



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

Office of the Speaker  
Room 39  
Parliament Buildings  
Belfast  
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7 December 2010

Dear

## **HUNTING BILL**

Further to your correspondence of 17 November 2010, the Commission welcomes the opportunity to provide advice in relation to the Hunting Bill introduced into the Assembly on the previous day by Mr Brian Wilson MLA as a Private Members Bill.

Clearly human rights do not extend to animals and hence this submission does not deal with matters of animal welfare. Rather the Commission wishes to provide advice in relation to the extent that the rights of those who engage in hunting would be affected by the provisions in the Bill.

The explanatory notes set out that the Bill largely replicates the Hunting Act 2004. This is legislation applicable in England and Wales which bans the hunting of mammals with dogs, subject to some exemptions.

The Hunting Act 2004 and the hunting ban in Scotland were challenged on human rights grounds in the domestic courts and ultimately in the European Court of Human Rights in *Countryside Alliance and others v the UK* and *Friend v the UK*.<sup>1</sup>

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<sup>1</sup> (Applications nos. 27809/08 and 16072/06) Admissibility Decision of 24 November 2009. Available: <http://cmiskp.echr.coe.int/tkp197/>

In these cases, joined by the Court, the applicants had argued that hunting bans further to the 2004 Act violated the human rights of huntspersons in relation to freedom of assembly, religion, family life, property and freedom from discrimination. This contention was dismissed by the European Court of Human Rights in line with the domestic courts' findings, with the European Court ruling the claims inadmissible and manifestly ill-founded.

It can therefore be concluded that should this Bill replicate provisions of the 2004 Act any interference with the Convention rights of persons engaged in hunting will not amount to a violation.

The Commission has no other comments on the Bill.

Yours sincerely

**Professor Monica McWilliams**  
**Chief Commissioner**