

Natural England wild take licensing review: public call for evidence summary report

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Executive summary

This report provides a summary of responses to the public call for evidence undertaken by Natural England in 2022 as part its review of 'wild take' licensing, a practice involving the taking of birds of prey from the wild for use in falconry and aviculture.

The call used an online questionnaire survey design with both qualitative and quantitative elements and encouraged respondents to submit evidence to support their views. Topics and questions were developed with input from stakeholders. It was disseminated via a Gov.uk blog post and a link was also sent to the major falconry and aviculture organisations to share with their members. 143 responses were received, including 93 individual responses and 22 organisational responses. Due to the self-selective nature of the method used, it is not possible to say the extent to which those that responded were representative of the wider falconry/non-falconry communities.

Analysis identified variation in the responses of falconers/aviculturists to questions regarding their interest in obtaining wild take licences and differing views on whether wild take is integral to the practice of falconry, whether sourcing birds via captive stocks is a satisfactory alternative, whether there are behavioural differences between captive and wild birds, and how licensed wild take might impact on public perceptions of the sport. Non-falconer/aviculturist responses were more uniform. These groups were largely opposed to wild take licensing and had concerns regarding the potential impacts on bird welfare, species conservation, and on links with the illegal wildlife trade. There was widespread support across the different respondent types for efforts to safeguard the welfare of captive birds and to improve the management of existing captive stocks via coordinated studbooks.

The results of the call have been combined with other evidence gathered for the review, to inform Natural England's approach to the licencing of wild take licensing in England.

Key findings

The analysis addressed a series of questions linked to 6 different topics.

Views on wild take for falconry and aviculture

Individual falconers (n=50) were split between those that were interested in obtaining a licence for wild take (N=24), those that were not (N=18) and those that were unsure (N=7). By way of comparison falconry organisations suggested that between 1-10% of their membership would potentially be interested in obtaining a licence. Six of the 50 falconers who completed the C4E had previously taken a bird under licence in the UK, of who, two were interested in obtaining a licence in the future, two were not interested, one didn't know, and one didn't provide an answer. When looking at how long individuals had been practicing falconry and whether they were interested in applying for a licence, 13 of the 50 falconer respondents had been practicing falconry for between 1-20 years, of who six were interested in a licence in the future, five were not interested and two didn't know. By comparison 37 of the 50 respondents had been practicing falconry for 21+ years, 18 of whom were interested in licence in future, 13 were not interested and 5 didn't know. The species that falconers were most interested in taking were peregrine, goshawk, sparrowhawk, and merlin.

For those falconers that were interested the reasons provided included the view that wild take is an integral part of the practice of falconry and / or aviculture, that captive bred birds perform worse than wild birds, and that they are unable to source the desired birds from current captive stocks. For those falconers not interested in a licence, reasons included that there are satisfactory alternatives to the use of wild birds, including the use of captive-bred birds and / or wild-disabled birds (for breeding), and that the granting licences would have a negative impact on public perceptions of falconry more widely. Many falconers considered the hunting of other wild birds using a trained bird of prey to be the most important element of falconry practice.

Non-falconers and non-falconry organisations were largely opposed to the licensing of wild take for falconry and avicultural purposes, suggesting that the existing use of captive-bred birds provided a satisfactory alternative and that there were risks associated with bird welfare, species conservation status and illegal activity if licences were granted.

Views on behaviour and genetics of captive and wild birds of prey

Falconers and falconry organisations largely agreed that the genetic profile / provenance of the birds they use for falconry or aviculture was important to them. However, there was less agreement about whether there are any significant genetic differences between naturally occurring native bird of prey species populations in the wild in England (or across the UK as a whole) and those found elsewhere within their native (European) range. Non-falconers and non-falconry organisations suggested that there was no evidence to show that bird of prey species such as British peregrines are a distinct population or that there are any genetic issues in captive populations. There was a split among falconer respondents about whether there were any behavioural or other differences between wild birds and captive-bred birds when used in falconry or aviculture.

Views on falconry, aviculture, and conservation

Most falconers and falconry organisations considered there to be conservation benefits associated with their activities. The views of non-falconers and non-falconry organisations were more mixed. The majority of falconers and falconry organisations reported that they had few concerns about the impacts that future wild take licensing in England could have on the conservation status of native bird of prey species in the wild, contrasted by the majority of non-falconers and non-falconry organisations that did have concerns.

Most falconers and falconry organisations thought there would be a conservation benefit to wild birds from establishing captive breeding programmes via licensed wild take to supply birds for falconry, aviculture, or relevant conservation projects. The majority of non-falconers and non-falconry organisations suggested birds should only be taken to establish captive breeding (and release) programmes where there was a clear conservation need and not for the purpose of supplying birds for use by falconers or aviculturists, and that there was no such need for the relevant native bird of prey species at this time.

Views on bird welfare in relation to falconry and aviculture

Most non-falconers and non-falconry organisations had concerns about the welfare impacts of future wild take licensing while most falconers and falconry organisations responded that they did not. However, all respondent types highlighted the importance of ensuring that birds are being kept by individuals with sufficient skills and experience and appropriate facilities for housing birds.

Views on future licence applications

On the topic of what information should be required as part of any licence application and what criteria should be included in any licences issued there was more widespread agreement among respondents. Suggestions for the information that should be required included details of the applicant's knowledge and experience, plus appropriate references / club memberships and details of the facilities where birds would be kept (inspected by the relevant licensing authority). For applications to breed birds for avicultural purposes, a number of respondents referred to the provision of breeding records and DNA compliance testing results. Respondents also suggested that applicants provide details of any criminal or wildlife convictions, and a sound, scientific justification for why wild take should be allowed in their specific circumstances. A commitment not to use any birds taken for commercial purposes was raised as a condition for any licences granted by many falconers and non-falconers,

Views on wild take, illegal wild take, and trade of birds of prey

Most non-falconers and non-falconry organisations responded that based on their experience they think there is currently a problem with native birds of prey being taken from the wild illegally in the UK (primarily for the illegal trade), while most falconers and falconry organisations did not. In terms of the effect that future licensed wild take in England could have on the illegal taking of/trade in native birds of prey, most falconry organisations and falconers responded that it would have no effect while most non-falconers and non-falconry organisations responded that it would lead to an increase in illegal activity.

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1. Introduction

Since the 1980s, when licensed wild take for falconry and avicultural purposes in England ceased due to bird of prey conservation concerns, falconers and aviculturists have largely relied on the use of captive-bred birds. Since that time, some wild bird of prey populations have recovered considerably. In recent years, there has been renewed interest in applying for wild take licences. However, until three licences were granted in 2020, none had been issued for over 30 years. Due to this prolonged cessation, there was no specific policy or recent precedent upon which Natural England (NE) could base its approach. This made the assessment of applications difficult and time consuming, and decisions that faced criticism and threats of legal challenge.

In early 2022, NE concluded that its approach to wild take licensing was not based on a sufficiently robust understanding of the evidence or of conflicting stakeholder views. With the support of DEFRA, NE launched a review to obtain the latest evidence, expert advice, and in-depth stakeholder insights from across the falconry and non-falconry communities.

The evidence review incorporated several different pieces of work and research including an eight-week public call for evidence that sought information “from all stakeholders with an interest in the future direction of wild take licensing in England”. This report summarizes the results of the call for evidence based on analysis of responses undertaken by the NE project team. The wider data set (anonymized) on which it is based is available on request from wildtakereview@naturalengland.org.uk. It should be noted that this summary report forms just one part of the wider body of evidence that collectively has informed the overall process and outcome. The other reports can also be viewed on [Natural England Access to Evidence](#).

2. Methods

The NE project team developed an online questionnaire survey that was launched on the 21 September 2022 and remained open for eight weeks. The survey was promoted via a GOV.UK [news story](#) and NE's social media channels. This included a detailed set of questions and sought information from all those with an interest in the future direction of wild take licensing in England. Respondents were asked to provide evidence to support their views where relevant.

2.1 Design

Questions developed for the call for evidence were based on evidential gaps that had been identified from the assessment of previous licence applications. A multi-disciplinary team worked together to draft the survey questions. Key stakeholder organisations were also contacted, and meetings were held where they were able to provide feedback to inform the survey questions (see Appendix 1 for the full set of questions). The survey was designed using **Qualtrics**, specialist survey design software. The call for evidence was open to both individuals and organisations interested in or potentially impacted by future wild take licensing decisions. The survey therefore required several branches so that respondents were guided through the survey to questions relevant to them depending on their level of knowledge and background (captured in the demographics section at the start of the survey). The key branches for the survey were whether the respondent was completing the survey as an individual or as a representative of a specific organisation or group and secondly whether that individual or organisation was involved in falconry and / or aviculture. This resulted in four branches of questions that participants would be directed to depending on whether they were an individual falconer or non-falconer or falconry organisation or non-falconry organisation (these 4 categories are simplifications and developed to aid analysis). All branches covered the same topics, but the wording of questions was slightly different to make sure that they made sense to the four different categories of respondents.

The main topics within the survey included the history and practice of falconry and aviculture and the role of, and interest in wild take within these practices. The survey also included questions related to bird of prey conservation and welfare, bird genetics, wildlife crime, and views on NE's approach to licensing. The survey questions were a mixture of yes / no / don't know questions with additional free text boxes to help explain choices as well as Likert-scale questions in which respondents indicated their level of agreement with statements relevant to the topics under review. Additionally, participants were asked to provide any further evidence to support their responses to each topic / question and were also able to attach documents to in support of their responses to relevant topics.

The survey was piloted among staff within NE, including those with knowledge / experience of falconry to make sure that questions made sense (language, content, structure) and to test both the survey design (functionality) and time taken to complete it. The survey was amended in light of feedback and further tested until structure and content were suitable for use.

2.2 Analysis

The quantitative data from the call for evidence were analysed using descriptive statistics. In the report the actual number of participants who responded to questions in a particular way (n=) as well as percentage response rates to questions are reported where they are most appropriate to help illustrate the data. Tables and graphs are also used to help report findings and are clearly labelled to assist the reader in interpreting the information contained within.

Due to the total sample being split into four groups for ease of comparison (falconers, non-falconers, falconry organisations, non-falconry organisations), statistical difference testing was not appropriate due to the small sample sizes of each group. Instead, the data has been analysed to show the trends for each of the groups. As such the report does not seek to make any statements about the statistical significance of any different trends between the groups merely to report on them. Due to the self-selective nature of the methods used, it is also not possible to say the extent to which those that responded were representative of the wider falconry/non-falconry communities.

Qualitative data from free text options was analysed using thematic analysis to draw out common themes and issues of agreement or disagreement within the data. The qualitative data has been triangulated with quantitative data where appropriate to help provide context for the results in this report.

2.3 Ethics

A NE research ethics checklist was completed for the project and the call for evidence survey adhered to NE's five ethical principles. Taking each of these five principles in turn the project's approach to meeting these principles is mapped out.

1. Sound research methods and appropriate dissemination and utilisation of the findings. Ensuring the research meets a clear organisational need, doesn't place any unnecessary burden on respondents, and is based on sound methods that ensure evidence is robust, usable and accessible.

Approach: The methods for survey development have been addressed above as has the organizational need for this and the wider review of evidence for wild take. The piloting of the survey allowed the project team to make sure that it functioned correctly. This report is published through the NE Access to Evidence portal to make sure it is accessible, and findings are disseminated appropriately.

2. Participation based on valid informed consent – it is clearly voluntary, and participants have sufficient information to decide whether to take part.

Approach: The news story on GOV.UK that was used to publicise and provide access to the survey provided detailed information about the call, what it was for, what it would involve and what data would be used for. Once participants clicked the link to the survey the landing page provided further information including their rights (see principle 5 below). The survey then asked if they had read and understood this information and that by clicking continue, they were providing informed consent to participate.

3. Enabling participation through method and sample design, with consideration given to likely barriers to participation and reasonable steps taken to address these.

Approach: The NE project team worked with key stakeholders in both the development of questions for the survey and in publicizing the survey once it was released to encourage people to complete it. Given that it was a public call for evidence, beyond making sure that key interested parties knew about it and were promoting it, the call didn't have a specific sampling framework and strategy. It was designed to enable all people with an interest in or who might be impacted by future licensing decisions around wild take for falconry and aviculture to have their say and provide evidence for the call.

4. Avoidance of personal and social harm including avoidance of undue stress.

Approach: The survey was designed and piloted to make sure that it avoided triggers that might cause harm (physical, psychological and emotional). Clear information about the call's purpose, what responses would be used for and how, was provided.

5. Non-disclosure of identity and personal information ensuring confidentiality and data protection and that participants are not identified or identifiable in research outputs.

Approach: The information provided on the landing page of the call for evidence survey provided details about participant rights. It included information on participant confidentiality and anonymity, data protection including a link to NE’s research privacy notice. The project also developed a data management plan outlining data management responsibilities, processes and security so that the information obtained from the call for evidence adhered to the latest data governance standard.

2.4 Sample

There were 143 responses to the call for evidence once duplicates had been removed.

Figure 1 illustrates the breakdown of these by respondent type (defined under ‘**Individual**’ and ‘**Organisational**’ respondent sections below).

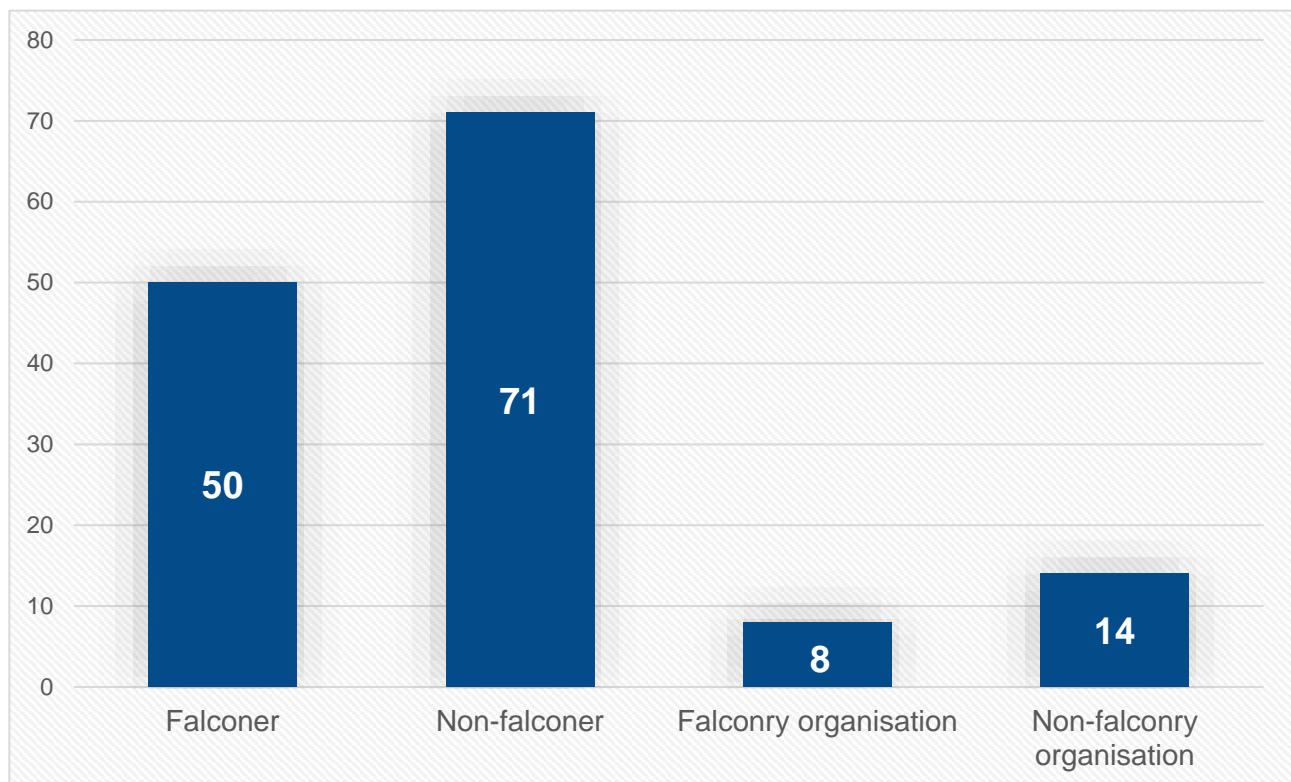


Figure 1: Call for evidence responses by individual (falconer or non-falconer) and organisation (falconry or non-falconry).

2.4.1 Individual respondents

Out of the total of 143 responses, 121 were submitted by individuals, made up of 50 individuals involved in the practice of falconry or aviculture ('falconers') and 71 individuals not involved in falconry or aviculture ('non-falconers'). 94% of falconers and 100% of non-falconers stated that they were responding from within Great Britain.

2.4.2 Individual falconer demographics

Of the 50 individual falconer respondents, 89% were male (n=44), 10% (n=5) female and one preferred not to say. **Table 1** identifies the age range of respondents and the number of respondents within each range.

Table 1: Age ranges and number of falconers within them

Age range	18-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84	Prefer not to say
No. of falconers	2	2	3	1	6	3	5	6	9	4	5	2	2	0

Of these 50 falconer respondents, 58% were involved in falconry only, 4% were involved in aviculture only, and 38% were involved in both. Two falconers were involved in commercial breeding, one based in the US and the other UK-based. The falconry and/or avicultural activities that respondents were most commonly involved in were hunting (29%), training (26%), breeding (15%) and rehabilitating (12%). 62% stated that they had been involved in practicing at least some of these activities for more than 25 years.

50% of falconers held a membership to a conservation or animal welfare group, while 62% held a membership to a falconry and / or aviculture club or organisation. Of these, 44% were members of the British Falconers' Club and 12% were members of The Hawk Board (8% were members of both).

In terms of previous experience of wild take, 28% (n=14) stated that they had previously applied for a wild take licence in the period 1970-2022, nine of who had applied for a licence to take birds in England, 4 four in Scotland and one in Wales. For five of the 14 falconers that had previously applied for a wild take licence, the most recent year they had done so was pre-2000, and six falconers had done so since 2010. Of those 14 that had applied for a licence before, six stated that they had previously taken a bird from the wild under licence in the UK, most recently in 1984. Most applications were to take peregrines or sparrowhawks, although some applied for and / or took other species.

2.4.3 Individual non-falconer demographics

Of the 71 individual respondents who were not involved in either falconry or aviculture ('non-falconers'), 70% (n=47) were male, 30% (n=20) were female (four respondents preferred not to say). 77% (n=55) of non-falconers held a membership to a conservation or animal welfare group. **Table 2** identifies the age range and the number of respondents within each range.

Table 2: Age ranges and number of non-falconers within them

Age range	18-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84	Prefer not to say
No. of non-falconers	1	3	4	2	3	8	6	10	10	13	3	6	1	1

2.4.4 Organisational respondents

There were 22 responses submitted on behalf of organisations, eight representing falconry or aviculture and 14 that were non-falconry related. Of the eight falconry organisations, the number of members per organisation ranged from 120 to 8000. In terms of non-falconry organisations, the majority of these (59%) were non-governmental organisations, while the remaining organisations were made up of charities, businesses, academic institutions, community and citizen science groups, and other statutory bodies.

3. Results

The results section is broken down thematically to provide an overview of the responses to the main topics in the call for evidence. Results are presented for individual falconers and falconry organisations and non-falconry individuals and non-falconry organisations so that trends are clear within and between groups on the different topics addressed by the call for evidence.

3.1 Views of falconers and falconry organisations on falconry and wild take

3.1.1 Interest in obtaining a wild take licence.

Almost half, 49% (n=24) of the 49 individual falconers (all of whom were male) who responded to this question in the call for evidence indicated that they were potentially interested in applying for a wild take licence. This compares to 37% (n=18) falconers who answered they were not interested in obtaining a licence and 14% (n=7) who answered that they did not know. The extent to which these respondents are representative of the wider falconry community is unclear. As a comparator, falconry organisations estimated that between 1-10% of their members may be interested in obtaining a licence, suggesting that those interested in doing may be over-represented amongst the individual falconer respondent sample in the call for evidence.

Of those 24 individual falconers who were interested in obtaining a licence, 42% were interested in a licence for falconry exclusively, compared to 4% for aviculture exclusively. The species most frequently mentioned by individual falconers wishing to take birds under licence were peregrines and sparrowhawks, both of which were mentioned by 30% of individuals. Merlins were mentioned by 24% of individuals and goshawks by 11%.

Of those 24 falconers interested in a licence, 88% stated they would wish to take birds from the wild whilst still in the nest, from as early as 7-14 days old to as late as 8-14 weeks. 15 of those 24 falconers (63%) stated that they would wish to take a maximum of one bird per year of their chosen species. The maximum number stated was two per year.

The most common reason given in qualitative responses for why falconers would be interested in obtaining a licence was that it is a traditional part of falconry heritage and / or a cultural right. The second most common was that current captive populations are in some way substandard and that the taking of wild birds would address this. Amongst the 37% (n=18) of falconers who answered that they were not interested in obtaining a licence, the dominant reason given in qualitative responses was that the current captive population is more than sufficient to meet falconers' needs. Several others referred to there being no difference in the abilities of captive-bred and wild birds. Several referenced their fear that the adverse publicity licensed wild take would bring would be damaging to falconry.

Of the 24 falconers who responded to the question 'would you ever wish to release birds taken under licence back to the wild?', 75% stated that they would wish to release birds back at some stage, for example, a number referred to the "traditional and sustainable" practice of returning birds to the wild after a period in captivity. Respondents were also asked, 'would you ever wish to sell, for commercial gain, subsequent generations of birds bred from the bird(s) taken under licence?' Of the 24 falconers that responded, 92% responded no, with one responding yes and one that they did not know.

As noted, all but one of the eight falconry organisations who responded to the call for evidence stated that at least some of their members (1-10%) would be interested in obtaining wild take licences, with 29% of the organisations responding that these licences would be for falconry exclusively and 57% for mostly falconry but some aviculture. None stated that this would be for aviculture exclusively. Similar to individual falconer responses, the species most commonly mentioned in relation to licence applications were peregrines and sparrowhawks. One organisation stated that “All suitable species should remain on the licence list providing the population has a sustainable harvest, however buzzards and kestrels have little use to falconers”.

Falconers were asked to summarize why they had chosen to respond to the call for evidence and any relevant knowledge or experience they had. One of the most common explanations identified through thematic analysis for those interested in applying for licences was that wild populations are large enough to sustain wild take. Other reasons included that wild take is a traditional aspect of falconry, that they have a desire to experience wild take, that they think wild take is important for maintaining the genetic health of captive populations, and that it is licensed in other countries successfully so should be allowed here.

Of those not interested in obtaining a licence, the most common explanation was that granting licences would have a negative impact on public relations for falconry. Other reasons given were that it is not required, as captive-bred birds are a suitable alternative, and that the solution to issues relating to genetic diversity is to address poor practice amongst breeders, and that those pushing for licensing to resume are seeking to gain commercially from it. Some were unsure whether they would wish to apply for a licence and noted that it is a complex issue. For example, one stated: “...this is a very difficult subject, with many factors to balance. Although I am a falconer, I am not entirely convinced about some of the possible implications of wild take.”

3.1.2 Activities and behaviours considered to be inherent / fundamental to the practice of falconry in England.

Of the falconry organisations responding to this qualitative question, the most common response was to refer to standard definitions of falconry (e.g., “the hunting of wild quarry in its natural state and habitat by means of a trained bird of prey”). Of the falconers responding, there were two dominant themes. One was that hunting with birds of prey to catch wild quarry, is fundamental to the practice of falconry, and the other that bird welfare is fundamental to falconry practice, which requires high standards of husbandry and care. Wild take itself was referred to by only a small number of falconers, of which some suggested that it should be kept on statute in case required in future but not be pursued at present.

3.1.3 Changes in falconry and aviculture over time

46 individual falconers answered the question whether the practice of falconry and / or aviculture has changed in England since the licensing of wild take largely ceased in the 1980s. Of these 46 falconers 76% responded yes, while all eight of the falconry organisations also responded yes to this question. In free text questions where participants were asked to explain their answers, key changes highlighted included that the majority of birds used are now captive-bred and that there has been a significant increase in the captive-breeding stock and captive breeding success. It was noted by several respondents that the number of practicing falconers has also increased significantly over this period. Some viewed these changes more positively than others. For example, some raised concerns about genetic inbreeding and hybridization, poor husbandry and the loss of traditional falconry knowledge and skills.

3.1.4 Alternatives to wild take.

Of the 44 falconers who responded to the question 'do any alternatives currently exist to taking birds of prey from the wild for the purposes of falconry or aviculture in England', 19 answered yes, 17 answered no, and 8 were unsure. Six falconry organisations responded to this question, with four answering no (two of who operated in the UK only, one operated both in and outside of UK and one operated in Northern Ireland and outside of the UK), one yes (who operated both in and outside the UK) and one that they didn't know (who operated in England and outside the UK).

3.1.5 Satisfactory alternatives to wild take.

The 19 falconers who answered yes to the question about alternatives to wild take were then asked whether they consider any of these alternatives to be satisfactory. 58% (n=11) answered yes, 26% (n=5) answered no and three responded that they didn't know. Respondents were then asked to explain their answers. The most common explanation from those who responded that alternatives were satisfactory was that current captive populations are sufficient to supply falconers with the birds they need, that the performance of these birds is satisfactory, and that wild-disabled birds unsuitable for release back to the wild could be used to introduce greater genetic diversity into captive populations if necessary. The main reason given by those that answered no to the satisfactory alternatives question was related to falconry heritage and the loss of the cultural experience of taking a bird from the wild. Another key theme related to the genetic diversity or make-up of captive-bred as opposed to wild-origin birds, and to perceived difference in their behaviour or performance.

3.2 Views of non-falconers and non-falconry organisations on falconry and wild take.

All non-falconer respondents were also asked about their knowledge of falconry and aviculture (see **Figure 2**). 70 of the 71 non-falconers responded to this question. The most common explanation given by non-falconers for why they were responding to the call for

evidence was that they wished to voice their concerns about wild take on the basis of their view that taking animals from the wild for sport is an immoral practice and shouldn't be allowed.

Other common explanations were that they held a professional interest in the topic or were concerned about poor practice in the industry and implications for bird welfare, as well as persecution of birds of prey more widely. Further reasons given included the view that there are sufficient birds available via captive populations and to express anger at NE for considering granting licences for an activity that they viewed as not beneficial to bird conservation.

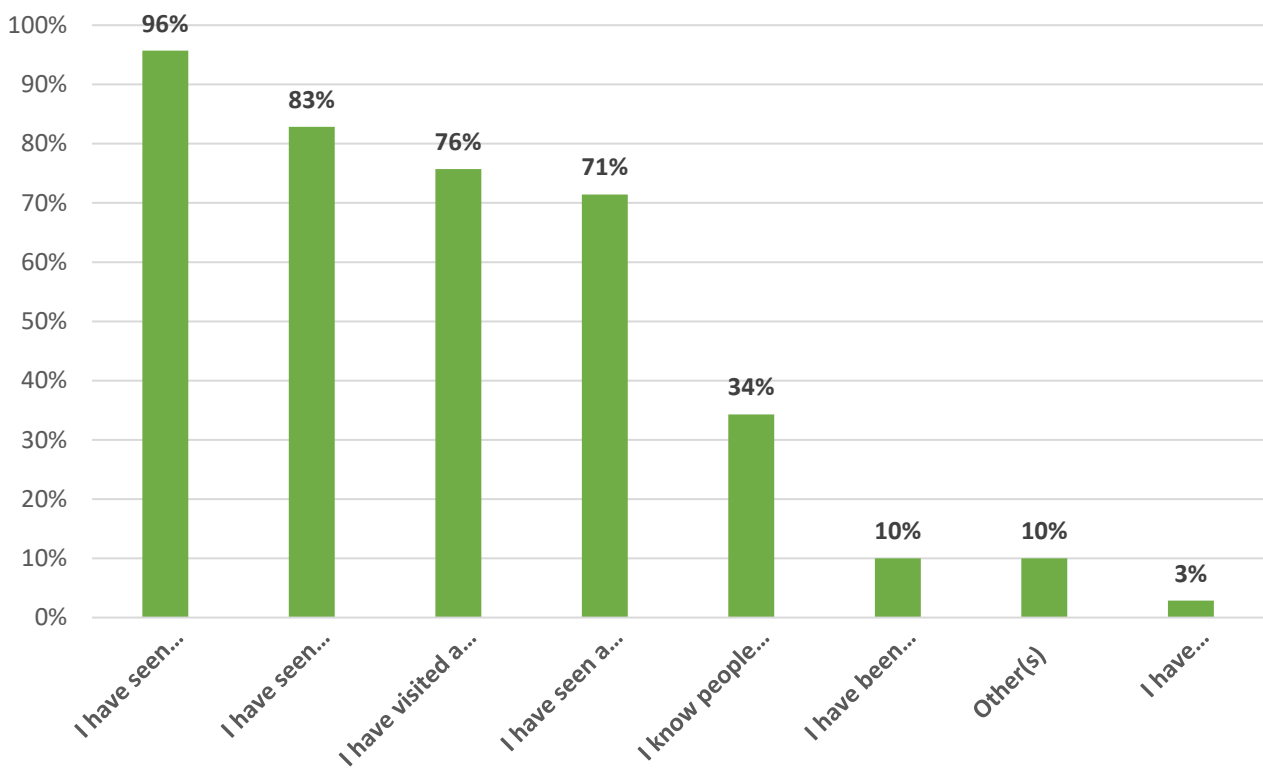


Figure 2: 'What is your knowledge of falconry and / or aviculture? Please select all that apply.'

Non-falconers and non-falconry organisations were asked to provide their level of agreement / disagreement with a series of statements regarding falconry and aviculture on a 5-point scale ranging from 'strongly agree' to 'strongly disagree'. The responses of individual non-falconers and non-falconry organisations to an illustrative sample of these statements are included in the tables (3-8) that follow. Please note that the percentages in the following figures have been rounded up to the nearest whole number and therefore might total more than 100%.

Table 3	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Non-falconry Organisation (n=11)	67%	0%	17%	0%	17%
Non-falconry Individual (n=66)	73%	12%	3%	6%	6%

Table 3: Level of non-falconer and non-falconry organisation agreement with the statement: It is acceptable to allow the taking of a small number of native birds of prey from the wild under licence each year for the purpose of falconry, as long as there will be no impact on the favourable conservation status of the species concerned?

Table 4	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Non-falconry Organisation (n=11)	55%	18%	9%	9%	9%
Non-falconry Individual (n=66)	67%	17%	5%	5%	6%

Table 4. Level of non-falconer and non-falconry organisation agreement with the statement the taking of birds of prey from the wild is a fundamental part of the practice of falconry.

Table 5	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Non-falconry Organisation (n=11)	33%	50%	0%	8%	8%
Non-falconry Individual (n=62)	26%	8%	24%	16%	26%

Table 5: Level of non-falconer and non-falconry organisation agreement with the statement: /my organisation opposes the practice of using trained birds of prey to hunt and kill other wild animals.

Table 6	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Non-falconry Organisation (n=11)	58%	8%	17%	17%	0%
Non-falconry Individual (n=60)	68%	20%	5%	3%	3%

Table 6: Level of non-falconer and non-falconry organisation agreement with the statement: It is acceptable to allow the taking of small numbers of native birds of prey from the wild under licence each year, for the purpose of aviculture, as long as there will be no negative impact on the favourable conservation status.

Table 7	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Non-falconry Organisation (n=10)	50%	20%	30%	0%	0%
Non-falconry Individual (n=60)	60%	17%	15%	5%	3%

Table 7: Level of non-falconer and non-falconry organisation agreement with the statement: The taking of birds of prey from the wild is a fundamental part of the practice of aviculture.

Table 8	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Non-falconry Organisation (n=11)	40%	10%	40%	0%	10%
Non-falconry Individual (n=60)	18%	28%	28%	10%	15%

Table 8: Level of non-falconer and non-falconry organisation agreement with the statement: Wild birds of prey should not be taken into captivity for any purposes.

Respondents that answered these questions were then also asked to explain their answers. Amongst individual non-falconers, key themes in terms of explanations given were that the taking of birds from the wild to practice falconry is seen as ethically or morally wrong, that suitable alternatives exist via captive-breeding (including use of wild-disabled birds for this purpose), and that licensed wild take would have a detrimental impact on vulnerable species or lead to further illegal activity, including the persecution of birds of prey. For many respondents, the taking of birds of prey from the wild was only seen as appropriate or necessary if it was for conservation or rehabilitation purposes.

Of the organisations responding to these questions, a key theme included the view that satisfactory alternatives to licensed wild take exist in the form of captive-bred birds and / or via the captive-breeding of wild-disabled birds that are unable to be released back to the

wild. For example, one referred to the “healthy supply of captive-bred birds for falconry and aviculture” and another to captive-bred birds being “widely available”. Another stated that “local birds of prey centers have permanently disabled birds in care...which can be used for breeding”. One referred to a paper by Fleming et al. (2011)¹ and the finding that significant numbers of wild-disabled peregrines have been successfully bred in captivity.

Another common theme was that the recovery of many bird of prey species is still in progress, that this progress varies regionally, and that populations could be vulnerable to new threats such as Highly Pathogenic Avian Influenza (HPAI) and on-going threats such as persecution. For example, one organisation stated the view that it is “arguable whether Peregrines in the UK have a favourable conservation status”, and that although that there has been a considerable recovery that this is not evenly distributed.

Another common response was that the taking of birds of prey from the wild would only ever be appropriate where there was a definite conservation need, but that there was no UK bird of prey species of interest to falconers where captive conservation breeding was currently required. One organisation set out the view that taking birds from the wild and keeping them in captivity for falconry or aviculture can negatively impact their welfare. Others were ethically opposed to taking wild birds of prey into captivity for the purposes of sport.

People responding to the call for evidence were asked a series of questions about the genetics and behaviours of wild versus captive bred birds. The first question asked of falconers and falconry organisations was whether the genetic profile / provenance of the birds they use for falconry or aviculture was important to them (see **Table 9** below).

¹ Fleming, L. V., Douse, A. F., & Williams, N. P. (2011). Captive breeding of peregrine and other falcons in Great Britain and implications for conservation of wild populations. *Endangered Species Research*, 14(3), 243-257.

Table 9: importance of genetic profile	Falconer (n=47)	Falconry organisation (n=8)
1 – Not at all important	2% (1)	0
2 – Low importance	9% (4)	0
3 – Neither important nor unimportant	13% (6)	0
4 – Some importance	19% (9)	37.5% (3)
5 – High importance	57% (27)	62.5% (5)

Table 9. How important is the genetic profile / provenance of the birds you use for falconry or aviculture?

3.3 Behaviour and genetics.

3.3.1 Genetic differences between wild and captive bred birds.

23 falconers answered the question ‘are you aware of any evidence of significant genetic differences between naturally occurring native bird of prey species populations in the wild in England (or across the UK as a whole) and those found elsewhere within their native (European) range’? 52% of these 23 respondents answered yes. By way of explanation references were made to a paper by Weaving et al. (2021)² which sampled populations in England, Ireland, continental Europe and in captivity, as well as from England prior to the population crash experienced in the late 20th century. The authors found “low levels of genetic diversity” across all the populations sampled as well as “low but significant genetic differentiation among all populations... indicating some level of genetic structure in European peregrines” (p.133). The paper nevertheless concluded that there is “no need for genetic conservation by wild-take and subsequent captive breeding...as long as current protection measures remain in place (p.147). However, others emphasized that wild birds of prey from continental Europe have been shown to fly to the UK and rear young successfully, suggesting at least some degree of interlinkage between these populations.

² Weaving, A., Jackson, H. A., Nicholls, M. K., Franklin, J., & Vega, R. (2021). Conservation genetics of regionally extinct peregrine falcons (*Falco peregrinus*) and unassisted recovery without genetic bottleneck in southern England. *Conservation Genetics*, 22(1), 133-150.

Falconers were asked about whether they think there is sufficient genetic diversity in current captive populations in England. Of those 20 who answered, 35% think there is, whereas 55% do not. Breaking this down further, 90% of those interested in obtaining licences who also responded to this question (n=10) answered that there is not sufficient genetic diversity, compared to 29% of falconers who responded that they were not interested in obtaining licences who also answered this question (n=7). A number of falconers referred to particular species for which current captive populations are smaller (e.g., sparrowhawk and hobby) or that stem from a smaller number of founder birds (merlin). Several highlighted a lack of evidence on this question and drew attention to the lack of studbooks to document the relatedness of individuals within captive populations.

3.3.2 Sourcing birds of prey.

Falconers were evenly split on whether they are able source birds of the desired genetic provenance from current captive populations in England. Of 45 responses, 20 responded yes, 20 responded no and 5 responded that they don't know. Examining this issue further, respondents were asked to explain their answer through a free text question. Of those that answered that they could source birds of desired genetic provenance, one respondent referred to the market for peregrines as being "at saturation point" and another that he was "able to obtain any viable species I desire and at reasonable cost...often at no cost". For those that answered no to this question explanations included issues associated with the poor record keeping of many breeders and the lack of nationally coordinated studbooks. Others referred to issues for some species only, such as peregrines, due to hybridisation with imported sub-species.

Of the seven falconry organisations who responded to this question, four stated that their members were unable to source the desired birds at present (compared to two who stated that they were and one which didn't know), with species that were highlighted as being restricted in current captive populations including merlin, peregrine, and sparrowhawk.

Respondents were also asked 'do any barriers currently exist that make it difficult for those wishing to source 'British' birds from captive populations in England (i.e., birds that originate from the British Isles and are a close genetic match for native bird of prey populations. Of those falconers who responded (n=23), 57% answered yes barriers currently exist, compared to 35% who stated that there were not any barriers and 8% did not know. The equivalent figures for falconry organisations (n=4) were 75% that barriers did exist and 25% that they do not. Of 12 falconers responding to this question who were also interested in obtaining wild take licences, nine stated that barriers currently exist. By comparison, of the seven falconers responding to this question who were not interested in obtaining a licence, only one believed that barriers currently exist.

A large non-falconry organisation involved in bird conservation stated that they were "not aware of any genetic evidence that shows British peregrines to be a distinct population" and that they "believe it very likely that peregrines in captivity...will come from a diverse range of genetic backgrounds". Similarly, an individual non-falconer involved in bird conservation and nest monitoring argued that "the idea of a unique British phenotype may well have some basis in science, but I would question to what degree this level of genetic differentiation is demonstrable outside of a laboratory...we also know from colour ringing projects that while the majority of juveniles do not typically disperse great distances from their natal site, a few individuals are known to have travelled much greater distances...would chicks taken as part of a wild take be screened for their genetic purity?"

Respondents were then asked, 'could any of these barriers be overcome through improved monitoring / recording / documentation / genetic profiling of captive populations or other measures?' Thirteen falconers answered this question with nine saying yes and four saying no. In terms of barriers, poor record keeping, and the lack of nationally coordinated studbooks were identified as the main barriers.

For example, one falconry organisation stated that “the lack of stud books...is a significant barrier to combating gene-pool bottlenecks in small populations of captive species.” However, another argued that as the majority of birds are held by private individuals and that there “can be no compulsion to pair certain birds together”, such issues “cannot be avoided.” One non-falconry organisation argued that there was a lack of evidence to support the idea that “licensed taking of a number of wild-bred...[peregrines]...will improve the species’ captive gene pool” and suggested that “falconers should provide evidence from a DNA database that the practice would indeed improve the peregrine’s gene pool”.

3.3.3 Behavioral differences between wild and captive populations.

Respondents were asked, based on their experience or evidence, ‘are there any significant behavioural or other differences between wild birds and captive-bred birds when used in falconry, aviculture, for conservation breeding, or other similar purposes?’ 24 falconers responded to this question with 43% stating that they perceive there to be significant behavioural (or other) differences between wild-origin birds and captive-bred birds when used for falconry, such as wild-origin birds having superior hunting traits. Reductions in the size and fertility of captive-bred birds over time and their levels of genetic diversity were also perceived differences. This was not a view universally held by falconers with 33% of the 24 falconers responding that there were no significant differences.

Breaking this question down further, a greater number of falconers who also stated an interest in obtaining a wild take licence (n=13) considered there to be significant differences between wild and captive-bred birds compared to falconers who were not interested in obtaining a licence (n=7). Of those answering that there was no significant difference, one stated, that they had “worked with and seen many hawks perform to astonishingly high standards in the field with no difference to a wild bird”. Views were mixed as to whether any of the perceived differences are the result of different rearing methods or due to genetic factors. For example, one falconer argued that “if a wild bird is treated to the same techniques as a captive bred bird, it responds and acts in exactly the same way”. Another stated that “the behaviour of the raptor will be dependent on the ability of the falconer to train and hunt with the bird”.

3.4 Conservation, falconry and aviculture.

3.4.1 Conservation benefits of falconry and aviculture.

When asked about conservation benefits to native UK bird of prey species, 80% of the 40 falconers who responded to this question think that there are conservation benefits associated with their activities. All eight falconry organisations shared this view. Views from non-falconer respondents to this question (n=57) and non-falconry organisation (n=9) were more mixed, but more than 25% of both groups referred to at least some benefits. These included rehabilitation of injured birds, education and awareness-raising, and support for successful reintroductions and other conservation translocation projects. One large falconry group suggested that it is falconers' access to wild raptors which provides them with "a significant incentive...to engage in conservation efforts". However, both non-falconers and non-falconry organisations argued that falconry in general has had no significant positive impact on the conservation status of most native bird of prey species. Several also flagged concerns in relation to the risks posed to wild populations from the escape of hybrid birds from captive populations.

3.4.2 Conservation impacts of future wild take.

Call for evidence respondents were also asked whether they have any concerns about the impacts that future wild take licensing in England could have on the conservation status of native bird of prey species in the wild. The response of falconer and non-falconer individuals and falconry and non-falconry organisations are shown in **Table 10** below.

Table 10. Concerns about the impacts that future wild take licensing in England could have on the conservation status of native bird of prey species.

Concern about impacts of wild take on native species	Yes	No	Don't know
Non-Falconers (n=55)	91%	7%	2%
Non-Falconry organisations (n=10)	70%	20%	10%
Falconers (n=40)	20%	77.5%	2.5%
Falconry organisations (n=8)	13%	87%	0%

By way of explanation, those falconers who responded that it would not have an impact argued that the numbers of birds involved would be extremely small relative to the population sizes of the species concerned, and that there would be the potential to release birds back to the wild at a later stage if necessary. They also expressed confidence that wild take would be tightly regulated, involving only small numbers of carefully monitored birds, thereby guaranteeing that populations would not be negatively impacted. One referred to Ireland as an example of where licensed wild take has apparently had “no effect on wild populations” or led to any increase in illegal activity, although this was contested by others. The US system was also flagged as one where wild take has apparently been licensed effectively without impacting on wild populations. No evidence was provided to support this.

However, some falconers expressed concern that licensed wild take could undermine public support for the conservation work done by falconers, with one referring to it as “a PR disaster” for falconry. Another expressed concern that licensed wild take could harm bird welfare by leading to a situation in which “people with insufficient knowledge and experience...obtain birds of prey that they will not be able to fly and care for correctly”.

Conservation groups expressed concern that the recovery of many species has been limited to date and that many are still “at a very early stage of recovery”, with population levels varying across the UK. For example, it was noted that “sparrowhawks actually went from green to amber status in 2021 due to moderate population declines over the past decade”. Reference was made to a paper by Kenward (2009), which notes that the current reliance on captive-bred birds in the UK contrasts with the Middle East where there has been greater reliance on wild take and “negative effects on both the raptors and the prey animals they are then used against”.³ Non-falconers also drew attention to existing pressures on wild birds and expressed a lack of trust in the government agencies responsible for licensing, the lack of resourcing for those agencies to secure compliance, challenges in accurately monitoring populations, local declines, and the risks of spreading diseases such as bird flu.

3.4.3 Managing conservation impacts.

Respondents were asked to provide information about the types of measures that they thought could potentially be put in place through licensing conditions to reduce conservation impacts of licensed wild take. Examples of measures suggested by falconers included a requirement for licence applicants to provide “references from recognised clubs and associations...and full details of where the bird will be kept and how it will be used”, as well as details of what would happen to any offspring. Others suggested the establishment of detailed stud books for captive populations.

³ Kenward, R.E. (2009). Conservation values from falconry. Dickson, B., Hutton, J., & Adams, W.M. (Eds). *Recreational Hunting, Conservation, and Rural Livelihoods: Science and Practice*. Blackwell Publishing Ltd.

Non-falconers expressed the concern that no measures would be effective. However, a number did refer to the situation in the US as model to follow, notably the requirement for falconers to be trained and accredited to a nationally agreed standard and to on-going monitoring, regular inspections, and robust bird registration and DNA sampling requirements. Several noted that effectiveness would be dependent on resourcing for the relevant agencies and on the size of penalties for non-compliance. Several made the point that decisions should be informed by population modelling for the relevant species.

3.4.4 Risks associated specifically with the release or escape of birds.

Respondents were asked 'do you think there would be any risks to wild bird populations associated with the release and / or escape of native birds of prey taken from the wild under licence, or the release / escape of their progeny if bred successfully in captivity?'. Of the 40 falconers and seven falconry organisations who responded, 89% and 86% respectively felt there would be no additional risks associated with licensed wild take, or that the risks would be low. By comparison, of the 53 non-falconers and eight non-falconry organisations who answered 51% and 38% respectively, felt that there would be some risks, primarily relating to the escape of hybrid birds and the spread of disease. Falconers made several suggestions here, including the suggestion of a requirement for regular health checks and other biosecurity measures, and a ban on hunting with hybrids. Another referred to the need for DEFRA to update their due diligence criteria and "*produce a policy*" for dealing with escapes or deliberate releases.

One large conservation group stated that they “do not have sufficient expertise in this area to make an accurate assessment of the actual level of risk and would suggest that Natural England make further enquiries regarding this.” The Weaving et al. (2021, p.5)⁴ paper was referenced again, which estimated that on an annual basis “around 30 peregrines and 30 peregrine hybrids...are lost and unrecovered by mainland UK falconers”. The paper noted that this was likely an underestimate due to the lack of any legal requirements to report losses and cautioned that “continuous loss of domestic birds could eventually lead to the introduction of alleles and mtDNA haplotypes not typically belonging...”.

By contrast, some falconers highlighted the potential for releases to enhance wild populations and another argued that “there is no evidence that any bird of prey (non-native or hybrid) is a self-sustaining invasive species”.

3.4.5 Deliberate release of wild-taken birds back to the wild.

Respondents were asked if, in at least some circumstances, they would consider it appropriate or desirable to release any future licensed wild-take birds back to the wild. Over 80% of the 44 falconers who responded stated they would, along with six out of eight falconry organisations who responded. Non-falconers and non-falconry organisations were more divided. Of the 62 non-falconers who responded, 44% answered yes and 16% no. Whilst six of the ten non-falconry organisations who answered said yes and three no.

⁴ Weaving, A., Jackson, H. A., Nicholls, M. K., Franklin, J., & Vega, R. (2021). Conservation genetics of regionally extinct peregrine falcons (*Falco peregrinus*) and unassisted recovery without genetic bottleneck in southern England. *Conservation Genetics*, 22(1), 133-150.

A key theme in terms of qualitative explanations provided was that it is very much dependent on the circumstances and the individual bird in question. As above, several respondents referred to concerns associated with releases including disease risks and hybridization, as well as welfare implications for the birds in question. It was argued by one organisation that birds that have been in captivity for long periods “do not necessarily adapt well to a wildlife again” and that it would therefore be important to ensure that any birds released were fit, healthy and capable of hunting for themselves. Another argued for the necessity of “a full and very comprehensive health check” prior to any releases.

Some falconers felt releasing into the wild should be an option in case birds became “surplus to requirements”. For example, one stated that “for aviculture once the genes were introduced into the population there would be no need to retain the bird”. Some falconers stated that wild take and subsequent release was common practice in other countries (such as the US) and did not result in any issues.

Others suggested that re-release into the wild had historically been the norm for species such as merlin and argued that it could have a positive conservation impact by boosting wild populations. For example, one falconer stated that it could allow falconers to “take a young bird through its most precarious and dangerous first winter, and then release it in the following spring”.

One large conservation group stated that they were “not aware of any current conservation necessity that would require the re-release of birds taken under licence for falconry / aviculture”. Many non-falconers argued that the only rationale for releasing birds would be as part of a managed conservation programme for at-risk species or where birds had been rehabilitated successfully. However, some answered yes because they felt birds belong in the wild and should be released as soon as possible.

3.4.6 Conservation benefits from captive-breeding programme(s) established via licensed wild take to supply birds for falconry, aviculture, or relevant conservation projects.

Of the 40 falconers and eight falconry organisations who responded to this question, 63% and 75% respectively believed that there would be a conservation benefit to establishing captive breeding programmes as described above. In qualitative responses several large falconry groups stated that captive breeding programmes were required in order to supply birds for those falconers who wish to source ‘pure’ British peregrines as well as merlins. Others felt that it could act as an insurance policy in case of a sudden crash in the wild population of any given species.

Some falconers argued there was already sufficient genetic diversity in captive populations. However, like the large falconry organisations, a number argued that captive breeding programmes were required to enable falconers to source ‘pure’ British peregrines or merlins – the latter due to its small captive population and the former due to hybridization in the current captive population. One suggested it could help to relieve pressure on wild birds by reducing the illegal taking of eggs or chicks.

Of non-falconers (n=55) and non-falconry organisations (n=10), who answered this question only 15% and 20% respectively answered yes, with many arguing that birds should only be taken to establish captive breeding (and release) programmes where there was a clear conservation need and not for the purpose of supplying birds for use by falconers or aviculturists.⁵ One conservation organisation stated that they “do not believe that the conservation of wild populations of UK raptors would currently benefit from captive breeding programmes”.

⁵ Note that such licences would be issued under a separate purpose as set out in the legislation.

In order to ensure that such captive populations would be effectively coordinated, both falconers and falconry groups suggested that they should be managed through appropriately vetted clubs, breeders, and / or private individuals subject to NE or Animal Plant and Health Agency (APHA) oversight, and via the registration of birds and the creation of centralised, mandated stud books for each of the relevant species. Non-falconry organisations also referred to registration and reporting requirements. One group specifically referred to the need “for full registration controls under Schedule 4 of the Wildlife and Countryside Act 1981 to be reinstated for captive Peregrines” prior to any licences being issued to take and breed birds, as well as the creation of “DNA databases of both wild and captive Peregrines”.

3.5 Welfare issues

When asked if they have any concerns about the welfare impacts of future wild take licensing, 87% of the 54 non-falconers and 80% of the 10 non-falconry organisations who answered the question said yes. By contrast, of the 40 falconers who answered the question only 25% and one of the eight falconry organisations answered yes. One falconry organisation emphasized the importance of a regime that is “selective and based on verified experience” and another argued that “the welfare of falconry birds and those in breeding projects is very high”. Several falconers expressed concerns regarding the experience and expertise of some individuals keeping birds of prey.

The issue of birds being kept by individuals with insufficient experience was also raised by several non-falconers and non-falconry organisations. A specialist organisation responding to the questionnaire gave the view that birds taken from the wild would be likely to “experience poorer welfare over the course of their lifetime than would be the case if they remained in the wild” due to the “significant restriction in their ability to undertake their full behavioural repertoire”.

In terms of how these issues might be managed, a number of respondents again referred to the importance of only suitably experienced falconers being licensed to take birds. There were various suggestions on how this could be done, including background checks, a registration, screening, and accreditation system, regular randomised inspections of premises, and high penalties for non-compliance. However, some felt this would not be sufficient. For example, one individual non-falconer stated that “...there is nothing that can be done to...reverse the impact of taking a young bird from its family unit and forcing it to live in captivity for the purpose of human entertainment.”

3.6 Future licence applications.

All respondents were asked about the information that licence applicants should be required to provide, and the factors or criteria that NE should consider when assessing applications. On the first of these, falconry organisations referred to a number of key requirements including that applicant's be able to “demonstrate appropriate and verifiable experience and the necessary housing and other facilities appropriate to the holding of wild take birds and any subsequent use or breeding”. It was noted that some species may need a higher level of competence than others. One organisation suggested that applicants should preferably be “a member of a recognised falconry club which operates a vetting system and has a code of conduct, along with welfare guidelines”. Other information that organisations felt should be required included details of the location at which the bird(s) would be kept, where they would be taken from, and landowner consent for taking and flying birds.

Individual falconers referred to many of the same requirements, notably details of the applicant's knowledge and experience, plus appropriate references / club memberships and sufficient information regarding the facilities where birds would be kept (inspected by the relevant licensing authority). A number also referred to a commitment not to use any birds taken for commercial purposes, to sharing details of any criminal or wildlife convictions, and to the provision of "a sound, scientific justification for why wild take should be allowed" in any given situation. One individual summed up their views on the matter by stating that applicants should have to provide "evidence of competence in falconry – experience, housing, availability of flying land and quarry, preferably being a member of a recognised falconry club, which operates a vetting system and has a code of conduct, along with welfare guidelines". Others referred to the requirements that are in place in other countries such as the US and argued that a similar system of registration and licensing for all individuals involved in handling birds of prey would be highly desirable. For captive breeding, reference was made to giving details of the breeding programme and what would happen to the resulting young.

Non-falconer respondents referred to many of the same requirements. One called for evidence regarding "experience managing birds in captivity, qualifications on animal husbandry and proof of adequate facilities" as well as "documentation of how and where they will obtain the birds and that the source population is at carrying capacity". Another referred to "accreditation after a well-documented and thorough training programme" as well as "a system of regular monitoring...to ensure the birds' welfare". There were several references to the US system, with one respondent calling for them to provide "everything that would be required in order to make UK licence requirements equivalent to the US standard". Another stated that "If it does happen the licence holder must be fully and properly trained and subject to at least annual inspections of the birds, the conditions they are kept in, and the licence holders continued competence should be assessed".

Non-falconry organisations referred to similar requirements including verifiable evidence of relevant and appropriate experience and qualifications. One noted that “bird registration requirements for keeping birds in captivity are far more extensive in other EU countries” and stressed the importance of “creating increased accountability for people holding birds in captivity”. It was suggested by another that applicants “should be subject to inspection of their facilities and then regular check-ups on welfare of taken birds...records should be kept on mortality, breeding success etc.”. Other organisations referred to DNA sampling and accurate record-keeping. One suggested that applicants should submit “breeding records for existing captive birds that have been bred in-house, a proportion of which should be DNA tested for compliance prior to any licence issue”. It was also suggested that applicants should have “demonstrated knowledge of use of studbooks to prevent need for regular wild take by maintaining genetic diversity of captive breeding stock”. Appropriate checks and consultation with local specialists were also referenced. Others spoke about particular licence conditions such as DNA records and ringing / microchipping.

On the second question – the factors or criteria that NE should consider when assessing applications – topics that were mentioned by falconry organisations included the suitability and experience of the applicant, detailed assessment of the local and national population impacts for the target species, and the agreement of robust compliance arrangements (including restrictions on the sale or progeny).

Factors or criteria mentioned by falconers likewise included an assessment of the impacts on wild populations and the suitability of the applicant in terms of experience and evidence of appropriate housing and husbandry arrangements. For some, this included the need for guarantees that birds would be given sufficient opportunity to fly and hunt. Again, reference was made to membership “of a recognised falconry organisation”. Some also felt that there needed to be clear justification as to the purpose of a licence being granted (such as for demonstratable genetic reasons, or where there were supply issues in relation to captive-bred birds of that species).

Non-falconers made similar suggestions in terms of background checks on applicant's training and experience (e.g., in terms of bird husbandry, bird handling, record-keeping etc.), and called for a standard qualification to be introduced. They also mentioned the need for clear evidence to justify the purpose, criminal record checks, and disease risk assessments. Likewise, robust assessment of any impacts on the conservation status of the species (locally and nationally) was considered to be essential. One conservation group stated that any assessment should include "commissioning opinion from the RSPB, British Trust for Ornithology, Raptor Study Groups and other expert bodies" as to the local and national population impacts of licensed wild take, noting that there is considerable regional variation in the conservation status of many species and that licences should therefore only be granted on a location-specific rather than England-wide basis.

3.6.1 Birds unsuitable for inclusion in a wild take licensing regime.

The following table (Table 11) presents a list of those species (by number and type) and by respondent category that were mentioned as unsuitable for inclusion in a future wild take licensing regime in England. Other species mentioned as not suitable for inclusion (by number of respondents) included hen harriers (8), honey buzzards (3), marsh harriers (5), ospreys (6), owls sp. (4), red kites (4), and white-tailed eagles (5).

Table 11. Species identified as unsuitable for wild take licensing by number of respondents and respondent type.

Species not suitable for wild take	Falconer (n=20)	Non-falconer (n=47)	Falconry org. (n=2)	Non-falconry org. (n=6)	Total
Buzzard	8	35		5	48
Golden eagle	11	45	1	5	62
Goshawk	5	41		5	51
Hobby	14	44	1	5	64
Kestrel	11	37		5	53
Merlin	8	41		5	54
Peregrine	4	39		5	48
Sparrowhawk	5	36		5	46
Other	3	19		3	25

In explaining their responses, many falconers stated that the species in question were either unsuitable for falconry, not regularly used in traditional falconry, available via the captive stock or too rare to sustain wild take. For example, one mentioned that hobby and buzzard “have never been successful falconry species of interest” and another that there are “not enough [golden] eagles for it to be viable”.

Another argued that merlins “are just too rare at this point in time”. However, others felt that a more permissive system should be established. For example, one stated that “There should be no legitimate reason not to grant a licence for any native species of bird of prey used in the course of falconry, other than...[if] unable to sustain a reasonable small harvest”, and another that “the ability for all species should be retained, but only used when necessary”. Several falconry organisations noted the importance of considering the conservation status of species before issuing licences. For example, one stated that licences “should not be granted where it has been assessed, by an organization such as the BTO, to have insufficient breeding success to make licensed wild take sustainable”.

The majority of non-falconers felt that none of the species listed were suitable for inclusion. Reasons given included the view that there are alternatives to wild take available, that there would be negative impacts on wild bird populations and that it was not morally acceptable to take birds from the wild for these purposes.

3.7 Wild take, illegal wild take, and the trade of birds of prey.

On the topic of crime, 53 non-falconers answered the question asking whether based on their experience they think there is currently a problem with native birds of prey being live-taken from the wild illegally in the UK. 87% answered that there currently is a problem while 8 out of the 10 non-falconry organisations who answered this question also responded that there is a problem. In contrast, of the 36 falconers who answered this question only 16% answered yes while 64% answered that they don't think there is a problem, and 20% that they don't know. For falconry organisations (n=8), 62% don't think there is a problem and 38% don't know.

The opportunity for respondents to supply written answers to expand on questions provides context to the views of non-falconers. For example, non-falconers referred to their awareness of police investigations via RSPB reports or the media, and also to direct personal experience from involvement in investigations or raptor nest monitoring. Several referred to on-going issues with persecution of birds of prey in the English uplands. Non-falconry organisations referred to examples of police investigations into suspected incidences of illegal wild take and the high priority being given to raptor crime by UK agencies. However, it was acknowledged that documenting the scale of the issue at present is challenging. Reference was made to a paper by Brochet et al. (2019, p.28)⁶, which notes that “understanding the scale and importance of illegal activities can be challenging, as by definition the detected cases may only be the ‘tip of the iceberg’ and the proportion of the total that detected cases represents is often unknown.”

One non-falconry organisation argued that they have “repeatedly called for a government programme of compliance and enforcement work using DNA testing to check captive breeding claims on peregrines” and that “a suitable programme of DNA testing for several years will be needed to...gauge the levels of illegal take and trade”. A paper by Shorrock (1998, p.337) was submitted as supporting evidence, which concluded based on a series of case studies that there is “substantial evidence” of wild peregrines and goshawks being illegally taken and laundered into the falconry market.⁷

⁶ Brochet, A. L., Van Den Bossche, W., Jones, V. R., Arnardottir, H., Damoc, D., Demko, M., ... & Butchart, S. H. (2019). Illegal killing and taking of birds in Europe outside the Mediterranean: assessing the scope and scale of a complex issue. *Bird Conservation International*, 29(1), 10-40.

⁷ Shorrock, G. (1998). The success of DNA profiling in wildlife law enforcement. *International Journal of Biosciences and the Law*, 1, 327-342.

Falconry organisations referenced what they considered to be the lack of recent cases, with several stating that the level of successful prosecutions is extremely low. Falconers provided several possible explanations for why they consider that there is not a problem at present. This included the argument that there is no need for illegal take as there is sufficient supply of captive-bred birds and that prices are extremely low. It was also noted by one respondent that there are already “very large specialist breeders looking after the Middle Eastern market”. Some acknowledged that there are undoubtedly isolated incidents, but that they consider it to be relatively small in scale. Those involved in falconry were keen to distance themselves from this issue, with one arguing that it is “certainly not a problem associated with responsible falconers who are members of recognised clubs”. Some went further, however, with one respondent describing it as “a myth by the anti-falconry lobby”.

Another follow-up question asked if this illegal wild take was impacting the conservation status of the species concerned. 44 non-falconers provided an answer to this question of which 68% answered yes, while eight non-falconry organisations responded to this question with six answering yes. By comparison only eight falconers answered this question with just one of the eight answering yes. Of all those individuals and organisations who answered yes to the question of impact of illegal wild take on conservation status, the species that were mentioned as currently being at greatest risk were peregrines (96% of respondents) and goshawks (60% of respondents). Other species mentioned included golden eagles (38%), sparrowhawks (37%) and merlins (33%).

Responses were similar in relation to a question about whether there is a problem with the illegal live trade in native bird of prey species. 52 non-falconers answered this question with 75% answering yes, while nine out of ten non-falconry organisations answering this question also responded yes. By contrast, of the 39 falconers who answered this question only 5% answered yes, whereas 69% answered that there is not a problem, and 26% that they don't know. For falconry organisations (n=8), 63% think that there is not a problem and 37% don't know. One falconer stated that there may be an issue "but proving it is another matter" and another that it "may happen on a small scale but no evidence of large scale".

Of the non-falconry organisations providing further details (n=6), several referred to previous convictions and to "DNA testing" that had demonstrated it to be an issue. One highlighted the fact that this issue has been identified as a wildlife crime priority, with the National Wildlife Crime Unit (NWCU) tasked with undertaking "a comprehensive threat assessment on the illegal wildlife trade". Another organisation noted that "according to the CITES trade database records, the United Arab Emirates and Qatar are currently the largest importers of peregrine falcons exported from the UK, and United National Office on Drugs and Crime has detected an increasing trend in the illegal trade of peregrine falcon eggs from the UK".

The NWCUC strategic assessment report (2022) was referenced, which concluded that there are a number of barriers to capturing a true reflection of the scale of the illegal trade in raptors – these are described as “significant intelligence gaps” – but that high levels of demand, combined with “weaknesses within the CITES certification and bird registration schemes” mean that the illegal trade in falcons remains a high priority. The report noted that the illegal trade (particularly in relation to peregrines) is being driven “by demand within the Middle East and the desire to have birds from wild stock” and that there is evidence of wild-taken birds “being laundered into captive breeding operations for export to the Middle East”.⁸

Another non-falconry organisation noted that a combination of relaxed registration controls in 2008 and a lack of compliance and enforcement work means “it is currently not possible to accurately assess the current level of illegal wild take and trade” and argued that before NE considers licensing wild take “a suitable programme of DNA testing for several years will be needed to try to gauge the levels of illegal take and trade”.

All non-falconers who responded to this question with further details consider there to be an issue. Several referred to RSPB reports and previous cases or convictions that they were aware of via the media. Others referred to local knowledge. For example, one referred to “the theft of eggs and chicks” at a site that they warden, and another to an incident at a nest that they monitor. One noted that they considered the cases that end up in the courts are likely to represent “the tip of the iceberg of illegal wild bird taking”.

⁸ <https://www.nwcu.police.uk/about/publications/>

3.7.1 Effect of legal wild take on illegal take.

Respondents were asked, based on their experience or evidence, ‘what effect do you think future licensed wild take in England could have on the illegal taking of birds of prey from the wild across the UK?’ They were able to choose an answer from a number of options (don’t know, it could lead to a large increase, a small increase, a small decrease, a large decrease, no effect on illegal trade) All eight falconry organisations responded to this question with five responding that it would have no effect, and none responding that it would lead to an increase of any kind. 39 falconers answered this question, with six responding it could lead to a small increase and one a large increase, two a small decrease and one a large decrease. The majority (n=21) responded that it would have no effect on the illegal taking of birds.

A common response given by those who thought there would be no effect was that there is no link between the desire for legal wild take amongst practicing falconers and any illegal activity, and that there is no evidence of any problems with illegal take currently. One stated that: “Illegal wild take is criminal activity carried out by criminals. It has nothing to do with licensed wild take or legitimate falconers. No more than having tools stolen from your garden shed has anything to do with gardeners.” Another common response was that there is no shortage of captive-bred birds such that it would be foolish for anyone to take the risk of seeking to take a bird illegally from the wild. Another stated that illegal take in the US “does not exist, because of the abundance and regulation of a wild take that is fair and equitable”.

Of the seven falconers who answered that there could be an increase in illegal take – one said that some people “may take it upon themselves to help themselves and claim ignorance saying they heard it was legal now”. Another thought similarly that “some may feel they have a free reign to do what they want and that the authorities won’t come down as hard on them”. Of those who thought there would be a decrease, several felt that the availability of a legal route to sourcing birds from the wild could help to reduce illegal activity. One stated that “if breeders had birds they were able to pass on that can be shown to originate from wild bloodlines, then their birds would be more desirable...[and] people wanting wild genetics would not have to resort to taking birds illegally from the wild”.

73% of the 11 non-falconry organisations and 60% of 50 non-falconers who answered the question about what effect they think future licensed wild take in England could have on the illegal taking of birds of prey from the wild thought that there would be a small or large increase in illegal wild take. A common explanation given was that it would provide a cover for illegal activity or legitimize the activity. For example, one organisation argued that it could result in a situation of “perpetrators being able to claim at the point of incident that the activities are being carried out under licence” and “a wider sense that the activity is now deemed acceptable by the authorities”. Several referred to the difficulties this would create for policing these activities and the level of resourcing required. An individual respondent argued that it would be “giving out a message that the principle of removing wild birds from their family units is OK as long as a licence of some sort is applied for”. Another group argued that “the creation of legal exemptions...for traditional practices is closely linked to the illegal taking and trading of wildlife by increasing demand for wildlife and creating opportunities for wildlife laundering”. This organisation went on to state, however, that there is “a significant lack of data on the drivers and the extent of the illegal bird trade in, from, and to the UK”.

Another organisation noted the challenges in assessing the scale of current levels of illegal take and trade but did highlight the current market incentives relating to wild-origin birds for the Middle Eastern market. They noted clear concerns regarding the illegal laundering of wild-origin peregrines and called for a precautionary approach and “a proper program of compliance and enforcement work on birds in captivity using DNA testing... to accurately assess the scale of the problem”.

3.7.2 Measures to manage risks of illegal wild take and their effectiveness.

Respondents were asked in a free text response question, what safeguards or restrictions they thought should be considered by the relevant statutory agencies to manage any increased risk of birds being illegally taken from the wild if licences are issued for wild take. Most falconry organisations felt that additional safeguards would be unnecessary. In fact, a number felt that a licensing system could reduce illegal activity. For example, one stated that “Having a system of licensed wild take would seem to mitigate against illegal activity and not the other way around. If it is thought that illegal wild take could become a problem, then that risk is likely to increase unless there is a proper and proportionate licensing regime in place”. Measures that were mentioned included inspections by the relevant agencies and a regime that only grants licences to “experienced and proven individuals”.

Several falconers referred to the importance of being able to trace all birds that are legally taken via a combination of registration with a particular owner / address, paperwork requirements for any changes in owner / address, micro-chipping and / or closed leg rings, DNA testing and random spot checks. For example, one suggested that “more random checks are carried out on breeders during the breeding season and swabs taken...to ensure that youngsters aren’t being taken from the wild and then sold off as captive bred”.

Others mentioned basic screening of applicants (including criminal record checks), increased monitoring of nests and proactive wildlife crime policing (including use of DNA monitoring), as well as more severe sentencing. Restrictions on the sale of birds for commercial gain were also mentioned. Several suggested that there needed to be more rigorous regulation of falconry and aviculture more generally. For example, one stated that “the only option would be licensing all falconry / aviculture activity in the UK, which would be a huge undertaking”. A number of falconers referred to the model in the US. For example, one stated that “a split ring registration system the same as in the USA, would allow agencies to verify the bird’s legal status, or allow any agency that came in contact with the bird to identify it and its keeper...details taken at time of wild take should be stored against the split ring number as additional verification”.

Of the non-falconry organisations who responded to this question on safeguards (n=9), many referred to the importance of a robust registration system so that birds are fully traceable, with a number noting the system that existed for peregrines prior to the relaxation of controls in 2008 – contrary to “clear advice at the time from the Police, Joint Nature Conservation Committee, RSPB and the PAW Forensic Working Group”. It was suggested that this could help provide “an assessment of current levels of criminality and...an effective deterrent to prevent the illegal trade in wild taken birds”. Respondents also referred to compliance checks on captive-bred birds using DNA testing and a DNA database / register, microchipping, a major uplift in funding for the relevant agencies and stricter sentences for offenders. A paper by Shorrocks (1998, p.339) was submitted as supporting evidence, which noted that the key to success in addressing criminality in the 1990s “depended on using genetic profiling in conjunction with the unique marking of birds and registration records.... which records the claimed familial relationships”.⁹

⁹ Shorrocks, G. (1998). The success of DNA profiling in wildlife law enforcement. *International Journal of Biosciences and the Law*, 1, 327-342.

Many non-falconers called for more robust enforcement, stricter penalties, and resourcing for the relevant agencies. A number referred to the need for an effective registration system and DNA testing. For example, one stated that “all birds should be microchipped, ringed and genetically registered immediately they are taken” and another that “each bird should be DNA assessed and chipped...so that individuals can be uniquely identified. This should only be done by specialist teams run by Defra / Natural England”. Reference was made to restricting the sale of birds taken from the wild and of their offspring.

3.7.3 Sale of progeny of wild-taken birds.

Respondents were asked, if wild take licences were issued, whether it would ‘ever be appropriate for the progeny of birds taken under licence and bred in captivity, or any subsequent generations bred from those birds, to be sold for commercial gain’. Less than 15% of the 61 non-falconers and none of the 11 non-falconry organisations who responded thought that it would be appropriate for the progeny of wild-taken birds to be sold for commercial gain, compared to 47% of the 43 falconers and seven of the eight falconry organisations. The majority of those answering yes thought that it would only be appropriate from third generation (F3) onwards.

Several falconry organisations argued that third-generation birds should not be considered as wild birds. For example, one stated that “F3 is widely accepted as providing sufficient generational ‘space’ to be considered other than ‘wild’ sourced” – this answer was also given by a number of falconers who responded. A number suggested that sales could be used to help recover the costs associated with keeping and breeding birds, help deter illegal wild take and / or reduce the demand for future wild take more generally. Several noted that F1 and F2 birds were too valuable genetically to captive breeding and should not be sold. One argued that it was “unreasonable to expect a successful breeder to euthanise or release any stock beyond what he / she is able to house and manage”. However, several falconers felt that it was unnecessary for birds to be taken and sold. For example, one stated that “the captive breeding market is already saturated with unsold birds” and another that “we have birds of all falconry species in captivity”. Others were against it on principle. For example, one stated that “I don't believe anyone should make financial gain from wild taken raptors. Any progeny bred from wild stock...should be either released into the wild or gifted to other falconers to hunt with”. Others felt it would be “a PR disaster for the falconry community and... play into the rhetoric [of falconers] as nest robbers”.

Most of the non-falconry organisations who responded were against wild-origin birds being sold for profit as a matter of principle or else were concerned about linkages with the illegal trade. One stated that “any cultural significance is being inflated to distract from the true commercial nature of the requests to take...”. Another argued that “there are plenty of breeders for birds of prey, there is no reason to facilitate the breeding of wild birds to service the market for wild birds abroad”. Another non-falconry organisation argued that “selling birds for profit would also go against ethical practice adopted by UK zoos” and encouraged NE to use “principles from the zoo community” to inform its thinking. In essence, this organisation argued that it is generally unacceptable to seek to sustain a captive population using animals sourced from the wild, and that instead captive populations should be very carefully managed (e.g., using studbooks). They argued that many members of the British and Irish Association of Zoos and Aquariums “believe that the selling of ‘spare’ animals for profit is not acceptable” and that they may only be donated or traded, with any money being sufficient “only to have met the costs of caring for the birds and transporting them to the new owner”. They also suggested that the original owner should be held responsible for the welfare of such animals “through due diligence and follow-up checks”.

One group argued that it would be “foolish, to allow or encourage a commercial element in connection with wild take...this is only likely to increase the demand for further wild take licences”. They went on to argue that one of the key issues in terms of licensed wild take is that “once offspring from wild taken birds reach the F2 generation there is nothing to prevent them being used commercially...there appears to be a gap as to who any conditions could be checked and / or imposed by... we would question how the process could ever be considered strictly supervised in line with the requirements of the Wildlife and Countryside Act”. This group sought clarity on “what measures Natural England are considering putting in place to ensure that the progeny of any birds subject to wild take are not sold or subsequently used for commercial gain”.

Of the non-falconers providing further details, most considered it inappropriate in any circumstances. For example, one argued that “birds of prey belong in the wild and are not a commodity” and another that “no birds should be used for the purpose of profit in any circumstances”. Others felt that it could be detrimental to the welfare of the birds or encourage illegal activity.

3.7.5 Effect of legal wild take on the illegal trade in native birds of prey, possible safeguards, and effectiveness.

Respondents were asked ‘what effect do you think future licensed wild take in England could have on the illegal trade (domestic or for export) in bird of prey species native to the UK for use in falconry, aviculture’. All eight falconry organisations who responded believed that there would either be no effect or a decrease in illegal trade, as did 62% of 39 falconers who answered this question. Of falconers not interested in obtaining a licence who responded to this question (n=13), 46% said that there would be a small or large increase, compared to 5% of amongst those interested in obtaining licences (n=20). A common explanation given was that there is no evidence of an issue at present and / or that there is no link between licensed wild take and illegal activity, with one citing Ireland as an example of where there has not been an issue. Another response was that it would not be an issue as long as there were strict regulations in place to make illegal activity extremely difficult.

By contrast, 73% of non-falconry organisations (n=11) and 62% of the 50 non-falconers who responded to this question thought that there would be a small or large increase in illegal trade. A common explanation given was that licensed wild take would act as a cover for illegal activity, providing opportunities for laundering illegally taken wild birds onto the legal market. At the same time, it was argued that it could lead to increased demand for wild-origin British birds, particularly from the Middle East. It was also suggested that it could make wild take “seem acceptable...it will become attractive...and illegal trade will increase”. One organisation referred to research on the illegal songbird trade which, they argued, “demonstrates that licences, derogations, or exemptions from existing legislation create loopholes that can be exploited for illegal activity...because they create a complex legislative framework which is almost impossible to monitor and enforce effectively”.

Respondents were asked what safeguards or restrictions should be considered by the relevant statutory bodies to manage any risks associated with birds taken under licence (or their progeny) being traded illegally, were wild take to be licensed in future (see **Figure 3** below). The safeguard / restriction that was most referred to by all respondents was microchipping / tagging and use of DNA profiling (84%), followed closely by registration of birds (and their progeny) (83%). A number of non-falconers referred to criminal record checks as an additional measure that should be considered. Several non-falconry organisations called for additional funding for enforcement agencies. One called for “a proper assessment of whether the current legal framework for the keeping, trade and export of birds is fit for purpose” before licensed wild take is considered and also made specific reference to the “registration requirements for peregrines...to allow effective compliance and enforcement work to take place”.

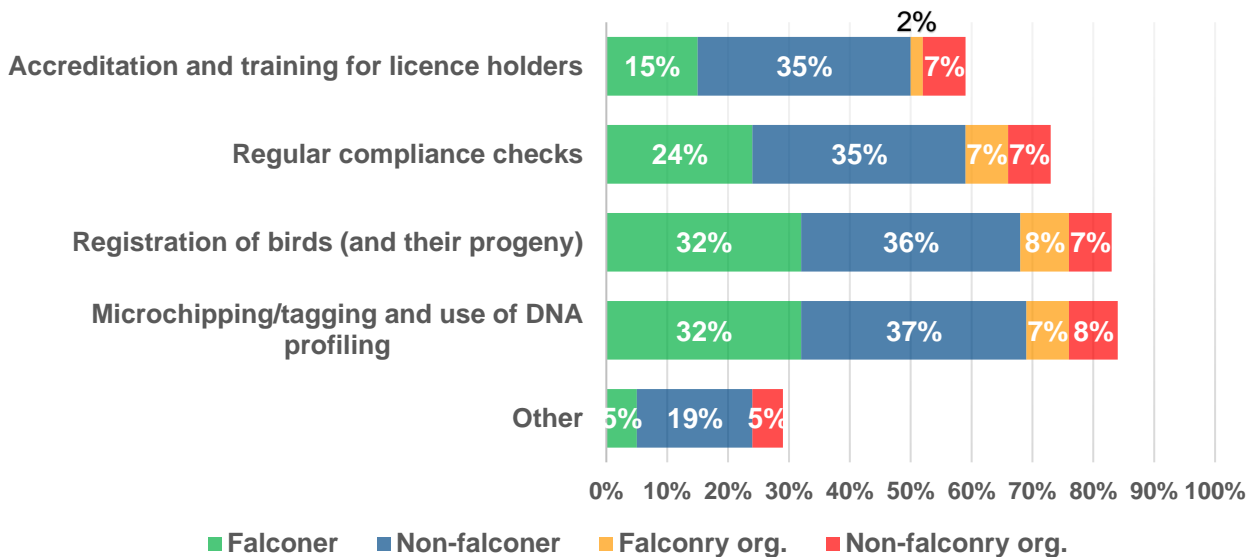


Figure 3: If wild take is licensed in England in future, what safeguards or restrictions do you think should be considered by the relevant statutory bodies to manage any risks associated with birds taken under licence (or their progeny) being traded illegally?

Respondents were then asked to rate how effective they believed these safeguards would be, on a scale from 1-5 (low to high). All falconry organisations responding considered that these restrictions would be highly effective, giving a maximum score of 5. The average score given by non-falconry organisations was 3.1, by non-falconers 3.2 and by falconers 3.7. Respondents were provided with a free text option to explain why they had responded to the previous questions about restrictions and how effective they would be. For some falconers responding to this question, the view given was that every possible safeguard and restriction should be considered to ensure that birds don't end up being illegally traded. For example, one stated that "rigorous compliance is the only way wild take licence could be acceptable" and another that "anything that confirms the identity of a wild taken bird would make it harder to illegally sell / breed from" and would in turn help to deter illegal activity. For many non-falconers and non-falconry organisations, a frequent concern related to the significant increase in resourcing that would be required by the relevant agencies to monitor and enforce compliance. One organisation argued that "self-reporting is an inadequate monitoring tool" and that "it is nearly impossible to verify the information provided without widespread spot-checks that require an increase in resources and capacities".

4. Conclusions.

This report is part of a wider evidence review related to NE's review into the licensing of 'wild take' in England. It covered several different topics relevant to the review and each topic contained multiple questions of different formats that were analysed using both quantitative and qualitative methods.

On the issue of wild take most respondents from non-falconry backgrounds (both individual and organisational) strongly disagreed that it was acceptable to allow the taking of a small number of birds of prey from the wild under licence each year for the purpose of falconry or aviculture. This was underpinned by the view that there is no conservation need and concerns that there are welfare and crime related issues that could be exacerbated by wild take. The view was also held that it is unnecessary because a suitable alternative, the use of captive-bred birds, exists.

Among falconers and falconry organisations views on wild take were more divided with almost half of individual falconer respondents interested in obtaining a wild take licence in the future and falconry organisations suggesting that between 1-10% of their members would be interested. For those interested, explanations included that wild take forms a fundamental part of the practice of falconry and they want the opportunity to experience it. That they want to be able to fly genetically distinct British birds of prey which cannot be sourced from captive populations and that there are behavioural differences linked to genetics which make captive bred birds inferior to wild birds for use in falconry and aviculture.

For the other half of the falconers who responded to the call for evidence and were not interested in a licence or unsure if they would be, explanations included that any behavioral differences between wild and captive bred birds are linked to environment and training rather than genetics. That any genetic issues can be resolved by better record keeping, that captive bred birds can fly just as well as wild birds and that birds of desired genetics or lineage can be sourced. Therefore, captive bred birds offer a satisfactory suitable solution, and concerns were raised that taking wild birds under licence for falconry and aviculture would be a PR disaster for falconry.

Falconers had less concern about welfare and crime related impacts and suggested that good husbandry and welfare is fundamental to the practice of falconry and aviculture and that crimes such as illegal take or illegal trade are not related to or perpetrated by falconers.

All participants responded that strict control, detailed information, and stringent criteria would need to be applied to any licence if they were to be granted in the future.

Appendices

Appendix 1: Call for evidence survey

Section 1 - About you

Are you responding on behalf of an organisation or as an individual / member of the public?

Section 1 – About you (individual respondent only)

What is your age?

What is your gender / what gender do you identify as?

Where are you responding from?

Do you hold a membership to a conservation or animal welfare organisation?

Are you involved in any of the following? Please select all that apply.

- Falconry
- Aviculture
- Commercial breeding
- None of the above

If you are involved in commercial breeding, please provide details of the number of birds that you breed each year, the species that you breed, and where birds are sold to (optional).

Do you hold a membership to any clubs or organisations relating to this activity?

Please provide the names of the clubs or organisations that you are a member of and where the clubs or organisations are based.

What types of falconry or aviculture are you involved in? Please select all that apply.

How many years have you been involved in falconry or aviculture?

If you are involved in rehabilitation, what typically happens to native birds of prey that are taken into captivity for rehabilitation purposes (e.g. due to injury) if they are unable to be released back to the wild? Please provide details, including of the species concerned where relevant.

Have you ever attempted to breed using native wild-disabled birds?

If so, which species have you attempted to breed?

Please provide details of any breeding attempt(s), including: in which year(s) you did so; method(s) of breeding; number(s) of chicks successfully reared; which factors you consider critical to the success / failure of breeding attempt(s)

Have you ever applied for a licence to take a native bird of prey from the wild in the UK?

When was the most recent year that you applied for a licence? (please enter a 4-digit year e.g. 1988)

For what purpose did you apply for a licence?

Please specify the country in which you last applied for a licence to do this?

For which species did you apply for a licence?

Have you ever taken a native bird of prey from the wild under licence in the UK?

Please specify the species that you last took from the wild under licence in the UK?

Please specify the country in which you last did this.

What were the conditions of the licence and how many birds did you take? Please provide details.

When was the last time that you did this (year)? (please enter a 4- digit year e.g. 1988)

Would you be interested in obtaining a licence / licenses to take native birds of prey from the wild in England for the purpose of falconry or aviculture in the future?

Please explain why you would want to obtain a licence / licences to engage in this activity?

For what purpose(s) would you wish to obtain a licence / licenses?

For which species of native bird of prey would this be? Please select all that apply.

At which stage in the bird's life-cycle would you wish to obtain a licence to take them from the wild?

How many birds of each species would you be applying to take in any given year?

Would you ever wish to release birds taken under licence back to the wild?

Please explain your answer / provide details.

Would you ever wish to sell, for commercial gain, subsequent generations of birds bred from the bird(s) taken under licence?

Please explain why you would not wish to obtain a licence / licenses to take native birds of prey from the wild in England for the purposes of falconry or aviculture?

How important to you is the genetic profile / provenance of the birds you use for falconry or aviculture?

Are you able to source native birds of the desired genetic profile / provenance from current captive populations in England?

Please explain your answer / provide details, including of the species concerned where relevant.

Section 1 – About you (organisational respondents only)

What is the name of the organisation you are responding on behalf of?

What is your name?

What is your job title?

What is your email address?

What type of organisation is it? Please select the option that best fits your organisation.

Where does your organisation operate? Please select all that apply.

Are you responding on behalf of a falconry or avicultural organisation?

Are you responding on behalf of a conservation or animal welfare organisation?

Section 1 – About you (falconry / aviculture organisations only)

How many members does your organisation have?

Would any of your members be interested in obtaining licences to take native birds of prey from the wild in England for the purposes of falconry or aviculture?

What percentage of your members do you think would be interested in obtaining licences to take native birds of prey from the wild in England for the purposes of falconry or aviculture?

For which species of native bird of prey would your members be interested in obtaining licences as described in the preceding question? Please select all that apply.

For what purpose(s) would your members be interested in obtaining licences?

Is the genetic profile / provenance of the birds your members use for falconry / aviculture important to them?

How important to your members is the genetic profile / provenance of the birds they use for falconry or aviculture?

Are your members able to source native birds of the desired genetic profile / provenance from current captive populations in England?

Please explain your answer / provide details, including of the species concerned where relevant.

Please provide a summary of why you chose to respond to this call for evidence and any relevant expertise or experience you have?

Section 2 – Wild take and the practice of falconry / aviculture (falconry / aviculture respondents only)

What activities and behaviors do you consider to be inherent / fundamental to the practice of falconry in England in the 21st century?

What activities and behaviours do you consider to be inherent / fundamental to the practice of aviculture in England in the 21st century?

Has the practice of falconry and / or aviculture changed in England since the licensing of wild take largely ceased in the 1980s?

Please explain your answer / provide details.

In your view, do any alternatives currently exist to taking birds of prey from the wild for the purposes of falconry or aviculture in England, as per Section 16 (1) Wildlife and Countryside Act 1981?

Do you consider any of these to be a satisfactory alternative to taking birds from the wild for this purpose?

Please explain your answer / provide details, including: the purpose(s) to which your answer refers, e.g. falconry or aviculture; what the alternatives are; why they are or are not satisfactory.

To which species does your answer refer?

Please explain / provide details, specifying the purpose(s) (e.g. falconry or aviculture) and species to which your answer refers where relevant.

Section 2 – Wild Take and the practice of falconry / aviculture (non-falconry / aviculture respondents)

What is your knowledge of falconry and / or aviculture? Please select all that apply.

Please indicate your level of agreement / disagreement with the following statements regarding falconry (from strongly disagree to strongly agree).

- It is acceptable to allow the taking of small numbers of native birds of prey from the wild under licence each year for the purpose of falconry, as long as there will be no impact on the favourable conservation status of the species concerned.
- The taking of birds of prey from the wild is a fundamental part of the practice of falconry.
- Satisfactory alternatives are available for those wishing to take birds of prey from the wild for use in falconry.
- Falconry has no impact on the welfare of the birds involved.
- Falconry plays an important role in the conservation of birds of prey.
- I / my organisation oppose(s) the practice of using trained birds of prey to hunt and kill other wild animals.

Please explain your answers / provide details and indicate if your responses refer to a specific native bird of prey species or to multiple native bird of prey species.

Please indicate your level of agreement / disagreement with the following statements regarding aviculture (strongly disagree to strongly agree).

- It is acceptable to allow the taking of small numbers of native birds of prey from the wild under licence each year, for the purpose of aviculture, as long as there will be no negative impact on the favourable conservation status of the species.
- The taking of birds of prey from the wild is a fundamental part of the practice of aviculture.
- Satisfactory alternatives are available for those wishing to take birds of prey from the wild for use in aviculture.
- Aviculture has no impact on the welfare of the birds involved.
- Aviculture plays an important role in the conservation of birds of prey.
- Aviculture plays an important role in the rehabilitation of injured birds of prey.

- It is right for suitably qualified individuals to take injured birds of prey into captivity for the purposes of rehabilitation, as long as the birds are released back to the wild if / when they have recovered.
- Taking birds of prey from the wild for conservation breeding and re-introduction or translocation programmes is justified if the species is vulnerable or in decline.
- Wild birds of prey should not be taken into captivity for any purpose.

Please explain your answers / provide details and indicate if your responses refer to a specific native bird of prey species or to multiple native bird of prey species.

Section 2 – Views on wild take (all respondents)

If wild take licences are issued in England in future, do you think it would it ever be appropriate or desirable to release these birds back to the wild?

Please explain your answer / provide details.

If wild take licences are issued in England in future, do you think it would ever be appropriate for the progeny of birds taken under licence and bred in captivity, or any subsequent generations bred from those birds, to be sold for commercial gain in line with all relevant legislation?

In what circumstances / for what purposes would it be appropriate for these birds to be sold?

After how many generations would it be appropriate for birds to be sold? Please enter a valid number, without any additional characters or spacing.

Please explain your answer / provide details.

If wild take licences are issued in England in future, what information do you think applicants for such licences should be required to provide?

If wild take is licensed in England in future, are there specific native bird of prey species used in falconry or aviculture that you think would not be suitable for inclusion in such a licensing regime?

Please select all species that you think would not be suitable for inclusion in a future wild take licensing regime in England.

Please explain your answer / provide details.

Please upload any documentation relevant to the questions in this section that you wish to submit.

Section 3 – Behaviour and genetics

The following questions require detailed knowledge, expertise and / or experience relating to the behaviour and genetics of captive-bred and wild native birds of prey.

Based on your experience or the evidence that you are aware of, are there any significant behavioural or other differences between wild and captive-bred birds when used in falconry, aviculture, for conservation breeding, or other similar purposes?

Please provide details of what these differences are, specifying the species concerned where relevant and any supporting evidence. Any supporting documents can be attached at the end of the section.

Does it make a difference whether the captive-bred birds are parent-reared or imprinted?

Please provide details, including the species concerned where relevant and any supporting evidence. Any supporting documents can be attached at the end of the section.

Does it make a difference whether the captive-bred birds are the first-generation progeny of wild birds (e.g. of injured / disabled parent-reared wild birds that bred in captivity) or the progeny of birds that have been parent-reared in captivity over multiple generations?

Please explain your answer / provide details. Any supporting documents can be attached at the end of the section.

Based on your experience or the evidence that you are aware of, are there any genetic factors that can consistently and irreversibly alter the behaviour (or other traits) of bird of prey species that are captive-bred over successive generations, despite consistent environmental conditions (including consistent rearing methods)?

Please explain your answer / provide details. Any supporting documents can be attached at the end of the section.

Are you aware of any evidence of significant genetic differences between naturally occurring native bird of prey species' populations in the wild in England (or across the UK as a whole), and those found elsewhere within their native range?

Please provide details, including of the species concerned where relevant and any supporting evidence. Any supporting documents can be attached at the end of the section.

Are these differences significant enough to warrant preservation in their own right?

Please explain your answer / provide details.

Are you aware of any evidence of significant genetic differences between current captive populations of native bird of prey species in England and their wild counterparts (at UK or sub-UK scales)?

Please provide details, explaining the significance of any differences specified and the species to which your answer refers.

Is there sufficient genetic diversity in current captive populations of native bird of prey species in England (e.g. to avoid the risks of inbreeding)?

Please provide details, including of the species concerned where relevant.

Do any barriers currently exist that make it difficult for those wishing to source 'British' birds from captive populations in England (i.e. birds that originate from the British Isles and are a close genetic match for native bird of prey populations of the same species in the wild) for use in falconry or aviculture?

Could any of these barriers be overcome through improved monitoring / recording / documentation / genetic profiling of captive populations or other measures?

Please explain your answer / provide details, setting out the nature of the barriers and the specific species to which your answer refers, where relevant.

Please upload any documentation relevant to behaviour and genetics that you wish to submit.

Section 4 – Conservation and welfare

Based on your experience or the evidence that you are aware of, are there any conservation benefits to birds of prey species that are native to the UK associated with the current activities of falconry and aviculture groups / individuals in England?

Please explain your answer / provide details, specifying the species to which your answer refers where relevant. Any supporting documents can be attached at the end of the section.

Do you have any concerns about the impacts that future wild take licensing in England could have on the conservation status of native bird of prey species in the wild? Note that illegal wild take and trade are dealt with separately in Section 5.

Please explain your answer / provide details, including of the specific species concerned. Any supporting documents can be attached at the end of the section.

As part of any future wild take licensing regime in England, what safeguards or restrictions do you think should be considered to manage any conservation concerns identified above and how effective do you think they would be?

If wild take is licensed in England in future, what factors or criteria do you think NE should consider when assessing applications in order to ensure that licences are only granted "on a selective basis" and "in respect of a small number of birds" as set out in law?

Do you think there would be any conservation benefit to bird of prey species populations that are native to the UK from establishing captive breeding programme(s) via licensed wild take to supply birds for future use in falconry, aviculture, or relevant conservation projects?

Please explain your answer / provide details, including of the specific species concerned.

How many birds do you think would need to be taken from the wild to establish viable captive populations of the relevant species referred to above, to exclude the risk of inbreeding and ensure sufficient genetic diversity?

How might such captive populations be effectively coordinated, managed, or regulated?

Do you think there would be any risks to wild bird populations associated with the release or escape of native birds of prey taken from the wild under licence, or the release / escape of their progeny if bred successfully in captivity?

Please explain your answer / provide details regarding any risks. Any supporting documents can be attached at the end of the section.

How do these risks compare to the risks associated with the release or escape of birds of prey from existing captive populations kept by falconers or aviculturists, including hybrid and non-native birds?

How might the risks to wild birds associated with the release and / or escape of birds of prey from captive populations be managed as part of a future wild take licensing regime in England?

Do you have any concerns about the impacts that future wild take licensing in England could have on the welfare of the birds involved?

Please explain your answer / provide details, including of the species concerned where relevant. Any supporting documents can be attached at the end of the section.

If wild take is licensed in England in future, what safeguards or restrictions do you think the relevant statutory bodies should implement to manage any welfare issues for the birds involved?

Please upload any documentation relevant to conservation and welfare that you wish to submit.

Section 5 – Illegal wild take and trade

Based on your experience or the evidence that you are aware of, do you think there is currently a problem with native birds of prey (eggs / chicks / juveniles / adults) being live-taken from the wild illegally in the UK?

Please explain your answer / provide details. Any supporting documents can be attached at the end of the section.

Is the illegal wild take referred to above having an impact on the conservation status of the species concerned?

To your knowledge, for what purposes are birds (eggs / chicks / juveniles / adults) typically being illegally taken? Please select all that apply.

What are the main species concerned (i.e. species that are currently at greatest risk of being illegally taken)? Please select all that apply.

Based on your experience or the evidence that you are aware of, what effect do you think future licensed wild take in England could have on the illegal taking of birds of prey from the wild across the UK?

Please explain your answer / provide details, including of the species concerned where relevant. Any supporting documents can be attached at the end of the section.

If wild take is licensed in England in future, what safeguards or restrictions do you think should be considered by the relevant statutory bodies / agencies to manage any increased risk of birds being illegally taken from the wild?

How effective do you think the safeguards or restrictions identified above would be?

Are you aware of any evidence of a link between the legal trade (domestic / export) in native birds of prey and the illegal taking of or illegal trade in native birds of prey (or their progeny) from the UK?

Please explain your answer / provide details, including of the species concerned where relevant.

Any supporting documents can be attached at the end of the section.

Are you aware of any evidence regarding differences in the domestic or export market prices for individual birds of prey that are native to the UK but are of different genetic provenances?

Please explain your answer / provide details, including of the species concerned where relevant. Any supporting documents can be attached at the end of the section.

Do you think future licensed wild take in England could affect the domestic or export market for native birds of prey used in falconry, aviculture, or related activities?

Please explain your answer / provide details, including of the species concerned where relevant. Any supporting documents can be attached at the end of the section.

Based on your experience or the evidence that you are aware of, do you think there is currently a problem with native bird of prey species in the UK (eggs / chicks / juveniles / adults) being illegally live-traded (domestically or for export)?

Please provide details / explain your answer, specifying the species concerned and any supporting evidence. Any supporting documents can be attached at the end of the section.

Based on your experience or the evidence that you are aware of, what effect do you think future licensed wild take in England could have on the illegal trade (domestic or for export) in bird of prey species native to the UK for use in falconry, aviculture, or related activities?

Please provide details / explain your answer, specifying the species concerned and any supporting evidence. Any supporting documents can be attached at the end of the section.

If wild take is licensed in England in future, what safeguards or restrictions do you think should be considered by the relevant statutory bodies / agencies to manage any risks associated with wild birds taken under licence (or their progeny) being traded illegally?

How effective do you think the safeguards or restrictions identified above would be?
Please provide details / explain your answer. Any supporting documents can be attached at the end of the section.

Please upload any documentation relevant to illegal wild take and trade that you wish to submit.

Section 6 – Natural England's current approach

How effective do you think Natural England's approach to the licensing of wild take for the purposes of falconry and aviculture has been in the period 2018-2021?

Please explain your answer and expand on what was effective or ineffective about Natural England's approach.

Please provide your level of agreement with the following statements (from strongly disagree to strongly agree)

- I understand Natural England's role in licensing wild take for the purposes of falconry and aviculture.
- I understand the tests / criteria based on which Natural England assesses and determines wild take licences for the purpose of falconry and aviculture.
- Natural England's approach to wild take licensing is informed by the most up to date evidence and stakeholder perspectives.
- I am clear why Natural England are undertaking the current public call for evidence and review.

- I am clear what the next steps in the review process will be following the public call for evidence.

What, if any, lessons do you think can be learned from the way in which wild take is practiced or regulated in other countries? Please explain your answer / provide details. Any supporting documents can be attached at the end of the section.

Please attach any documentation relevant to the questions in this section.

Section 7 – Next steps

Please use this box to provide any additional comments relevant to this topic that haven't been covered in your previous answers.

Are you willing to take part in a short follow-up interview on this topic? (individual respondents only)

Please provide your email address. Please note that only a small sample of respondents will be contacted to take part in follow-up interviews.

Are you willing to be contacted to take part in a short follow-up workshop to discuss the findings of this public call for evidence, using the email address provided in Section 1? (organisational respondents only).

