

Raptor Persecution UK

Four more bird flu outbreaks confirmed, including on a Pheasant shoot – yet selfish BASC starts another legal challenge against Govt restrictions on gamebird re-leases

RaptorPersecutionUK
July 31, 2025
News

Four more outbreaks of Highly Pathogenic Avian Influenza (HPAI, also known colloquially as Bird Flu) have been confirmed across the UK in recent days, including on a pheasant shoot in Exmoor National Park.

And yet in a staggering display of arrogance and selfishness, the British Association for Shooting & Conservation (BASC) has now launched yet another legal challenge against the Government's restrictions on gamebird releases; restrictions that have been put in place precisely to protect wild birds of high conservation value from the risk of being exposed to highly contagious HPAI.



Captive-bred non-native Pheasant poults, in pretty poor condition, being transported for release in the UK countryside. Photo by Ruth Tingay

You may remember earlier this month I blogged about how Defra had sensibly withdrawn General Licence 45 in March this year – this is the licence under which restricted numbers of gamebirds (Pheasants and Red-legged Partridges) can be released on or within 500m of Special Protection Areas – which was withdrawn due to Defra's legitimate concerns about the spread of HPAI.

Instead of being able to use GL45 this year, Natural England said that gamebird shoots could apply for individual licences to release gamebirds on or close to SPAs, but that only some licences would be permitted and only with a delayed release date for the poults, whereas licences for many other SPAs would be unlikely to be issued at all (see earlier blog [here](#)).

BASC reacted with predictable fury and self-righteousness and said it had started legal proceedings against Defra's decision to withdraw GL45, claiming that Defra had *"not provided the formal reason behind it or published a detailed decision-making document"*.

However, after some investigative work by Wild Justice's legal team at Leigh Day, it turns out that BASC has apparently dropped that legal challenge, presumably because it didn't have a hope in hell of going anywhere given the current high risk of HPAI.

At the time of that legal challenge, there were at least five outbreaks of Highly Pathogenic Avian Influenza in West Yorkshire, County Durham, North Yorkshire, Wrexham, and Pembrokeshire.

Since then, four more outbreaks of HPAI have been confirmed in July 2025, resulting in the mass culling of captive poultry and in one case, 2,500 Pheasant poults on a Pheasant shoot near Winsford in Exmoor National Park, with subsequent 3km Protection Zones and 10km Surveillance Zones being put in place which prevents, amongst other things, the release of gamebirds for shooting. The locations of the latest outbreaks are:

25 July 2025 – near Tow Law, Bishop Auckland, County Durham (ref: AIV2025/50).

28 July 2025 – near Winsford, Somerset (Exmoor National Park) (ref: AV2025/51). Centred on grid ref: SS9162536026.

30 July 2025 – near Bampton, Devon (ref: AIV2025/52). Centred on grid ref: SS9793221915.

30 July 2025 – Snetterton, near Breckland, Norfolk (ref: AIV2025/53). Centred on grid ref: TM0069490799.

Against this backdrop of disease outbreaks, it's really hard to comprehend BASC's decision to start legal proceedings for a second challenge against gamebird restrictions, but that is exactly what it's done.

This time the challenge is against Natural England and here is BASC's reasoning, published on its [website](#) yesterday:

2 minute read July 30, 2025

BASC has today begun legal proceedings against Natural England by issuing a Pre-Action Protocol (PAP) letter regarding its handling of the licensing regime for the release of gamebirds.

By issuing a PAP letter, BASC has taken the first step towards a Judicial Review of **Natural England's (NE)** handling of the matter.

This step follows months of engagement with NE, during which BASC raised serious concerns about the legality, transparency and workability of the new individual licensing system introduced for releasing pheasants and red-legged partridges on or near Special Protection Areas (SPAs) in England.

BASC believes that NE's current licensing system is legally flawed and causing unnecessary problems for shoots trying to follow the rules. At the heart of the case is concern that NE has wrongly interpreted the definition of 'release' to be when birds are placed into secure release pens, rather than when they are released into the wild.

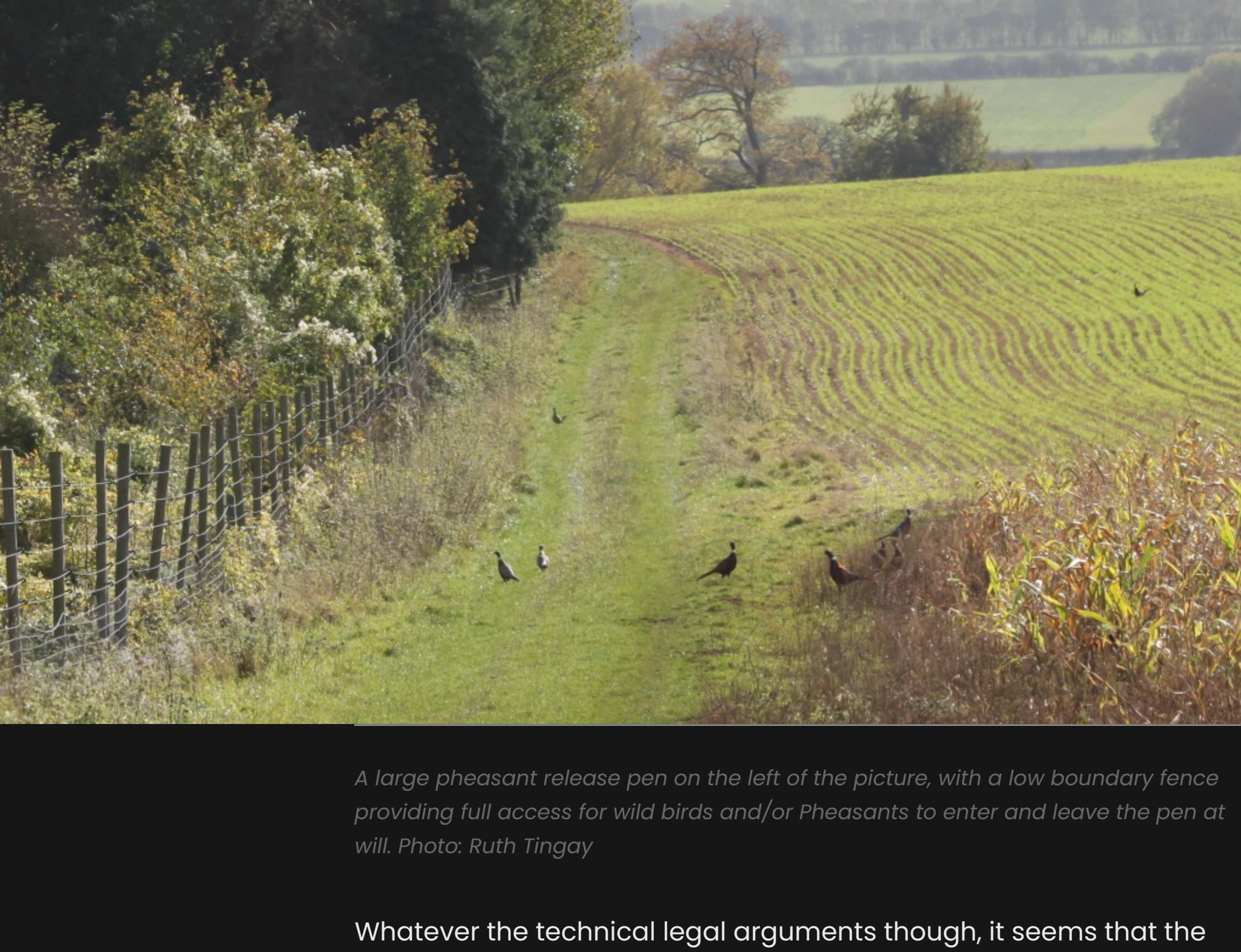
BASC is also challenging NE's decision to extend the licensing rules beyond the legal boundary, forcing shoots to apply for licences even when releasing birds outside the designated zones. These actions, BASC argues, go beyond what the law allows.

BASC warns that NE's approach risks undermining the very conservation goals it is meant to support. Game management, predator control and habitat improvements, much of it privately funded and volunteer-led, are often inseparable from shooting activities. **Shooting contributes over £500 million annually in conservation work** – equivalent to 26,000 full-time jobs – delivering outcomes that cannot be easily replicated by the public sector alone.

BASC's chief executive, Ian Bell, said: "We have exhausted all other options in trying to work through these issues constructively. While we remain committed to cooperation with government and its agencies, Natural England's licensing approach is legally flawed, unworkable, and risks real harm to conservation and rural livelihoods.

"We have tried to resolve this through dialogue, but progress has been limited. We are now taking legal action on behalf of our members because they deserve clarity, fairness and proper recognition of the vital role they play in managing the countryside."

BASC hasn't published the contents of its Pre-Action Protocol (PAP) letter to Natural England so it's difficult to evaluate the strength/weakness of its legal arguments at this stage. Although any focus on the ridiculous ever-changing status of 'wild/captive' Pheasants (see the conundrum of Schrodinger's Pheasant) is welcome as far as I'm concerned, and especially the interpretation of 'released', because even if it's judged that gamebirds aren't considered 'released' until they're *formally* set free from the release pens, they still pose a considerable risk to spreading HPAI when vast release pens aren't covered off to prevent wild birds flying in and out of them (nor Pheasants for that matter).



A large pheasant release pen on the left of the picture, with a low boundary fence providing full access for wild birds and/or Pheasants to enter and leave the pen at will. Photo: Ruth Tingay

Whatever the technical legal arguments though, it seems that the 'rights' of BASC members to release millions of non-native gamebirds for so-called 'sport' shooting is of more importance to BASC than reducing the risk of spreading a highly contagious disease and protecting the health of wild birds of high conservation value. It doesn't look good, does it?

Wild Justice has today written to BASC and BASC's lawyers to state its intention to apply to be an 'interested party' in this case if it proceeds to an application for judicial review. General Licences 43 and 45 were introduced by Defra as a direct consequence of a [legal challenge](#) by Wild Justice between 2010 and 2021 to regulate the previously uncontrolled annual release of approximately 60 million non-native gamebirds (Pheasants and Red-legged Partridges) into the countryside, so any potential new legal challenge against those General Licences is of significant interest to Wild Justice. Sign up for Wild Justice's free [newsletter](#) to keep updated.

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