adverse effect on the conservation status of the species concerned, namely gannets. The second issue is whether the practices of the hunt are consistent with animal welfare legislation.

On the issue of sustainability, we have seen no evidence to suggest any adverse impact on conservation status. In fact gannet numbers in the UK have increased over the last 30 years or so. NatureScot takes the conservation of the species very seriously and each year they consider the effect of the annual hunt on the conservation objectives of North Rona and Sula Sgeir, which is a Special Protection Area.

Turning to the issue of animal welfare. It is the Scottish Government's understanding that most of the gugas will be killed by a single blow to the head. Where a second blow is required, it is very likely that the first will have rendered the bird unconscious. In our view therefore the method used to kill the gugas

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does not involve unnecessary suffering.

Given the above and that the guga hunt is carried out in accordance with a licence issued by NatureScot, we are confident that the guga hunt is compatible with the requirements of section 19 the Animal Health and Welfare (Scotland) Act 2006, which allows the killing of an animal in an appropriate and humane manner.

I would like to reassure you, however, that NatureScot does keep these matters under continual review and if there was any change in the circumstances of this traditional activity, they would be prepared to reconsider the issue of a licence under section 16(2) or the terms of any such licence.

You also raise your concerns over the culling programme adopted to combat avian flu. At all premises infected with HPAI, which contain poultry, it is a legal requirement that all birds, including other captive birds also present on the infected premises, are culled to prevent further disease spread. This reflects international practice in relation to this notifiable avian disease. During a disease outbreak, the most important and effective thing to do is to humanely cull the affected flock to prevent further spread of the disease.

To wait until clinical signs of infection are apparent within birds allows the opportunity for spread of the virus in the intervening period, and poses an infection risk to humans caring for the birds.

However, derogations from this legal requirement can be applied, for example, where sufficient geographical and epidemiological separation between infected birds and other birds on the infected premises exist. In cases where all birds *have* been culled at an infected premises, it is the result of a formal veterinary and epidemiological inspection (which is carried out at every infected premises by the Animal and Plant Health Agency (APHA)) which has concluded that the separation and biosecurity measures in place were not sufficient at the site to prevent spread of virus. In such cases, derogation from the legislation is not possible. It is important to note that epidemiologists must be completely satisfied that any separation/quarantine/isolation and all biosecurity measures are adequate to prevent the onward spread of avian influenza, i.e. sharing of personnel/clothing, equipment, or lack of adequate cleansing and disinfection would be a risk to the rest of the infected premises and so would not constitute adequate separation.

To wait until birds are clinically suffering from avian influenza is also not acceptable on animal welfare grounds. The highly pathogenic form of avian influenza, by its very nature, carries an extremely high mortality rate – and the current strain of HPAI H5N1 is highly contagious. Humane euthanasia is deemed preferable, in terms of limiting the suffering to birds, rather than allowing severe disease to develop. Given the right conditions, HPAI virus has the capacity to survive within the environment – i.e. to exist out with a live host, for up to two months, and so birds continue to be at risk from avian influenza for a considerable period of time at an infected premises. So the likelihood of a bird, not yet infected at a premises where avian influenza has been confirmed, remaining unaffected by the virus is very low. This is another reason that, along with euthanasia measures, a process of quarantine post depopulation (where possible) and mandatory robust cleansing and disinfecting measures are applied at the premises prior to further birds being allowed to enter the site.

## **Wildlife Rescue and Rehabilitation Centres**

With the aim of preventing wild birds infected with avian influenza from entering a Wildlife Rescue/Rehabilitation Centre, the following advice has been shared across stakeholder groups and Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

local councils:

Local rescue centres should have in place a policy of isolation and quarantine for incoming birds. This may just involve revisiting existing measures already in place in the event they are located in a disease control zone or in an area where there have been a high number of wild bird fatalities.

Sick or injured wild birds should be assessed outside the rescue/rehabilitation centre, as described above, and where signs of avian influenza are suspected they should be euthanised and reported to Defra's national GB telephone helpline: 03459 33 55 77.

If dead wild birds are presented at the practice, they should not be taken into the premises, instead they should be double bagged (the outside of the bag should be disinfected with a [government-approved disinfectant](#)) and reported to Defra's national GB telephone helpline as above.

If a wild bird is taken into the centre/practice, and is subsequently confirmed as positive for avian influenza, the bird will be treated as a "captive bird" i.e. no longer a "wild bird" and the whole site will therefore become an infected premises. If appropriate quarantine/isolation and biosecurity measures are not in place, this could mean all other birds on the premises are required to be culled as a disease control measure.

Where birds are injured and show no clinical signs of avian influenza, a normal approach to first aid and emergency care in British wildlife should be taken.

Bird keepers, including those who keep or care for birds at rescue centres/sanctuaries, must maintain high standards of biosecurity as good practice for the health of their birds. Good biosecurity is an essential defence against diseases such as avian influenza and is key to limiting the spread of avian influenza during an outbreak.

[Biosecurity guidance](#) and a [biosecurity self-assessment checklist](#)s have been published at [www.gov.scot/avianinfluenza](http://www.gov.scot/avianinfluenza) to assist all bird keepers in instigating and maintaining good biosecurity.

Avian influenza (bird flu) is a [notifiable animal disease](#). If you suspect any type of avian influenza in poultry or captive birds, you must report it immediately to your local [Field Services Office](#). Failure to do so is an offence. If in doubt, rescue centres should consult their private vet.

I hope this is helpful.

Yours sincerely

John Gray  
**NATRES : Wildlife Management Unit**

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