

# Hunts and Artificial Earths

A League Against Cruel Sports Investigation



October 2011

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## Foreword: Professor John Cooper QC



No-one believed that the passage of the Hunting Act seven years ago would mean that people would stop hunting. But what the Act did do, overnight, was proscribe the activity of hunting with dogs the four quarry species of fox, deer, hare and mink.

And whilst most of us suspected the hunts would carry on their nefarious activity, I for one never quite imagined they would be as blatant and frankly as stupid as to continue their use of artificial fox earths.

This report exposes the lengths that hunts up and down the country will go to in order to ensure they have foxes to hunt. From building extensive earths, to providing food, water and bedding, the very notion of hunts following artificial trails becomes ever more laughable when you read my colleagues' findings.

Earlier this month my learned colleague His Honour Judge Michael Pert QC described the Fernie Hunt as being engaged in 'cynical subterfuge' by pretending to hunt an artificial trail. Dismissing the appeal against conviction of the huntsman and the terrierman, he said the defendants before him were 'shifty' and 'unconvincing'. This report shows just how widespread that cynical subterfuge is.

Every right-thinking and law-abiding member of the public should be outraged by what they read in this report. We must stand up to the hunts, their illegal activities, and their criminal conspiracies.

The Hunting Act is here to stay and it's about time the hunts got to grips with that and adjusted their practices to stay within the law, rather than trying ever harder to circumvent it.

A large, stylized handwritten signature in black ink, appearing to read 'J. Cooper', with a long horizontal flourish extending to the right.

Professor John Cooper QC  
Chairman and President of the League Against Cruel Sports

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## Executive Summary

- Historically, artificial earths were structures built by hunts to provide a breeding place and home for foxes, to ensure that they had a ready supply of foxes to hunt.
- The Hunting Act 2004 outlawed the hunting of foxes with dogs, rendering artificial earths pointless.
- Between June and October 2011, League Against Cruel Sports investigators visited sixteen counties across England, inspecting the areas hunted by twenty-four hunts.
- Artificial earths with signs of recent renovation or food supply were found in fourteen counties, on land hunted by twenty-one hunts.
- Food and water supplies were found at several artificial earths. Film was obtained of a huge pile of animal by-products being dumped next to an artificial earth in Dorset.
- Remains of broiler chickens were found outside artificial earths on land regularly hunted by the Heythrop Hunt, the hunt with which David Cameron hunted in the 1990s, and whose Master remains a friend of the Prime Minister.
- Ducks that appeared to have been prepared for a supermarket were found dumped outside an artificial earth in North Yorkshire.
- At the same location in North Yorkshire, a potato filled with slug pellets was found adjacent to a badger sett.
- **This evidence points to a nationwide criminal conspiracy by fox hunts to encourage and sustain fox populations in order that they can be hunted.**

## Artificial Earths

Artificial earths are structures built and maintained by hunts to provide shelter and breeding places for foxes. Their sole purpose is to ensure a good supply of foxes ready for the hunting season. They are most often constructed with pipes buried underground, meeting at a central bedding chamber. The chambers are often elaborately built with brick or dry stone walls.

The 10th Duke of Beaufort summed up their use, in his book “Fox Hunting”, published in 1980:

*In countries where earths are scarce it is sometimes found necessary to make artificial earths, to provide somewhere for local foxes to have their cubs; in other words, for breeding purposes.*

*Another advantage of artificial earths is that ... it is useful to have snug earths judiciously placed at regular intervals, thus persuading foxes to take a good line.*

*An additional advantage is that if an artificial earth is left open, it will only take a few minutes to bolt a fox. Also if it is a blank day, one knows where to go with some certainty of finding a fox.*

More recently Nick Stevens, employed as a terrierman at the Duke of Beaufort’s hunt in the 1990s, wrote in his book (“An obsession”, 2010) that “Over the years I have made a great many artificial [earths] ... I would put six or seven in a year and it was funny how often they were used.” He goes on to describe artificial earths made from dry stone walls, plastic pipes, railway sleepers, hazel poles and “we even made artificial [earths] in barns out of straw itself, anything to hold a fox.”

The Hunting Act 2004, which came into force in February 2005, made it an offence to hunt a fox (and three other quarry species) with dogs except under certain very specific exemptions, none of which would relate to the use of artificial earths.

All of the artificial earths highlighted in this report have been built, renovated or maintained since the coming into force of the Hunting Act, or show signs of recent human activity at the site.

## The Investigation

The League's investigation into the profligacy of artificial earths took place between June and October 2011, and stretched across England from Dorset in the south to Yorkshire in the north, from Gloucestershire in the west to Essex in the east. Our investigators searched 24 hunt countries in 16 counties and inspected over 130 artificial earths, detailed in *Table 1*.

*Table 1: Distribution of artificial earths inspected by investigators*

County	MFHA registered hunt country
Dorset	Cattistock
	South Dorset
Essex	Essex
	Essex & Suffolk
Gloucestershire	Berkeley
Gloucestershire / Oxfordshire	Heythrop
Leicestershire	Belvoir
	Cottesmore
	Fernie
	Quorn
N Yorkshire	Badsworth & Branham Moor
	Sinnington
Suffolk	Thurlow
Surrey	Old Surrey, Burstow & West Kent
W Sussex	Chiddingfold, Leconfield & Cowdray
	Crawley & Horsham
W Yorkshire	Badsworth & Branham Moor
Wiltshire	Duke of Beaufort's
Worcestershire	Croome & West Warwickshire
	Ledbury
	North Cotswold
	Worcestershire

Hunting is a territorial activity, and the Bailys Hunting Directory and the website of the Masters of Fox Hounds Association (MFHA) clearly identify the geographical parameters of the country of each MFHA registered hunt.

The League has no evidence to offer that the named hunts were in any way complicit with the building and maintenance of these fox earths, or with the dumping of offal and other potential fox food at the earths. However, it is clear that *someone* has been maintaining the earths on the country of these 21 hunts, and one must question whether or not this can be pure coincidence.

The reputation of hunts has recently been brought into even greater disrepute following a case at Leicester Crown Court against two staff of the Fernie Hunt, on whose country our investigators found one active fox earth. Dismissing the appeal against conviction of the huntsman and terrierman, His Honour Judge Michael Pert QC said he was convinced the hunt was engaged in 'cynical subterfuge' by pretending to hunt a trail where none existed. This in our opinion must call into further question the existence of a maintained and occupied artificial fox earth in the middle of Fernie Hunt country.

Nationally, investigators found that twenty of the artificial earths visited were in present use by foxes. These were found in the hunt countries listed in *Table 2*.

*Table 2: Number of active artificial earths found in each hunt country*

MFHA registered hunt country	No of active earths found
Duke of Beaufort's	3
Cattistock	1
Chiddingfold, Leconfield & Cowdray	1
Cottesmore	1
Crawley & Horsham	1
Croome & West Warwickshire	3
Essex & Suffolk	1
Fernie	1
Heythrop	3
Thurlow	1
Old Surrey, Burstow & West Kent	1
Sinnington	2
Worcestershire	1

It should be noted that the investigation was limited by staff resources, and could not begin to attempt to visit every hunt country in England and Wales. That could be a full time investigation in itself. But given that artificial earths were discovered in staggering 87% of the hunt countries we inspected, we see no reason to imagine that other hunt countries are not littered with artificial earths.

In the countries of five MFHA registered hunts, those of the Cattistock, Croome & West Warwickshire, Heythrop, Sinnington and Thurlow hunts, our investigators took photographic and in some cases film evidence of food being left outside artificial earths for the foxes to eat, or of newly maintained earths. In some, we found water bowls, and in another, a poisoned potato left near to a badger sett on land owned by a hunt.

The five case studies that follow focus on these five hunt countries, and are based upon the report provided by the lead investigator on this project.

It contains images that some readers may find distressing.

## Case Study 1

### Cattistock country, Dorset

A wood with a known artificial earth was first checked on 22nd June 2011. The wood is just off Holway Lane, between the villages of Evershot and Cattistock. We believe the wood to be regularly hunted by the Cattistock Foxhounds, which is kennelled in Cattistock village. A huge pile of fresh offal and other animal parts was found dumped in the wood, with tyre tracks leading up to the spot.

A trail camera was set up in the wood which filmed a man dumping a barrel full of animal by-products in the wood (*Figs 1 and 2*), at the same spot as the earlier pile of offal. The trail camera subsequently filmed foxes taking all this food away (*Fig 4*).



*Fig 1: A man carries a bucket of offal past our hidden camera.*



*Fig 2: The barrel of offal is dumped close to an artificial earth.*





*Fig 3: Pile of offal dumped close to the artificial earth. A tongue, thought to be from a calf, can be seen at the front.*



*Fig 4: Our camera captures a fox adjacent to the dumped offal.*

Further research found that the wood is owned by the Honourable Charlotte Townshend, Master of the Cattistock Foxhounds.

The artificial earth found in this wood was built from plastic pipes with entrances constructed from concrete blocks. Large rocks, suitable for blocking the entrances, were set out next to the site. The vegetation around the earth had been trampled down and flies were at the entrance, suggesting that it is occupied. The earth smelt of foxes. A second artificial earth, of the same construction, was found in the neighbouring wood which is also owned by the hunt master.

A file of evidence related to the dumping of the offal, in contravention of the Animal By-Product Regulations, was passed to Dorset Trading Standards for further investigation.

## Case Study 2

### Croome & West Warwickshire country, Worcestershire

On land regularly hunted by the Croome & West Warwickshire Hunt we found an active artificial earth in a small copse near the hamlet of Cowsden, Worcestershire on the 5th August.

It was constructed from lengths of concrete pipes, with two entrances. Beside each entrance were concrete blocks to be used to block the entrances on hunting days. The pipes met in the middle at a central chamber. The chamber was built from bricks and mortar with a (broken) concrete slab over the top as a lid. There was a fox scat on top of this lid. Inside the chamber were fresh straw and a metal water bowl (*Fig 5*). The earth smelt strongly of fox.



*Fig 5: The chamber of an artificial fox earth, including a water bowl.*

Scattered around the earth were the feather remains of more than ten birds, including corvids, broiler chickens, pigeon and what looked like a fancy breed of chicken. A noticeable path led into the copse from the field edge - where someone had been walking in.

Two more serviceable artificial earths were found in the area, one just a kilometre away. Both had elaborately built bedding chambers.

Whilst we make no allegation that the hunt build or maintained this artificial earth, it should be noted that the same hunt was exposed in 2004 when [a League investigation](#) found a network of artificial earths being used in this exact same area.

### Case Study 3

#### Heythrop country: Gloucestershire

We found six well maintained artificial earths on land regularly hunted by the Heythrop hunt. We visited on 19th and 20th July 2011.

There was evidence of feeding at two of these earths. At both of these sites the remains of broiler chickens were found dumped outside the earths (*Fig 6*). These chickens are farmed in secure windowless sheds, yet no such farms were found in the countryside surrounding either artificial earth. Instead it seems that the broiler chickens have been dumped outside the earth to encourage foxes to stay in the area.



*Fig 6: Remains of a dead broiler chicken dumped at Doctor's Walk Wood.*

At one of these sites, at Doctor's Walk Wood, just outside the village of Upper Swell, Stow-on-the-Wold, a modern looking artificial earth was found. The two entrances were built from stone and cement with plastic pipes behind to make the tunnels. The route of the tunnels could be traced by following the raised earth above ground. This suggests that the artificial earth is modern and that the soil hasn't settled back down. The earth was clearly occupied by foxes with a strong smell emanating from the earth and plenty of fox scats at the entrances.

Four fresh dead broiler chickens were found dumped in the area directly in front of the earth, and another two within 30 metres of the earth. The photos of the birds show that they have been debeaked – the regular practice in intensive broiler farms.

The second site that had broiler remains was at Crab Orchard, near Broadwell, Stow-on-the-Wold. We found broiler feathers here in July, so the food must have been dumped earlier in the year. Returning in mid-October, however, our investigators found six dead chickens.

A third artificial earth, sited in Shrubs Coppice near Cold Aston appeared to have been recently renovated. The tunnels were built from ceramic pipes (*Fig 7*). The line between the two entrances was raised and the soil was recently disturbed and scattered with old, broken ceramic pipe. It appears that older, broken sections of the pipe have been recently replaced and soil over the new tunnel has yet to settle back down.



*Fig 7: Ceramic pipes seen from the entrance of an artificial earth at Shrubs Coppice.*



*Fig 8: Plastic piping forming an artificial earth above ground near Chipping Norton. In 2003 this artificial earth was built from vehicle tyres, suggesting this new earth was constructed in 2004 or later.*

A fourth artificial earth was found just outside Chipping Norton. The earth was located in an old brick building which was surrounded by blackthorn. The earth was built above ground. It was made from two plastic pipes (*Fig 8*), connected at right angles inside one corner of the building. Fresh quad bike tyre tracks led up to the site. The pipes had been covered over with wood and then ivy that had been growing over the building had been cut down within the last fortnight and scattered over the pipes in an attempt to naturalise them.

When first discovered by League investigators in 2003 this artificial earth was built from old tractor tyres. This site has clearly been renovated and maintained very recently.

## Case Study 4

### Sinnington country, North Yorkshire

In Habton Whin wood, near Great Habton a pile of what appeared to be dead ducks was found dumped in a wood on the 10th August (*Fig 9*). These had the appearance of supermarket meat as they were plucked and cut. An artificial earth built as a stickpile was found in the same wood.



*Fig 9: Ducks which appear to have been prepared for a supermarket, found dumped near Great Habton.*



*Fig 10: A poisoned potato found adjacent to a badger sett in the same wood.*

A badger sett in the same wood was found to be baited with poison (*Fig 10*). Police and the local badger group were called in to investigate, and a neighbouring landowner is understood to have told police that the land on which the potato was found is owned by the Sinnington Hunt.

The Sinnington Hunt was exposed in 1998 when fox cubs were found being reared inside an artificial earth in their hunt country.

Two other artificial earths were found in Sinnington country, both on Major John Shaw's land. Both had metal grids (*Fig 11*) hung up on trees beside the

entrances, to be used to block the earth on hunting days. One of these earths appeared to be occupied by foxes.



*Fig 11: Metal grids stored close to the entrance to the artificial earth.*



*Fig 12: The metal grids can be seen with the entrance to the artificial earth to the left.*

Mr Easterby and Major Shaw were both convicted of hare coursing offences under the Hunting Act in 2009 following an investigation by the International Fund for Animal Welfare.

## Case Study 5

### Thurlow country, Suffolk

On the 4th September a known artificial earth was checked in Trundley Wood, in country hunted by the Thurlow hunt.



*Fig 13: Entrance to an artificial earth found in Thurlow hunt country.*

The earth was found to have been recently renovated. One entrance and the tunnel behind were covered over with very fresh soil (*Figs 13 and 14*). The earth was previously visited in September 2002.



*Fig 14: A distance view of the artificial earth. The outline of the earth can be seen stretching back some distance.*

The earth is in a wood owned by the Thurlow estate, one of whose directors is a joint master of the Thurlow Foxhounds. Trundley Wood is designated as a Site of Special Scientific Interest by English Nature because of its ancient, semi-natural woodland.

## Conclusions

This report paints a vivid but depressing picture of the apparent activities of hunts up and down the country who are effectively rearing foxes for hunting.

Despite the ban on hunting with dogs now being seven years old, it appears that a majority of hunts are going into the new hunting season with the clear intention of hunting illegally. Why else, after all, would they have artificial earths, provide food and water, and renovate older earths?

Those who care about the rule of law – irrespective of whether or not they *agree* with the law – should be aghast at these findings. They provide police and the Crown Prosecution Service with clear evidence of criminal conspiracy and put further pressure on them to ensure the law is enforced.

The League Against Cruel Sports will be doing its bit by investing heavily in its enforcement and investigations work, providing more training to police officers, and working more closely with ACPO and the National Wildlife Crime Unit than ever before.

Hunts cannot be allowed to continue to believe that they are above the law.

## Acknowledgements

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