

PE1762/A

Scottish Government submission of 5 August 2020

I refer to the Public Petitions Committee (PPC) letter of 6 December 2019 regarding Petition PE16672 - End the killing of wildlife on grouse moors and elsewhere in Scotland, lodged by Libby Anderson and Bob Elliot on behalf of Onekind, seeking the Scottish Government's views on the action called for in the petition and details of any work relating to the petition over and above what is in the Werritty Review and I apologise for the delay in replying.

The Scottish Government appreciates that the use of traps and snares is a particular emotive issue but it is necessary for land managers to control certain species to protect livestock, crops, and wild birds, and that trapping and snaring at times are the least worst alternative solutions.

The Scottish Government is, however, determined to improve standards in the operation of snares and traps, and in particular, to improve the welfare of wildlife caught in snares.

Snaring

The Scottish Parliament debated the issue of snaring in 2011 and concluded that it should be retained subject to further changes to the legislation that aim to improve the animal welfare aspects of this pest control method. As such, the Scottish Government does not intend to ban snaring at this present time.

The Scottish Government has made a number of changes to snaring law since 2011 to improve animal welfare. The changes include: requiring snaring operators to be trained and for their snares to be identified by a number registered with the police; snares to be fitted with a stop to prevent them tightening too far and injuring wildlife; and snares to be checked at prescribed intervals and for records to be kept.

Snaring is reviewed every 5 years as required by Section 11F of the Wildlife and Countryside Act 1981; the last review was carried out by SNH in 2016. The main finding of the review was that the number of reported incidents of snaring-related offences has fallen following changes made to snaring regulations in 2011. The 2016 review made proposals to further improve snaring practices and equipment to improve the welfare of animals caught in snares. While some of the recommendations in this review can be implemented via a revised code of practice some of them will require changes to legislation and we will consult as necessary on any proposed changes in due course.

Larsen/Live Catch Traps

The Petition also raises animal welfare concerns over the use of Larsen traps and other live catch traps. Scottish Natural Heritage (SNH) has looked at some aspects of the use of Larsen traps as part of their previous review of General Licences in 2016.

This was a full review of the use of traps at that time via 4 published commissioned reports which included specific sections covering welfare. This work was carried out by Science and Advice for Scottish Agriculture and the Game & Wildlife Conservation Trust.

There was an overall steering group comprising of RSPB, British Association for Shooting and Conservation, SNH and Scottish Government representatives who oversaw the project.

The last report included recommendations for SNH in order to resolve some of the issues highlighted in the previous reports. SNH has already introduced some of these recommendations, including the use of meat baits being permitted in Larsen mate and Larsen pod traps on General Licences 01 to 04, the development of a Code of Practice for trap operators, and improving trap registration. Full details of the reports are at - <https://www.nature.scot/snh-commissioned-report-931-932-933-934-assessing-nature-and-use-corvid-cage-traps-scotland-part-1>

Spring Traps

Regarding the trapping of animals, the Agreement on International Humane Trapping Standards (AIHTS), came into force on 28 March 2019. This applies to badger, beaver, otter and pine marten.

Although stoat is a UK AIHTS species, there was a delay for stoat so that a General Licence to trap stoat wouldn't be required until April 2020.

The AIHTS is an international agreement that aims to impose common welfare standards in the trapping of fur-bearing animals. The EU is a signatory to the Agreement and member states are required to take action even if animals are not routinely trapped for their fur in the member state.

Only five of the AIHTS species actually occur in the wild in Scotland as follows:

1. European badger, *Meles meles*
2. European beaver, *Castor fiber*
3. European otter, *Lutra lutra*
4. Pine marten, *Martes martes*
5. Stoat, *Mustela ermine*

Of these, only the stoat is regularly and widely trapped in the UK and it is the only species for which lethal spring traps are commonly used. The others are protected species and are only infrequently trapped (for conservation, research, disease control or damage prevention purposes), using non-lethal traps under licences issued by Scottish Natural Heritage strictly on a case-by-case basis.

The Spring Traps Approval Scotland (Amendment) Order 2018 has authorised several new traps for stoat which meet the requirements of the Agreement on International Humane Trapping Standards.

The Order also lists approved spring traps for foxes, grey squirrels, mice, mink, rats and weasels, with which trappers must comply with the conditions of use. Anyone not complying with the conditions of use, or using non-approved traps, would be committing an offence.

Werritty Review

We received Professor Werritty's report The Independent Review of Grouse Moor Management on 18 November 2019, and published it on 19 December 2019 <https://www.gov.scot/publications/grouse-moor-management-group-report-scottish-government/pages/7/>

The report made recommendations on licensing of grouse moors, raptor persecution, muirburn, mountain hares and medicated grit and other associated activities. One of the recommendations in the Report was that trap operators complete a training course and obtain a unique ID number from Police Scotland to be attached to each trap set, in line with current snaring regulations. We will now take time to consider carefully the recommendations in full and will address each when we publish our full response later this year.

Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill

Members of the Committee will also note that the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 ('the 2020 Act') gained Royal Assent in July this year .

<https://www.parliament.scot/parliamentarybusiness/Bills/112958.aspx>

The 2020 Act will increase the maximum sentences for the most serious wildlife offences, including certain trapping and snaring offences, to 5 years' imprisonment and/or an unlimited fine.

The 2020 Act will also extend the offence of vicarious liability to apply to offences relating to the illegal use of traps and snares and will increase the time available to Police Scotland to investigate wildlife crimes

Glue traps

As part of the Programme for Government, the Scottish Government committed to establishing an Animal Welfare Commission to provide expert advice on the welfare of companion and wild animals in Scotland and ensure that we maintain high standards of animal welfare. That advice will be provided via written reports and opinions from the Commission giving practical recommendations on animal welfare issues based on scientific evidence and ethical considerations. The Commission is currently looking into the use of glue traps in Scotland.

12 members have been appointed to the Commission. Professor Cathy Dwyer was announced as the Chair of the Commission on 24 September 2019. Professor Dwyer is Professor of Animal Behaviour and Welfare at Scotland's Rural College and Director of the Jeanne Marchig International Centre for Animal Welfare Education at the Royal (Dick) School of Veterinary Medicine, University of Edinburgh.

Finally we will always encourage alternative approaches to wildlife management, such as the approach that Forestry and Land Scotland takes, which focuses on creating suitable habitats in which predator and prey can co-exist.

Scotland has the most robust laws relating to snaring and trapping in the UK and we work with key stakeholders, including animal welfare organisations, such as the SSPCA, to ensure that these activities are only carried out when necessary and to high animal welfare standards .

As well as the action set out above the Scottish Government will continue to keep snaring and trapping under review and if serious concerns arise, we will consider them and introduce further legislation if necessary, following consultation with relevant stakeholders.