



**LEAGUE**  
AGAINST CRUEL SPORTS

# **BADGER PERSECUTION**

An information leaflet on badger persecution.

## WHAT IS BADGER PERSECUTION?

Ranging from digging and baiting, sett interference, snaring / trapping and shooting and the badger cull, badgers have a long history of cruelty and persecution in the UK. To this day, badgers remain one of the most persecuted of all species despite having one of the highest level of protection in law. Thousands of badgers become the victims of wildlife crimes each year. In 2009 badgers were made a UK Wildlife Crime Priority.



## WHY IS THE LEAGUE INTERESTED IN THIS?

The League Against Cruel Sports campaigns to end cruelty to animals in the name of 'sport'. This includes the persecution of badgers and the practice of badger baiting.

Using our confidential supporter-funded Animal Crimewatch reporting service, you can report information that can help us to end this type of cruelty. This leaflet has been produced to provide some useful information and guidance in relation to these activities and other forms of badger persecution.



**ANIMAL  
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## BAITING AND DIGGING

**Badger digging** is seen as a sport, with the badger being the trophy. The bigger and more challenging the dig the better. Traditionally this involves terrier dogs entering a sett where they make their way along the tunnel system. Upon reaching the badger, the digger (possibly alerted by the collar transmitter) will dig down to the location whereby the badger is removed and bagged for later fighting or thrown to the dogs.

**Badger baiting** has been banned for over 180 years yet it continues to this day. Badger baiting commonly involves cornering a badger in its sett and setting dogs on it. The fight will often lead to the death of the badger and cause injuries to the dogs. If the badger 'wins' it is usually killed afterwards. To make things worse, badgers are often deliberately injured before the fight, breaking their jaws, teeth or limbs, just to make the fight last longer. The badgers always die – frightened and in excruciating pain. Sometimes the dogs die too, or suffer terrible wounds, often stitched up by their owners without anaesthetic.



## WHAT KIND OF DOGS ARE USED?

**Small terriers type dogs** - typically Patterdale. Several may be brought in for the fight one after the other or at the same time.



**Larger more powerful dogs** - such as Staffordshire Bull Terrier or Bull Terrier-Lurcher crossbreed may also be brought in.



Injuries sustained by the dogs can be severe, leading to facial scarring and muzzle deformities.

Offences may well have been committed against the dogs under The Animal Welfare Act Sections 4 Unnecessary suffering, 8 Fighting and 9 Duty of person responsible for animal to ensure welfare.



**Badger sett interference** is quite simply interfering with a badger sett. Badger setts are still being blocked up in connection with traditional fox hunting by registered fox hunts, which is now illegal.

### **How are setts blocked?**

The entrances to setts can be covered with just earth, leaves and twigs, but some have been seen blocked with compacted soil, heavy clay, building rubble, rocks and other heavy objects.

- **Who blocks the setts?** Hunt supporters, usually the terrier men and / or masked individuals are usually responsible.
- **Why are badger setts blocked?** Setts are blocked in order to prevent foxes going to ground during a meet. By blocking the setts, it also makes it impossible for badgers underneath to move. The animals become trapped and suffocate or starve to death.

### **Can I unblock a badger sett?**

Badgers are a protected species. You are not permitted to interfere with a sett if it is blocked and you could therefore be liable.

Natural England can issue licenses which effectively makes an otherwise illegal activity lawful. Such licenses have to be fully justified and applied against stringent conditions.

It is advisable to call the police and ask for a trained Wildlife Crime Officer. Inform them of the location and take pictures.

- **When does this happen?**

Data shows a clear correlation between sett blocking and the hunting season – it peaks in the winter and drops in the summer, taking off again in autumn  
**(Independent news story)**



- **The badger cull** has taken place in parts of England since 2013. It is aimed at preventing the increase of Bovine TB (bTB) among cattle. However, the League and many independent scientists maintain that the cull is cruel, unnecessary and wrong. Science has clearly demonstrated culling makes no meaningful contribution to controlling bTB. Government focus should be on tackling cattle-to-cattle transmission through improved testing, more restrictions on cattle movements and rigorous biosecurity on farms.



## Other offenses:

- **Lamping** - hunters use spotlights to momentarily mesmerise badgers in the beam, before unleashing dogs to kill them.
- **Shooting**
- **Gassing / poisoning** - well compacted soil at a sett entrance could indicate Cyanide gassing, and therefore extreme caution should be taken. Do not attempt to unblock this yourself, as the gas is able to kill humans even in small doses.
- **Snares / Traps / Nets**



## WHAT'S THE LAW?

In 2021, Parliament passed the Animal Welfare (Sentencing) Bill, which increased the maximum sentence for specific offences under the 2006 Act from six months' to five years' custody and made these either way offences, meaning they could be heard in magistrates' courts or the Crown Court.

The following offences were impacted by the change:

- Causing unnecessary suffering (section 4, Animal Welfare Act 2006);
- Carrying out a non-exempted mutilation (section 5, Animal Welfare Act 2006);
- Docking the tail of a dog except where permitted (section 6(1) and 6(2), Animal Welfare Act 2006);
- Administering a poison to an animal (section 7, Animal Welfare Act 2006); and
- Involvement in an animal fight (section 8, Animal Welfare Act 2006).

## Protection of Badgers 1992

This animal welfare legislation protects badgers and their setts, and makes it illegal 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:
  - damaging a sett or any part there of;
  - destroying a sett;
  - obstructing access to a sett;
  - causing a dog to enter a sett;
  - disturbing a badger while occupying a sett.

But there are exceptions. Licences to undertake some actions can be issued if it is justified, for example where a badger sett is found on a proposed site for a road or housing development.



## **Wildlife and Countryside Act 1981**

Schedule 6, s11 prohibits the use of certain methods of taking or killing a wild animal, including illuminating devices and some snares.

## **The Animal Welfare Act 2006**

**Section 2(b)** defines a 'protected animal' as- under the control of man whether on a permanent or temporary basis So, if the badger is underground and being prevented from escaping then this element of the Act applies and although a wild animal it becomes a protected animal.

### **Section 4(1) Unnecessary suffering**

- (1)** A person commits an offence if—
- (a)** an act of his, or a failure of his to act, causes an animal to suffer,
- (b)** he knew, or ought reasonably to have known, that the act, or failure to act, would have that effect or be likely to do so,
- (c)** the animal is a protected animal, and
- (d)** the suffering is unnecessary.

## **Section 8(1) & 8(2) Fighting etc.**

- (1)** A person commits an offence if he—
- (a)** causes an animal fight to take place, or attempts to do so;
- (b)** knowingly receives money for admission to an animal fight;
- (c)** knowingly publicises a proposed animal fight;
- (d)** provides information about an animal fight to another with the intention of enabling or encouraging attendance at the fight;
- (e)** makes or accepts a bet on the outcome of an animal fight or on the likelihood of anything occurring or not occurring in the course of an animal fight;
- (f)** takes part in an animal fight;
- (g)** has in his possession anything designed or adapted for use in connection with an animal fight with the intention of its being so used;
- (h)** keeps or trains an animal for use for in connection with an animal fight;
- (i)** keeps any premises for use for an animal fight.
- (2)** A person commits an offence if, without lawful authority or reasonable excuse, he is present at an animal fight.

## Wild Mammals (Protection) Act 1996

Section 1. If, save as permitted by this Act, any person mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering he shall be guilty of an offence.

### Section 2. are the exemptions



## LOCATION, LOCATION, LOCATION - WHAT3WORDS

Often describing where the incident took place can be difficult. We would ask you download and use the free app called

**what3words** which can easily pinpoint your location. This app is also used by some police forces and will help them as well if you report the incident to them.



WHAT3WORDS



# WHAT SHOULD I LOOK OUT FOR?

## Terminology:

- **Sett** - badgers den / burrow.
- **Main sett** - usually has a number of holes and large earth heaps with well used runs.
- **Annex sett** - usually less than 150m from main but connected, not necessarily in use all the time.
- **Outlying setts** - one or two holes often taken over by rabbits or foxes.
- **Latrine** - shallow hole or scrape used as a badger dung pit.
- **Earth dog** - usually a short legged terrier, also known as a working terrier that will dig into earth or enter fox / badger holes.
- **Running dogs** - works above ground and pursues its quarry.
- **Roll or Rollin** - usually associated with dog fighting, practice / training session.
- **Gameness** - wiliness to fight.
- **Convention** - place where baiting and fighting takes place accompanied by music and food.
- **Pig, Billy, Brock, Ground hog** - slang terms for a badger.
- **Tug a pig** - term found on social media refers to the above ground activity between dogs and badger.
- **Pig in pipe** - Badger in a tunnel.
- **Break stick** - is a wedge shaped stick used in the jaws to break the hold of badgers and dogs.



Social media platforms such as Facebook and Instagram are frequently used by those involved to post images indicating an interest or taking part in badger baiting / persecution.

Take a screen shot of the social media profile page, to include the name of the person. Copy the url name of the profile screen shot examples of the images you have concerns about.



## OTHER USEFUL RESOURCES

- Badger Trust - [www.badgertrust.org.uk/](http://www.badgertrust.org.uk/)
- Naturewatch - [www.naturewatch.org/](http://www.naturewatch.org/)

Contact Animal Crimewatch to report your concerns.

<https://www.league.org.uk/forms/animal-crimewatch-report>



**ANIMAL  
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## WHAT CAN I DO?

If you suspect badger baiting / digging is happening now we recommend you call the police using 999 if you feel the matter is urgent, alternatively call 101 for non emergency.

When calling the police, ask for an incident reference number, which can help when you contact us.

You can report the incident to us via our website reporting form

[www.league.org.uk/animal-crimewatch/report/](http://www.league.org.uk/animal-crimewatch/report/)

or by calling our Animal Crimewatch Line **0300 444 1234**

It would be helpful if you can (without putting yourself at any risk) make a note/record any vehicle registration numbers and a description of the people.



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The League Against Cruel Sports is a registered charity in England and Wales (no. 1095234) and Scotland (no. SC045533), and is registered in England and Wales as a company limited by guarantee (no. 04037610).