

# **Sports shooting and Animal Abuse: the ambiguities of 'country sports'**

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## **Introduction**

This chapter discusses live animal shooting as a 'country sport' and the attitudes and practices associated with it. It begins by discussing recent cases of gratuitous 'trophy hunting' and the controversies these have generated before moving on to consider the cultural and historical changes which have shaped the development of shooting as an elite country sport and the changing sensibilities towards it. The chapter discusses the character, or 'nature', of this form of shooting and, in particular, challenges some of the justifications advanced for the 'sport shooting' of live animals, especially those arguments which claim that hunting and shooting engender a distinctive sense of respect or 'communion' with the natural world (Kheel, 1995). By way of contrast, the chapter then turns to consider the substantially non-natural prevalence of intensive grouse shooting, especially in Scotland, where a highly concentrated and unaccountable pattern of private estate ownership, geared primarily to shooting activities, has generated significant collateral harms for local environments whilst also resulting in much illegal persecution (poisoning) of indigenous predators, especially rare birds of prey and protected species. A body of recent research on the conflicts between the social, economic and environmental priorities of land-owners, shooters, walkers and naturalists, employees, residents and nature conservation lobbies is considered, including suggestions for how some of the worst harms associated with shooting might be ameliorated. Finally, the chapter turns to the most troubling, extreme, 'industrial' and inglorious form of wildlife slaughter, driven shooting, to question its ethical, traditional and 'environmental' credentials.

## **Bad Faith Hunting**

Just as this chapter was nearing completion an international media storm erupted following news that an American 'big game hunter' (Walter Palmer, a dentist by day) had shot a lion using a high-tech crossbow in Zimbabwe. Unfortunately, whether due to the incompetence of the hunter or his arrogance in using such an unsuitable weapon, the crossbow had only wounded the lion, which was then tracked for almost two days before being finished off by a rifle shot. The story gradually emerged that the wealthy American had paid two local men the equivalent of £32,000 to 'find' him a lion to shoot. Keen to honour their side of the bargain and claim the money, the men had left a trail of meat intending to entice a lion from Zimbabwe's Hwange National Park. Unfortunately 'Cecil the lion', wearing a GPS tracking collar, had been part of a research study since 2008 undertaken by the Wildlife Conservation Research Unit at the University of Oxford and was well known to the research community. One of the researchers on the project remarked that Cecil had become popular because he had become relatively accustomed to humans, sometimes allowing vehicles to approach as close as 10 metres 'making it easy for tourists and researchers to photograph and observe him' (Bittel, 2015). But also, making him a trusting and easy target. A similar fate befell the so-called 'Emperor of Exmoor' in 2010, a large red stag, which had been pictured in the national press. Such notoriety simply increased the willingness of private hunters, in what was described as a 'supreme act of selfishness', to pay a four-figure sum for the right to kill the animal (Mathews, 2010).

In the wake of the 'Cecil killing', the media commentaries traversed a wide range of issues covering, in turn, the strange, perhaps 'psychotic', tendency of smiling hunters to relish their post-kill photo-opportunity, posing with their majestic, now dead, prey and the sophisticated hunting rifles with which they had killed. Of these new age hunters, few have incited the *Facebook* outrage achieved by 19-year-old Texan cheerleader, Kendall Jones, who posted several beaming pictures of herself -

the 'hot hunter' - alongside a host of dead animals she had killed. Her ambition, she claimed, was to shoot one each of Africa's 'big 5' game animals (rhino, elephant, Cape buffalo, leopard and lion) but she was also pictured peering over a dead hippopotamus and, rifle raised, beside a dead zebra. Commentaries accompanying the photographs referred to her love of nature and wildlife, hunting only in 'legal areas', the importance of predator control, the role of the safari economy in areas with few other commercial opportunities, and donating the kill meat to local people. She also spoke of respecting the dignity of animal life, although this claim cut little ice with critics as it accompanied a smugly grinning picture of herself sitting astride a dead lion and pulling on its mane to raise its head for the camera. In due course, Facebook removed several of the images. But what especially appeared to drive the contempt of critics, which pictures of men in similar poses have seldom occasioned (although the pictures of men, which are pretty standard fare in hunting publications,<sup>i</sup> hardly ever made it to *Facebook*) was not so much the killing as the utterly banal and disingenuous justifications offered up for the slaughter. Cohen and Linzey (2009) have discussed the 'morally suspect' and 'anti-social' character of 'trophy hunting' which Jones' *Facebook* entries appeared to represent, for behind the wafer thin justifications offered up for an activity she clearly enjoyed was a claim about the right to kill for nothing more than fun, an attitude seemingly out of touch with modern sentiments. Yet what such an attitude shared with the far more common representations of *masculine* delight in the right to slaughter - and the *rites of slaughter*, more routinely published in hunting magazines - was the uncomfortable juxtaposition of high powered weaponry in the absence of any moral accountability regarding its use. This is an issue discussed elsewhere (Squires, 2014: 321) and to which I will return later.

After a number of airlines announced they would no longer be willing to transport 'trophy' animal carcasses (Cummings, 2015), the University of Oxford's Wildlife Conservation Research Unit itself came under fire for apparently accepting funding from two companies which advocated 'sustainable trophy hunting'. The complaint direct at the Oxford researchers appeared to be that, having accepted such donations for their research, the researchers, some of whom had made the early running in the chorus of condemnation against the lion killing, ought not to criticize the killing of any particular animal, in any circumstances (Hutton, 2015). The heated and often emotive arguments surfacing are indicative of the issues which regularly arise when hunting gets debated in the national media. While many such arguments will include well honed 'neutralisation strategies' (Sykes and Matza, 1957), others involve rather more fundamental claims, such as questions of culture, tradition, land use and management, sustainability, conservation and bio-diversity, predator control as well as economics and morality, and cannot be so easily dismissed. Compromise on such complex issues, however necessary, can be hard to find especially when independent evidence is in short supply and the debates are animated by moral absolutes, critiques of privilege and the complaints of social class. Although, as we shall see later, only an evidence-based approach is likely to foster effective solutions, yielding appropriate policies and fostering much needed reforms.

### **Wider questions of history and culture**

The furore over the death of Cecil the lion subsided as July, 2015, moved into August. Yet as the so-called 'Glorious 12th' (the 'traditional' date for the commencement of the grouse shooting season in the Scottish uplands) drew closer, the *Times* published an article noting the establishment of a new hunting lobby group, *You Forgot the Birds*, established to attack the Royal Society for the Protection of Birds (RSPB), and financed by Crispin Odey, a billionaire hedge-fund manager (Webster, 2015). Odey's specific complaint concerned his opposition to RSPB lobbying in favour of the licensing of grouse shooting estates, a policy the RSPB hoped would bring greater quality control to the management of estates and help bring pressure to bear to prevent gamekeepers killing birds of prey commonly found on and around grouse moors. Odey's more general complaint was that the RSPB was using the plight of certain endangered raptor species, the hen harrier in particular, to fight a 'class war' by proxy against country landowners and the shooting fraternity.

Allegations concerning class and privilege are never far away when issues of hunting and land rights are considered, even as far back as the 1671 Game Act which established a property qualification for the right to hunt and thereby effectively criminalised the subsistence economy of the rural poor (Hay, 1975). By the 1820s, Horn notes, fully one seventh of the criminal convictions in England were for offences against the Game laws (Horn 1980). Yet there are undoubtedly wider and deeper cultural and historical changes influencing public sentiments towards the hunting and killing of animals that the remaining forms of 'sports shooting' continue to encounter - and indeed, as we have seen, which they also appear to provoke.

As part of the wider transcultural civilisation thesis, Elias (1939) has both depicted the decline of - and the growing opposition to - such popular entertainments as cat-burning and bear baiting while acknowledging something of a corresponding desire for 'exciting' or even visceral encounters with 'real nature' (Elias, 1986). Thomas (1983) has similarly outlined the changing human/animal relations, specifically the retreat from anthropocentric thinking (and later, increasing urbanisation), within which human attitudes towards and treatments of animals were reconstituted. Tester (1991), likewise, addresses the moral and ideological discourses within which contemporary notions of 'animal rights' are positioned in respect of latter day 'green' thinking and notions of environmental justice. As, during the late nineteenth and twentieth century, animal cruelty came to be increasingly regulated and, even more recently, when activities such as hare coursing and foxhunting with dogs have become prohibited, field sports shooting (stalking and shooting) remain to bear the brunt of a popular animosity that is rooted, in part, in a hostility to the notion of killing for pleasure.<sup>ii</sup> Of course, although somewhat in the face of the photographic evidence referred to earlier, shooters often tend to deny the 'pleasurable' or 'exciting' aspects of their shooting (such as alluded to by Elias, above), preferring to present shooting as if shooting were a necessary component of environmental conservation, bio-diversity, sustainable rural economies and estate management - or at least, as the economic foundation for these more wholesome priorities. In this sense, the popular juxtaposed portraits of proud hunter and vanquished 'game'<sup>iii</sup> convey, as Kheel has argued (1995), such a combination of achievement, entitlement and domination - the thrill of the chase, the visceral challenge of the wild - as may be plausibly sustained by any hunter with a high-powered and precision engineered rifle. More fundamentally, Kalof et al., (2004) regard hunting as an 'aggressive, powerful and violent' performance of masculinity. Popular cultural images celebrating hunting, glorifying weapons, killing and violence 'perpetuate attitudes of domination, power and control over others' and, crucially, over nature (Kalof et al., 2004: 247).

Lately, as we have seen, these controversies have become subsumed within deeper urban/rural ideological conflicts (witness, for example, the politics of the Countryside Alliance) which, even as the viability of rural economies is further imperilled by global economic developments, serve most obviously as a tweed and worsted fig-leaf for a set of affluent urban class interests with rural weekender aspirations. Much like the campaigning billionaire hedge-fund manager, referred to already, their hearts may be on the grouse moors but their money is firmly rooted in Canary Wharf - or, more likely, distant tax havens.

Consistent with this pattern, Thomas has argued that, historically, debate about the use and abuse of animals has seldom been free from the distracting and conflicting perceptions 'imposed by social class' even as he acknowledges that modern attitudes appear underpinned by a distaste for 'the warlike traditions of the aristocracy' whose enthusiasm for hunting appeared to be founded upon 'wanton slaughter and the domination of nature' (Thomas, 1983: 184). Cooper, likewise, detects in hunting a masculine and proprietorial attitude, wrapped around with doubtful myths regarding tradition, the status quo, culture and cherished ways of life (Cooper, 2009). Horn's historical focus is more directly upon the vital years when patterns of rural land-ownership, country pursuits and elite fashions began to assume a distinctly modern form. As she has shown for the landed classes of the early 19th century England, 'hunting, shooting and fishing were *the* major leisure activities' with the

popularity of shooting increasing dramatically with the perfection of the flintlock double-barrelled shotgun. Amongst such well-armed sportsmen, she argues, 'mass slaughter was the order of the day', well equipped hunting parties were achieving such large numbers of kills that some even drew unfavourable comment in the Press (Horn, 1980: 172).

Despite the claims of 'tradition' it was technological development in the form of the breech-loading shotgun, invented in the 1860s, and the expansion of the railways which really cemented the elite hunting way of life. Just as the enclosures and Highland clearances before them had turned small proprietor and croft farming over to sheep (Richards, 2013) so, in turn, the shotgun and shooting became a more profitable land use on the more remote estates than sheep-farming, thereby establishing a pattern of land-use management that is still with us. During his celebrated walks through the remote landscapes of coastal East Anglia, W.G. Sebald likewise described the several factors which combined to fabricate this modern hunting 'tradition' as it emerged in rural Suffolk. 'The hunting of small game' he argued,

'had become fashionable in the Victorian age. Men of middle class background who had achieved great wealth through industrial enterprise, wanting to establish a legitimate position in higher society, acquired large country mansions and estates where they abandoned the utilitarian principles they had always upheld in favour of hunting and shooting, which, although it was quite useless and bent on destruction, was not considered by anyone as an aberration' (Sebald, 2002: 222).

In the past, he suggested, hunting had been the especial privilege of royalty and aristocracy, but now, thanks to new money, technological changes making shooting simpler and the accessibility provided by transportation improvements, anyone who wanted to translate their new wealth into status and reputation 'would hold hunting parties at their estates, several times a season, with as much ostentation as possible'(Ibid.) Aside from the lavish display, the scale of entertainments provided and the number and rank of the invited guests enjoying the sport, the respect achieved by the host of such parties lay 'in direct proportion to the number of creatures that were killed.' It followed that the land management principles adopted by the estate were henceforth governed 'by considerations of what was necessary to maintain and increase the stocks of game.' Accordingly many thousands of pheasants were reared each year in pens, subsequently released while, still scarcely able to fly, to be driven towards the lines of guns. The lands on which the shoots took place were henceforth lost to farming. Furthermore the rural population not engaged in the new estate-based activities such as rearing pheasants, breeding and training gun dogs, or working as gamekeepers or in any other capacity connected with shooting, were forced to leave. According to Sebald, the Suffolk pheasant craze was at its height in the decades before the First World War. At this time, one particular estate (Sudbourne Hall, near Orford) employed fully two-dozen gamekeepers. On some occasions up to six thousand pheasants were blasted from the sky in a single day's shooting, not to mention many other examples of local wildlife, including birds, hares and rabbits which found themselves at the wrong end of a shotgun. Sebald concluded his overview of this culture of casual rural slaughter, and perhaps in prescient anticipation of different forms of slaughter and another kind of list, by noting 'the staggering scores were punctiliously recorded in the game books of the rival estates' (Sebald, 2002: 223).

### **Bal-morality and the inglorious 12th?**

In Scotland, the debate about stalking and shooting are invariably tied closely to questions of Scottish landownership, patterns of landownership that have evolved since the mid-19<sup>th</sup>-century 'hunting revival' and which have given rise to particular forms of land management and the creation of a 'triumphant new cultural formation' - the Highland Sporting Estate. These new elite recreational destinations, 'formed the centrepiece of the social calendar for the upper classes who would head north on the new railways to shoot grouse, stalk deer and fish for salmon' (Wightman, 2004: 4).

Now such estates are said to form a sports shooting tourist economy that is claimed to bring substantial economic benefits to Scotland as a whole. Grouse-shooting alone is said to earn the Scottish economy £30m while some even estimate that country sports as a whole bring some £350m annually to the nation's account. Unfortunately the final destinations of much of this income is seldom so clearly accounted for (McKenna, 2013). For instance, Wightman and Higgins show that, despite their homespun tartan veneer, sports estates are, first and foremost, economic and business assets making predictable use of off-shore tax-havens (Wightman and Higgins, 2000). On the other side of the coin, a report commissioned in 2012 by the Scottish Government, the Scottish Land Reform Review Group, estimated that, as one legacy of the Highland Clearances, today just 432 people owned 50% of Scotland's private rural land (LRRG, 2012). Wightman argues that 'the development of hunting estates was merely the next stage in the transition to a capitalist system of landholding, [and that] the emotions that the Clearances had evoked were in many senses rekindled by the spread of the hunting estates' (Wightman, 2004: 7).

The Land Reform Review Group went on to propose limits to individual landholding and a system of licensing for shooting estates. Jim Hunter a former member of the Review Group remarked that: 'Scotland continues to be stuck with the most concentrated, most inequitable, most unreformed and most undemocratic land ownership system in the entire developed world' (quoted in McKenna, 2013). The *Field* magazine, true to its mission of promoting the interests of the world of hunting and shooting classes, said something similar, but put it rather differently: Scotland, it claimed, 'is the last place in Europe where a rich man can buy a large chunk of wilderness to act out his dreams of owning a kingdom as well as enjoying a wide diversity of sport' (cited in Wightman et al., 2002: 64). Perhaps this is what it is really all about: personal autonomy, dominion over nature and a power over life and death.

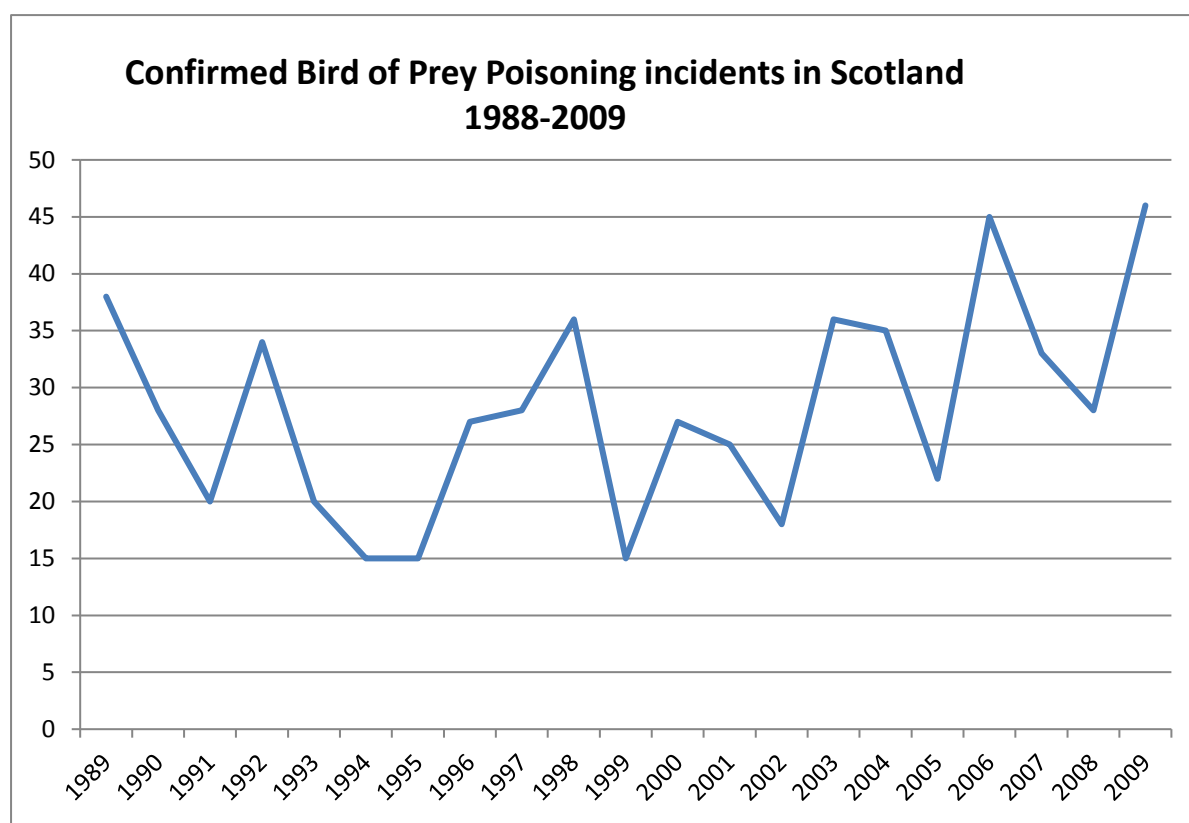
The core dilemmas deriving from this inequitable distribution of land have concerned the extent to which issues of public interest, bio-diversity and sustainability were being served by such concentrated patterns of land-ownership. The Review Group Report catalogued a number of instances where the land management practices of the shooting estates had impinged negatively upon local communities, public amenities and, in particular, other animal species and their habitats. Evidence from the Grampian Fire and Rescue Service to the LRRG, in particular, confirmed that during 2011-13 a third of the wildfires attended by the Service resulted from supposedly 'controlled' grouse moor burnings which had got out of control (LRRG, 2014: 171). In other areas the over-breeding of deer for shooting has caused problems for farmers and other land users. Yet, above all, it has been the impact of the large grouse shooting estates which have attracted the most enduring criticisms. Even from the late 19th century, the rapid expansion of the shooting estates was considered to be primarily responsible for the widespread persecution of a range of bird species (especially birds of prey) as well as a variety of mammals thought to be a threat to game bird populations (Lister-Kaye. 1994). In more recent years the management of land for high density game-bird yields, especially on grouse moors has been blamed for the continuing practice of gamekeepers poisoning rare birds of prey (RSPB, 2003), even though this practice was outlawed in 1912<sup>iv</sup>. As Whitfield et al have concluded, 'illegal poisoning in the uplands of Scotland occurs disproportionately on land actively managed as grouse moor' (2003: 162).

In Scotland, between 1989-2008, some 450 birds of prey have been killed by illegal poisoning, and a further 320 were shot or trapped and their nests destroyed in what RSPB Scotland have referred to as 'twenty years of relentless human killing of Scotland's protected bird of prey species' (RSPB Scotland, 2009). The fact that the Scottish grouse moors, where a majority of these killings occurred, comprise some of the more remote and under-populated areas of mainland Britain and that most only came to light almost by accident when reported by walkers or birdwatchers, strongly suggests that the *known* incidents are but a small proportion of a much larger total. According to the Scottish Raptor Study Group (1997), confirmed incidents reflect just the tip of an iceberg; a view

supported by the findings of a recent study which compared unpublished 'vermin' destruction records from one estate in Perthshire with incidents for the whole of Scotland as recorded by the authorities. 'The results showed that over a period of years, the number of raptors illegally killed on just one estate far exceeded the number of 'official' incidents recorded across the whole of Scotland' (McMillan 2011).

Whole areas of suitable habitat are thought to be devoid of breeding birds of prey, either directly exterminated or driven out by illegal activities. In 2009 the number of confirmed illegal raptor poisonings hit a twenty year high, with 46 incidents. Reported poisoning incidents show a regular annual pattern with a significant peak in the spring, followed by a smaller peak in the autumn.

Figure 1



Source: RSPB Scotland, 2009.

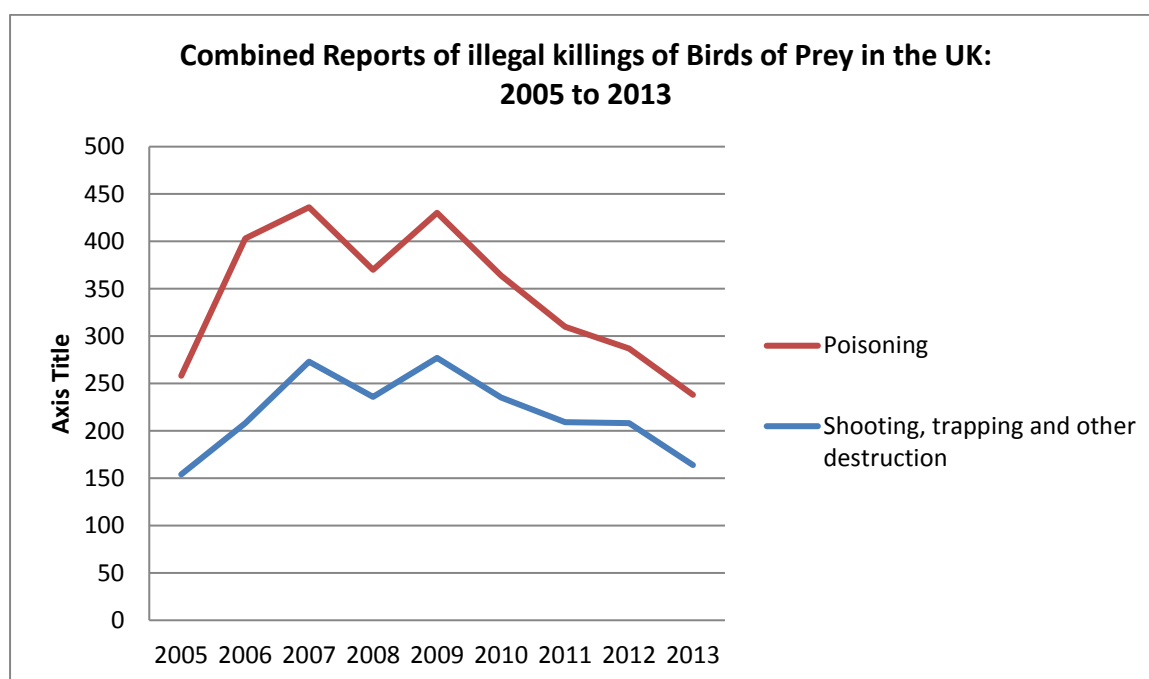
The incidents depicted in figure 1 comprised the confirmed killing of 64 red kites, 24 golden eagles, 6 white tailed eagles, 344 buzzards, 24 peregrine falcons and 4 hen harriers. Additionally, 313 other bird species were recorded as killed by carbofuran poisoning, and 104 other animals. Part of the problem with poisoning as a means of killing is precisely its indiscriminate nature when left as bait.

Fully 85% of persons convicted of illegal poisonings worked in a game-keeping or estate management capacity. Between 2003 and 2008, 157 cases were brought but only 24 made it to court. Of these twenty-one resulted in a guilty verdict for at least one of the charges listed. Many charges related to the possession of the banned pesticide carbofuran which, although prohibited in 2001, featured in 61% of the confirmed poisoning incidents during 2009. Data gathered for the UK as a whole compiled through the Wildlife Incident Investigation Scheme (WIIS), during the 10-year period 2002 to 2011, since the use and storage of carbofuran was made illegal, shows that there have been 643 bird poisoning incidents where birds were poisoned following the abuse of pesticides. Of these, 317, or just under a half (49%) involved carbofuran. A significant proportion of crime

intelligence reports to the police National Wildlife Crime Unit (NWCU) related to raptor poisonings in Scotland, most of these involving carbofuran. Further police intelligence suggested that supplies of the pesticide were being accessed from outside the UK. The NWCU have reaffirmed the continuing seriousness of the issue by identifying raptor persecution as one of six key wildlife crime priorities in the UK. The conclusion, published in their 2013 Strategic Assessment, was that, 'Intelligence continues to indicate a strong association between raptor persecution and grouse moor management' (NWCU, 2013: 25).

The issue of raptor poisoning was twice discussed by the House of Commons Environmental Audit Select Committee considered environmental and wildlife crime in both 2004 and 2012-13. The committee noted, in its 2013 report, the particular difficulties associated with the remote locations in which the majority of offences occurred: this hampered developing an accurate assessment of the extent of the problem, hindered the gathering of evidence and made bringing prosecutions difficult. As Akella and Cannon (2004) have argued, uncertainties regarding the 'dark figure' of wildlife crime represents one of the major difficulties in addressing the problem. Noting that the worst problems appeared to be related to some of the less well managed estates, it went on to recommend the adoption of a multi-agency approach for working with major landowners and rural interests and tough action to control pesticides (HoC: EASC, 2013: 15-19).

**Figure 2**



Source: RSPB, Bird Crime report Series: Annual Reports 2010-2013.

Data before and after 2008 are not strictly comparable because of changes in the way they have been collected.

In Scotland, in addition to the poisoning incidents depicted in figure 2 and wider habitat loss or destruction, 322 further birds of prey were known to have been shot, trapped and killed or subjected to nest destruction, in the 20 years leading to 2009. These included, 5 red kites, 17 golden eagles, 1 white-tailed eagle, 137 buzzards, 60 peregrine falcons, 49 hen harriers, 11 goshawks, 13 sparrow hawks, 26 kestrels, one osprey and one tawny owl. Of particular concern to RSPB investigators has been the apparent disinclination of the courts to pass more than 'moderate' sentences on those found guilty. Indeed, in 17% of cases, the accused were merely 'admonished' or

given an absolute discharge. Such sentencing contrasts significantly with the pattern of sentencing of persons found guilty of egg theft, despite the fact that poisoning, shooting and otherwise killing birds has a far greater detrimental effect on the overall raptor populations.

At present the maximum fine for offences tried in Magistrates' Courts under the Wildlife and Countryside Act 1981 is £5,000 and/or up to six months imprisonment. Despite this, the wildlife lobby acknowledges that fines of this order, even if they were more consistently imposed, would be unlikely to act as an effective deterrent. The RSPB argues that penalties for the killing of birds of prey should be increased to a maximum £50,000 fine and/or up to 12 months in prison in the Magistrates' Court, with unlimited fines and/or up to five years imprisonment available in the Crown Court. Fines alone, however, are seldom regarded as an effective strategy, especially where there is evidence of landowners apparently paying fines on behalf of their staff (Nurse, 2011: 42). However, the RSPB Scotland report (2009) notes many instances of landowners, upon whose land the killing occurs, being deducted many tens of thousands of pounds from their agricultural subsidy payments. The practice of deducting payments goes some way toward the 'vicarious liability' principle recently adopted in Scotland<sup>v</sup>, but not in the rest of the UK. The principle entails that where, for example, a land-owner's agent or gamekeeper is found to be guilty of killing birds of prey then criminal responsibility also extends to the land-owner considered to have either encouraged or required or otherwise facilitated from the illegal killing<sup>vi</sup>. The House of Commons Environmental Audit Select Committee recommended in 2012 that the Government should review the impact of the vicarious liability principle in Scotland, and report back with a view to implementing a similar measure in England and Wales. The Government, however, disagreed, wanting a longer review of the new process in Scotland. Police intelligence reported by the Police National Wildlife Crime Unit in 2013 indicated that some land agents in Scotland have been 'changing their business practices by setting up management companies' in order to distance themselves from any investigation under vicarious liability principles (NWCU, 2013).

In the same year, the Law Commission, in its *Wildlife Law: Consultation Paper* (Law Commission, 2012) also considered the vicarious liability measures operating in Scotland but, with the exception of recommending the extension of liability to landowners who 'knowingly permit' their employees to commit wildlife offences, declined to recommend the adoption of a similar principle in England and Wales. The RSPB was relatively unimpressed, noting that 'such provisions already exist in parts of the Wildlife and Countryside Act 1981 [but] have proved ineffective' (RSPB, 2013: 10). For its part, the Law Commission consultation document acknowledged that the seriousness of some wildlife-related crime was not reflected in the penalties available in the Magistrates' Courts (a perception reflected in Lowther, 2002). The Commission recommended that some wildlife offences might in future be tried on indictment at Crown Courts (with access to higher penalties, especially where the harms were greatest and species viability might be at stake). However, it was reluctant to pursue a strategy that relied upon criminalisation *alone* as a remedy, especially in light of the often complex social, economic and environmental considerations - which we will consider later - in play (Law Commission, 2012).

### **The developing research and policy picture**

A substantial body of research has drawn attention to the continued persecution of birds of prey and other predatory animals on the grouse shooting estate. Studies of a range of iconic bird species - golden eagles, hen harriers, peregrines, goshawks and red kites have confirmed time and again that the illegal persecution persists, that the major forms it takes still include poisoning, shooting, trapping and nest destruction and that it has significant deleterious effects upon the population, breeding habits and viability of various species in the vicinity of certain estates (see inter alia, Whitfield *et al.* 2004, 2007; Etheridge *et al.* 1997; Fielding *et al.* 2011; Hardey *et al.* 2003; Smart *et al.* 2010 and Amar *et al.*, 2011 ).



The picture seems pretty clear, but the policy options may be less straightforward. While advocates of the enforcement approach may well argue that sufficient efforts have not yet been devoted to effective enforcement, there are, as we have seen, many impediments to an enforcement-led strategy. As Amar et al (2011:8), have argued, 'at present considerable sums of money are being spent by conservation NGOs and government agencies, and considerable time invested by dedicated volunteers in trying to shield protected raptors from persecution, and by the police in trying to enforce existing legislation, with relatively little effect'. This conclusion is suggestive of the need for other approaches. Redpath and Thirgood (2008) have argued for a sensitive evidence based approach to mitigating the conflict between the various stakeholders involved - including land management interests, conservationists and political interests. They acknowledge that the research evidence thus far assembled demonstrates: '(i) there is widespread illegal killing of raptors; (ii) raptor predation can limit grouse populations and reduce hunting revenues; and (iii) mitigation techniques are available but are either unacceptable to stakeholders or unproven in the field' (Redpath and Thirgood, 2008: 1550). They argue that viable and sustainable solutions require more than just the presentation of evidence but also attention to its implications for key stakeholders dependent upon the rural economy. In other words, understanding the barriers to the reception and internalisation of scientific evidence and the uses to which it is put are as critical as the production of the evidence in the first place.

Redpath and his colleagues (Redpath et al., 2010) have shown that particular forms of grouse shooting, notably *driven* grouse shooting, where birds are flushed out and driven by beaters to overfly a line of waiting guns<sup>vii</sup>, requires very high densities of birds to be economically viable. It appears to be a form of shooting - and related land management practice - especially associated with the illegal killing and disturbance of birds of prey. On the one hand, high density grouse rearing may be particularly attractive to predators but, while predator levels remain relatively low, predation is unlikely to significantly impact grouse production. On the other hand, low density grouse rearing may be more seriously impacted by predation. Different balances, perhaps including further strategies such as supplementary feeding, management of other predators (such as foxes), ceilings on the numbers of resident raptors and habitat variation, might be achieved at different game bird and predator densities and in different contexts, without necessarily incentivising the gamekeeper's resort to illegal solutions, namely, their killing of birds of prey. Scientific work has attempted to model these relationships with some degree of success given the variety of factors and multiple predator activities potentially involved (Redpath and Thirgood, 1999). Some researchers have expressed doubt about such an approach, shifting to lower intensity grouse production - the availability of fewer birds to shoot - could make estates uneconomic: less birds to shoot might translate into less tourists paying to shoot them, resulting in diminishing income levels. After all, they suggest, 'much of the conflict between red grouse and hen harriers arises from the need to produce high grouse densities to justify the large investment made by moor owners in moorland management' (Sotherton et al., 2009: 956). The diminishing profitability of the estate, resulting from declining numbers of grouse to shoot, could lead to lower employment levels, ultimately producing a less intensively or effectively managed environment. Essentially similar claims have been made regarding the commercial viability of African trophy hunting.

More positively, Baines and Richardson (2013) have produced evidence attempting to show how changes in habitat and predator management might bring both conservation and economic benefits. Their research involved a two-stage project based upon a shooting estate in Scotland. During the first research phase, the estate was legally managed for *both* grouse and hen harriers. The hen harriers increased significantly in number, eventually rendering intensive grouse shooting no-longer commercially viable. Land management and game-keeping then ceased and during this second research phase hen harrier numbers fell significantly as other predators (foxes and crows) began to

their toll of harrier nests. Hen harrier survival rates and population levels were higher when the estate was properly (and legally) managed. Baines and Richardson (2013: 1402) concluded 'we consider this study to be the first that quantifies how control of generalist predators as part of grouse moor management can benefit harrier productivity'. They argue that the research points to the importance of finding ways to ensure grouse moors are effectively managed for a diversity of wildlife, while remaining economically viable. 'If techniques can be devised and put in place to reduce the impact of harriers on grouse, then the control of generalist predators may be viewed as a more acceptable component of conservation management for ground-nesting birds' (2013: 1365). If this seemingly '*win-win* situation' could be deployed in other contexts and cases, thereby 'reducing the motivation behind the persecution of [rare bird] species' (Amar et al., 2011: 93), it might also herald the development of more considered or consensual strategies for land management. But that would be a much bigger issue.

It has to be said, such 'strategies' are unlikely to find favour amongst those fundamentally opposed to all manner of field sports shooting but it may have particular implications for driven shooting: the particular form of live animal shooting comprising the most high volume slaughter. Furthermore, if, as Thompson et al. (2009: 950) have suggested, driven grouse shooting is 'only viable when birds of prey are routinely disturbed and killed' then it becomes appropriate to question 'the legitimacy of driven grouse shooting as a sustainable land use.' And they conclude, 'Moorland owners need to consider more broadly sustainable shooting practices for the 21st century' (Thompson et al, 2009: 950). The argument they make here becomes especially compelling where the shooting estates in question receive public subsidies for their land management; greater accountability here may bring a range of social and environmental benefits.

### **Driven to it?**

As we have seen, driven shooting, involves beaters driving birds towards a line of 8-10 guns, the birds being shot as they fly high over the shooting line. Safety and etiquette, apparently, demand that the shooters fire only upwards and forwards of the line. Driven grouse shooting is said to be the 'sport of kings', the 'most exclusive' form of shooting today, although, in reality today, this is largely a question of price. Driven shooting is also the most expensive, labour intensive and 'industrial' form of shooting, resulting, as we have seen, in the greatest collateral damage to the countryside. It also yields the greater number of kills, the shooters simply wait for the birds to fly over and blast away. These are some of the reasons behind a recent RSPB supported proposal to license 'shooting estates'. The idea is strongly resisted by shooting interests who welcome the idea of regulation with no more enthusiasm than they welcome publicity, a reaction which rather calls into question the confident bluster with which shooting lobbyists invariably veneer their sport and its claimed benefits.

A film posted on the League Against Cruel Sports (LACS) website depicts a driven hare shoot in Norfolk during 2011 in which one of the shooters threatened and physically assaulted the camera operator until he was diplomatically led away by one of his colleagues.<sup>viii</sup> Watching the short film, one can appreciate his concern. Hares were driven right to left across a field, having to run a de facto gauntlet of a line of guns; shot hares cart-wheeled into the grass as they were hit, others sat dazed and wounded, still others struggled to crawl away, dragging shattered bodies and limbs behind them. The League commentary notes that the shoot is an annual event, for participation in which many shooters paid large sums of money. The event filmed (one of many) took place on land owned by Sir Nicholas Bacon, a former president of the Norfolk Wildlife Trust who was forced to resign when his sponsorship of this gratuitous ritual of killing for pleasure was publicly exposed. Photographs on the League website show dozens of dead hares although it is not made clear what was to become of them. Perhaps they would have been eaten, although consumption of animals

killed by lead shot is generally not recommended. Perhaps this slaughter was primarily an exercise in pest control and the carcasses would be dumped in landfill, a fate which befalls many a victim of driven shooting - simply because far too many carcasses are produced than could ever be sensibly consumed by the game gourmards who desire them (even if they were all safely edible). The British Association for Shooting and Conservation (BASC) document *The Value of Shooting* asserts that 'ninety-seven percent of all edible quarry shot was destined for human consumption; with 62% consumed by those who shoot or provide shooting, and 35% used elsewhere' (BASC, 2014: 25), and goes on to detail survey data findings about how many people eat game. But this claim is quite meaningless without data indicating how much of what was shot was indeed 'edible', as opposed to just shot for sport.

Shooting is an expensive business, a two-hour training package with a venue's instructors will cost around £200; out on the moor itself, it will be double that. If you want a mid-August day's shooting for a full team of ten shooters on the Yorkshire Moors, this will set you back £33,000 (at the time of writing). For this you can expect to 'bag' 200-plus brace of grouse (i.e. 400 birds), and the same for the rest of the month. Across the country immense numbers of game birds - grouse, pheasant and partridge - are reared simply to be released and shot, the League Against Cruel Sports estimating that some 47 million birds a year are reared specifically to be shot,<sup>ix</sup> with driven shooting representing the most basic, 'industrial' version of this supposedly 'traditional' country sport. A householder in the West Country describes, on her *Common Decency* website,<sup>x</sup> the year-round workload and the constant intrusion associated with rearing pheasants to shoot following a driven shooting range being established adjacent to her home. During the shooting season itself, men with guns routinely patrol the borders of her property - her garden - spent shot falls from the sky and dead and dying birds plummet to her lawn. In keeping with this 'industrial' characterisation, a sizeable scientific literature has now accumulated, which the shooting fraternity seems keen to ignore, detailing the consequences of lead shot use: the build-up of poisonous lead toxins in birds of prey and other wildlife, the contamination of watercourses and the poisoning of fish and water-fowl (see for example: Mudge, 1983; Pain et al., 1995 and Fisher et al., 2006). Despite clear evidence of the contaminating effects of lead shot, the shooting fraternity are reluctant to shift to steel shot, citing the superior ballistic qualities of lead.

Such a brief comment about lead shot seems a good point on which to close for, as we have seen throughout this review of sports shooting, hunting and shooting advocates and practitioners appear especially unwilling to hold themselves morally or environmentally accountable for their actions and the consequences of their actions. There may indeed be something here that resonates with the idea of the 'sport of kings': personal autonomy, some lack of accountability, a claimed dominion over nature, but which, in an age of rising inequality and neo-liberal marketization, has simply become the pricey exclusivity of a right to kill. Shooting enthusiasts often assert the dignity of nature and wax spiritual about the transcendent character of the hunting and shooting experience, but protest that they are misunderstood when they pose, grinning, with an animal carcass, having employed a sophisticated modern firearm to kill that animal. They wrap their 'sport' with sometimes questionable social, economic and conservation purposes and benefits as if to conceal the fact that they do this for pleasure. This is the debate we never have. Furthermore, game shooting in the UK, like the slaughter of migrating songbirds in Southern Europe<sup>xi</sup>, or trophy hunting in Africa is manifestly not about essential food production. The briefest glimpse of hunting parties in the elite shooting magazines confirms that the hunting fraternity are far from undernourished.

A particularly telling recent article explores the social etiquette of, following a shoot, participants accepting a brace of dead birds to take home to pluck, cook and eat (cited in Squires, 2013). Apparently it was not the 'done thing' to 'refuse your pair', although the article left a distinct impression of a practice more honoured in the breach and, even when the dead birds were accepted

by a rather nonplussed shooter (after all, filling up the freezer with pheasants was manifestly *not* why they were there), one suspects, that a significant number end up as landfill, in the nearest bin or in a convenient ditch. Nevertheless, the article went on to explain how 'at one time dressing a bird was second nature to guns'. But now, apparently, this was no longer the case. Shooting is, above all, about killing for fun – anything else gets in the way of the champagne. A residual purpose for these post-shooting 'dressing' activities seems to be that, 'plucking is a great way to eradicate fear of blood and guts' (in Squires, 2013: 5). The ironies multiply; today's shooters seem bold enough to pull the trigger, but rather too squeamish to cope with the consequences. Another rather revealing insight to the shooting mind-set might be found in a blog on a shooting society website. A recently inducted member of a 'Sloane ranger' shooting set wittered on about her rising anxieties as the day of her first shoot approached; just how would she feel about 'actually killing something'. Afterwards she reassuringly reflected, 'you know, it didn't bother me a bit' (ibid: 6). Lack of remorse is not always such an endearing quality.

### Conclusion

This chapter has explored the animal abuse associated with the 'country sport' of live animal shooting and the widespread collateral harms this involves. It began with a critical discussion of the gratuitously offensive practice of 'trophy hunting', the attitudes and economics sustaining it and the controversies surrounding it, before moving on to examine changing popular sensibilities towards sport shooting of live animals. Taking a particular focus upon intensive game shooting on Scottish Highland estates, the chapter then sought to demonstrate how this was embedded within a highly concentrated and unaccountable pattern of private estate ownership, resulting in significant social and environmental harms and, not least, resulting in much illegal persecution (poisoning) of indigenous predators, especially rare birds of prey and protected species. A body of recent research, drawing upon the Scottish context, explored the ways in which conflicts between the social, economic and environmental priorities of land-owners, shooters, walkers and naturalists, employees, residents and nature conservation lobbies might be ameliorated, more sustainable land management practices developed, and the worst excesses of animal abuse associated with shooting prevented. By way of conclusion, however, the chapter closed by acknowledging that, driven shooting, perhaps the most extreme and ignoble, form taken by wildlife slaughter, sustained by an unhealthy veneer of social exclusivity, short term financial ethics and a toxic disdain for the natural world, remained the dominant form of this so-called sport.

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#### ENDNOTES

<sup>i</sup> An Animal Aid campaign against the display of hunting magazines featuring proud hunters and dead animals on their front covers excited some activity amongst the shooting fraternity and wider media when it referred to such magazines as 'shooting porn': see

<http://www.animalaid.org.uk/images/pdf/booklets/gunningforchildrenreport.pdf> , and reactions to it.

<sup>ii</sup> As Fukuda has argued, although here specifically in respect of fox-hunting, although the point applies equally to field sports shooting: 'The actual and evident reason for people's participation in fox-hunting is that they enjoy it, although the content of [this] enjoyment has not been well discussed in public' (Fukuda, 1997: 3)

<sup>iii</sup> Also perpetuating the egalitarian myth that the hunt has been a game – although really, sport for the one, survival for the other.

<sup>iv</sup> The setting of poison baits in the open was first prohibited in 1912, under the Protection of Animals (Scotland) Act in 1912. The legislation did not include specific legal protection for birds which only came in 1954 when the persecution of raptors (including poisoning, trapping and shooting) was prohibited by the Protection of Birds Act. Despite this, populations of many birds of prey are significantly constrained in parts of Scotland as a result of continuing illegal persecution. See

<http://www.scottishraptorstudygroup.org/persecution.html>

<sup>v</sup> Section 24 of the Wildlife and Natural Environment (Scotland) Act 2011

<sup>vi</sup> As Nurse (2011) acknowledges, many gamekeepers may be placed in a quite invidious position with their jobs, livelihood and family homes (tied cottages) tied to the performance of a range game-keeping duties, all this might be in jeopardy should they choose to manage their estates contrary to the expectations of their employers.

<sup>vii</sup> Driven shooting, as described, is contrasted with 'walked-up' shooting where a group of shooters, spaced at intervals in line abreast, preceded by dogs, walks across the land shooting at birds which break cover and fly up in front of them. Kills are generally fewer in number and this activity, in contrast to driven shooting, requires higher levels of fitness and stamina. Two reasons, perhaps, for its diminished popularity.

<sup>viii</sup> League Against Cruel Sports, The Hidden Reality of Shooting. <http://www.league.org.uk/our-campaigns/shooting/hidden-reality-of-shooting>

<sup>ix</sup> <http://www.league.org.uk/our-campaigns/shooting/gunsmoke-and-mirrors>

<sup>x</sup> <http://www.commondecency.co.uk>

<sup>xi</sup> A recent referendum in Malta in April 2015 resulted in a narrow victory (51%) for the hunting lobby, which will continue to shoot migrating birds in their thousands before they breed. The future of many already endangered species is further imperilled by this result (Barkham, 2014).