

Hunting with Dogs

Certain forms of hunting of wild mammals with dogs has been made illegal by the passing of the Hunting Act, 2004.

It is now against the law to hunt for a wild mammal with a dog, unless the hunting is exempt. (A mammal is a creature whose female of the species has mammary glands, e.g. suckles its young. The fox and about 4000 other species are mammals.)

The hunting of rats and rabbits is now also illegal unless carried out by the landowner or with his written permission (see exempt hunting, below).

In broad terms the Hunting Act 2004 creates five offences:

- Hunting a wild mammal with a dog - section 1;
- Permitting land to be used for hunting a wild mammal with a dog - section 3 (1);
- Permitting a dog to be used for hunting a wild mammal with a dog - section 3(2);
- Participating in, attending, facilitating or permitting land to be used for the purposes of a hare-coursing event - section 5(1); **and**
- Entering/permitting/handling a dog in a hare-coursing event - section 5(2).

Exemptions

Certain forms of hunting, very closely defined in [Schedule 1](#), are exempt namely:

- Stalking and flushing out a wild mammal for certain purposes, with a view to its being shot forthwith, and not using more than two dogs;
- Use of not more than one dog at a time below ground in the course of stalking or flushing to protect birds for shooting;
- Hunting rats;
- Hunting rabbits;
- Retrieval of shot hares;
- Flushing a wild mammal from cover in connection with falconry;
- Recapture of accidentally escaped wild mammal;
- Rescue of wild mammal believed injured using not more than two dogs and no dog below ground; **and**
- Observation and study of a wild mammal, using not more than two dogs and no dog below ground.

Forfeiture Orders

A specific power of forfeiture is contained in section 9 of the Act. The following can be forfeited when a person is convicted of any offence under the Act:

- any dog (but note, *not*, horses) that was used in the commission of an offence under Part 1 of the Act or in the possession of D when arrested;
- any hunting article that was used in the commission of the offence or in the possession of D when arrested. Hunting article is defined in section 9(3) as any article designed or adapted for use in connection with hunting a wild mammal;
and
- any vehicle used in the commission of the offence - eg the van or trailer (does not have to be a *motor* vehicle) used to bring the dogs to the start of the hunt.

For the full text on the Hunting Act 2004, go to the [Office of Public Sector Information website](#)