

# THE HUNTING OFFICE

Overley Barn, Daglingworth, Cirencester, Gloucestershire. GL7 7HX

## The Hunting Office Legal Fees Insurance 2019-2020

### 1. Background

This policy is an AXA policy and has been since 2014/2015 and is brokered through McClarrons. This policy was put under pressure in 2014/2015, when claims paid amounted to £267,887 against a premium paid of £183,815; clearly that position was not sustainable. Fortunately, since then Hunts have improved their procedures and the insurance has benefitted, although there are potential Court cases from last season and already ongoing cases that have arisen since 1<sup>st</sup> May 2019.

There were a number of interviews under caution last season, including Hunting Act allegations, and a number for other potential offences, mostly Public Order. Last season saw a marked increase in the number of employment issues that were raised with rradar. It is difficult at this stage to determine what the final exposure to the Insurance will be as there are cases waiting to come to court, and other allegations awaiting decisions on prosecution from the Crown Prosecution Service.

### 2. Premium 2019-2020

We have negotiated new terms through McClarrons with AXA for this season. There are restrictions on all cases as follows:

- a) **All cases taken forward must receive the support of the Hunting Office (to avoid spending substantial sums on indefensible cases).**
- b) All claims in 2019-2020 will be subject to the following restrictions **with the exception of cases under the Hunting Act where none of the extra restrictions shown below apply.**
  - i. £500 excess each and every claim.
  - ii. 20% co-insurance clause, which means the Hunt pays 20% of the total cost of any claim. Co-insurance is capped at £10,000 per claim payable by the Hunt.
  - iii. On employment matters only, a further £2,500 excess in addition to the above, where no prior advice has been sought from rradar, who are AXA's advisers.

We have concentrated on making it as painless as possible to defend properly defensible Hunting Act prosecutions, as we consider that all other prosecutions are much simpler to avoid altogether with good and proper management from the outset and before any case arises.

### 3. Hunt Registration Fees / Hunt Subscriptions

All packs (MFHA / AMHB) have been notified of the fees / subscriptions for this year. Some hunts will see an additional small increase on premium where cases have gone beyond interview stage and have therefore cost in excess of £1800 (£1500 + VAT).

4. Interviews under Caution and the Solicitors Panel

There is a new procedure for contacting solicitors for this season. If you are invited in for an interview, please contact The Hunting Office in the first instance. The office will then contact the Solicitor, the Countryside Alliance, rradar and McClarron's. Please see the diagrams which are attached to this letter which explain the procedures.

Hunts may go directly to a Solicitor if they need arrest assistance.

The Hunting Office closely monitors all cases throughout their progress to ensure that all work undertaken is conducted economically and is necessary to ensure the desired outcome. The limit of £100,000 for any one claim for any one Hunt per annum will remain. The Solicitor acting in every case will report the progress of each case, including its financial progress, in a set format to rradar.

5. Allegations against the Hunting Act 2004

The insurance restrictions on any legal expenses relating to a charge of illegal hunting will include the following:

- a) In the event of any person or Hunt pleading guilty at an interview under caution, no defence is available.
- b) In order to obtain the support of the Association for any Hunting Act defence claim under the Policy, the evidence provided by the Hunt must always include:-
  - i. Photographic and / or Video evidence of trail laying on a daily basis or alternatively evidence of exempt hunting on a daily basis. It is critical that this evidence shows 'Hunting within the Law' and is both credible and sufficient to support a defence should allegations be brought against the hunt.
  - ii. Under schedule 1 – Exempt Hunting – 'Use of dogs below ground to protect birds for shooting'
    - (i) Any member of the hunt using or involved in this exemption must be registered to do so with the Hunting Office.
    - (ii) Any member of the hunt using or involved in this exemption must have written permission from the landowner "immediately available".

6. Comprehensive Legal Services: Access to specialist legal teams and 24/7 crisis line

rradar's specialist Legal Services teams provide expert legal advice, support and representation to you. Offering UK wide coverage, rradar's Legal Services teams include lawyers with recognised experience and expertise in business crime and regulation, employment law, commercial disputes and corporate and commercial law.

If a crisis arises out of office hours, you can call rradar's 24/7 crisis line on 0800 955 6222 and speak directly to their legal team who will advise on how to best work with the Police, Health and Safety Executive and all investigating and regulatory bodies.

A full list of services available to hunts is attached to this letter.

7. Summary

The Hunting Office is determined to retain Legal Fees Insurance cover at an affordable price, but this can only happen if:

- a) All Members take every possible care with the recommended preventative measures at all times to ensure that the possibility of prosecution is kept to a minimum.
- b) The costs of defending any charges are reduced to an economic and carefully supervised level, and in particular are restricted to the core elements of defending those cases which are likely to be defensible, and where all possible precautions have been taken by the Hunt to avoid such charges arising in the first place. The Hunting Office will assist with this throughout the course of any prosecution or claim.
- c) All costs incurred through Panel Solicitors are closely monitored and controlled and receive Hunting Office approval in advance of being incurred.

Jessica Leigh-Pemberton  
Treasurer, The Hunting Office

Tim Easby  
Director, The Hunting Office

3<sup>rd</sup> September 2019

## **Rradar Legal Services**

The following rradar services are included within your Hunting Office Legal Fees Policy:

### **rradarstation: The preventative advisory service at no additional cost**

If you have a legal question and need advice quickly, then rradarstation is your first port of call. Whether you require a contract template or examples of corporate letters, each written and verified by rradar's legal professionals, you will find the answers you are looking for at rradarstation.

### **Online web portal - Guidance at your fingertips:**

Written in simple everyday language, there is an online portal that gives you 24/7 access to guidance, videos answering frequent questions and downloadable templates and check lists. rradar's team are continually developing the library that covers major topics including employment law, health and safety regulations, tax, commercial contracts and corporate governance.

### **Phone and email advisory service – the personal approach:**

To complement the online rradarstation portal, you have direct access to rradar's UK based expert legal advisers, solicitors, and regulatory experts who are contactable via email or phone between 8am - 6pm, Monday to Friday. Contact rradarstation advisors on 0800 955 6111 or by emailing: [contactus@rradar.com](mailto:contactus@rradar.com).

All legal advice provided by rradar is protected by legal privilege, meaning it is confidential and as is the information you provide to rradar.

### **rradargrace: Access rradar's intelligent legal assistant**

rradargrace is rradar's intelligent legal assistant for business and is linked to rradarstation. Users can ask rradargrace questions across a range of topics and she will respond clearly, direct users to related articles on the rradarstation web portal and provide the option to call rradar advisers for more bespoke advice.

### **rradarreport: The digital incident recording platform**

In the aftermath of an incident it's easy to forget to record vital information that may be needed later for any claims or investigations which may follow. rradarreport is a digital platform for prompt recording of near miss, minor and major incidents in the workplace and is designed specifically to help businesses easily document, manage and respond to health and safety risks across their organisations.

rradargrace and rradarreport are available to download from the Google Play or App store. Simply login using your rradar account details.

For more information on rradar's services available to you please see a copy of rradar's brochure as attached.



