

From: [Redacted]
To: FW: Tweet from Devon Peregrines (@DevonPeregrines)
Cc: 21 April 2020 11:19:00
Subject:
Date:

Hi [Redacted]

Please see the email below from NE's licensing team following the tweet you forwarded from Devon Peregrines in relation to a licence issued to [Redacted] to take peregrine eggs/chicks.

I'm still awaiting confirmation from the licensing team in Wales if they have issued any to [Redacted] as well.

[Redacted]
Wildlife Management Team
Natural Resources Division
Directorate for Environment and Forestry
The Scottish Government
3-G South
Victoria Quay
Leith
EH6 6QQ
Tel. 0131-244-[Redacted]

[Redacted]@gov.scot

From: [Redacted]@naturalengland.org.uk>
Sent: 21 April 2020 11:00
To: [Redacted]@gov.scot>
Cc: [Redacted]@defra.gov.uk>
Subject: FW: Tweet from Devon Peregrines (@DevonPeregrines)

Dear [Redacted],

My colleagues have forwarded me your email relating to the peregrine falcon licences issued by NE. I can confirm that NE has issued three licences for England - some rationale and explanation for this can be found in a Natural England blog at:

<https://naturalengland.blog.gov.uk/2020/04/16/natural-england-issues-licences-for-taking-peregrine-falcons-from-the-wild-for-falconry/>

For your information I have recently spoken to [Redacted] at Scottish Natural Heritage (as part of a general catch up call) who had similar queries and it might be worthwhile discussing this with him, should you have any further queries around the difference between NE's and SNH's licence applications/assessments.

I trust that this helps but please do get in touch should you have any further queries.

Best wishes,

[Redacted]

[Redacted]

Senior Adviser

Natural England Wildlife Licensing Service: Species Team

T: [Redacted]

M: [Redacted]

From: [Redacted]

Sent: 20 April 2020 14:59

To: [Redacted]@naturalengland.org.uk>; [Redacted]@naturalengland.org.uk>;

[Redacted]@cyfoethnatoriolcymru.gov.uk>; [Redacted]@cyfoethnatoriolcymru.gov.uk>

Cc: [Redacted]@gov.scot>

Subject: FW: Tweet from Devon Peregrines (@DevonPeregrines)

All

Can you help answer [Redacted] query re any licences issued to [Redacted] to collect peregrine eggs/chicks in England/Wales.

Regards

[Redacted]

[Redacted] | General Licensing Review Team | Natural Environment Policy | **Department for Environment, Food and Rural Affairs** | Direct Line: [Redacted] | Fax: TBC | Email:

[Redacted]@defra.gov.uk | Address: Temple Quay House, Floor 1, Zone TBC, 2 The Square, Temple

Quay, Bristol, BS1 6EB

From: J[Redacted]@gov.scot>

Sent: 20 April 2020 12:11

To: [Redacted]@defra.gov.uk>

Subject: FW: Tweet from Devon Peregrines (@DevonPeregrines)

Good afternoon [Redacted]

I hope you are well. Please see the tweet from Devon Peregrines below regarding [Redacted].

Can you confirm if [Redacted] got a licence to collect peregrine eggs/chicks in England/Wales please?

If not for you, grateful if you could forward on to the appropriate person please?

Best wishes

[Redacted]

Wildlife Management Team
Natural Resources Division
Directorate for Environment and Forestry
The Scottish Government
3-G South
Victoria Quay
Leith
EH6 6QQ
Tel. 0131-244[Redacted]

[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)

From: [\[Redacted\]@gmail.com](mailto:[Redacted]@gmail.com)>
Sent: 18 April 2020 12:08
To: [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>
Cc: [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>
Subject: Tweet from Devon Peregrines (@DevonPeregrines)

Devon Peregrines (@DevonPeregrines) tweeted at 11:40 pm on Fri, Apr 17, 2020:
As @_BTO are saying no monitoring due to Covid19 then @NaturalEngland must have a duty to inform [Redacted] that he cannot breach Covid19 restrictions to execute his licence. It's not essential. It's not even scientifically valid. @RSPBbirders @[Redacted]get on this sharpish.
(<https://twitter.com/DevonPeregrines/status/1251279321324490757?s=03>)

Get the official Twitter app at <https://twitter.com/download?s=13>

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From: [Redacted]
To: [Redacted]@defra.gov.uk; [Redacted]@naturalengland.org.uk; [Redacted]@naturalengland.org.uk;
G[Redacted]Species Licensing
Cc: RE: Tweet from Devon Peregrines (@DevonPeregrines)
Subject: 21 April 2020 12:31:51
Date: image001.png
Attachments: image002.png
image003.png
image004.png

Hi [Redacted] and [Redacted]

I can confirm that [Redacted] does not have a licence in Wales to collect peregrine eggs/chicks. I have checked our records and can see no mention of [Redacted] name anywhere in our filing system.

I hope this answers your question.

All the best

[Redacted]

Uwch Swyddog Trwyddedu Rhywogaethau / Senior Officer Species Permitting

Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffôn/Tel: [Redacted] (currently unavailable please email)

Maes Y Ffynnon, Penrhosgarnedd, Bangor, Gwynedd, LL57 2DW

E-bost/E-mail:

[Redacted]@cyfoethnaturiolcymru.gov.uk / [Redacted]@naturalresourceswales.gov.uk

Gadawodd y DU yr UE ar 31 Ionawr 2020 a bellach mae mewn cyfnod pontio tan 31 Rhagfyr 2020. Mae'r rhwymedigaethau cyfreithiol ynghylch cydymffurfio â thrwyddedau a deddfwriaeth amgylcheddol yn parhau. Bydd CNC yn parhau i roi a rheoleiddio pob trwydded yn unol â'n harferion presennol. Os oes gennych unrhyw gwestiynau am eich trwyddedau a/neu reoli safle, cysylltwch â'n Canolfan Gofal Cwsmeriaid drwy ffonio 03000 653 000.

The UK left the EU on 31 January 2020 and has entered a transition period until the 31 December 2020. The legal obligations relating to compliance with environmental permits and legislation continue to apply. NRW will continue to issue and regulate all permits and licenses in line with our current practice. If you have any questions about your permits or licenses and/or site management, please contact our Customer Care Centre on 03000 653 000.

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy.

Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.



From: [Redacted] **Sent:**
21 April 2020 09:36

To: '[Redacted]@defra.gov.uk>; [Redacted]@naturalengland.org.uk>; [Redacted]@naturalengland.org.uk>; [Redacted]@cyfoethnaturiolcymru.gov.uk>

Cc: [Redacted]@gov.scot>

Subject: RE: Tweet from Devon Peregrines (@DevonPeregrines)

Hello [Redacted]

I have passed the enquiry onto our Species Licensing Team and have asked them to respond directly to [Redacted] and yourself.

Regards,

[Redacted]

Rheolwr Gwasanaeth Trwyddedu / Permitting Service Manager

Cyfoeth Naturiol Cymru / Natural Resources Wales

Cyfarwyddiaeth Tystiolaeth, Polisi a Thwyddedu / Evidence, Policy and Permitting Directorate

In light of recent events, I am currently working from home and as such not contactable on the phone. If you need to get in touch, please email me and I will respond as quickly as possible.

Yn sgil y datblygiadau diweddaraf rwy'n gweithio gartref ar hyn o bryd ac felly nid mewn cyswllt ar y ffôn. Os oes angen i chi gysylltu, anfonwch e-bost ataf os gwelwch yn dda a byddaf yn ymateb cyn gynted â phosib.

www.cyfoethnaturiol.cymru / www.naturalresources.wales

Yn falch o arwain y ffordd at ddyfodol gwell i Gymru trwy reoli'r amgylchedd ac adnoddau naturiol yn gynaliadwy.

Proud to be leading the way to a better future for Wales by managing the environment and natural resources sustainably.



Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi
Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay

From: [Redacted]@defra.gov.uk>

Sent: 20 April 2020 14:59

To: [Redacted]@naturalengland.org.uk>; [Redacted]@naturalengland.org.uk>; [Redacted]@cyfoethnaturiolcymru.gov.uk>; [Redacted]@cyfoethnaturiolcymru.gov.uk>

Cc: [Redacted]@gov.scot>

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All

Can you help answer [Redacted] query re any licences issued to [Redacted] to collect peregrine eggs/chicks in England/Wales.

Regards

[Redacted] General Licensing Review Team | Natural Environment Policy | **Department for Environment, Food and Rural Affairs** | Direct Line: [Redacted] | Fax: TBC | Email: [\[Redacted\]@defra.gov.uk](mailto:[Redacted]@defra.gov.uk) | Address: Temple Quay House, Floor 1, Zone TBC, 2 The Square, Temple

Quay, Bristol, BS1 6EB

From: [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot) [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>
Sent: 20 April 2020 12:11
To: [\[Redacted\]@defra.gov.uk](mailto:[Redacted]@defra.gov.uk)>
Subject: FW: Tweet from Devon Peregrines (@DevonPeregrines)

Good afternoon [Redacted]

I hope you are well. [Redacted] forwarded me the tweet from Devon Peregrines below regarding [Redacted].

Can you confirm if [Redacted] got a licence to collect peregrine eggs/chicks in England/Wales please?

He has applied to SNH numerous times on the basis of conserving peregrine falcons in Scotland but has never been granted a licence.

If not for you, grateful if you could forward on to the appropriate person please?

Best wishes

[Redacted]
Wildlife Management Team
Natural Resources Division
Directorate for Environment and Forestry
The Scottish Government
3-G South
Victoria Quay
Leith
EH6 6QQ
Tel. [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)

From: [\[Redacted\]@gmail.com](mailto:[Redacted]@gmail.com)>
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To: [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>
Cc: [\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>

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(<https://twitter.com/DevonPeregrines/status/1251279321324490757?s=03>)

Get the official Twitter app at <https://twitter.com/download?s=13>

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[REDACTED]

From: [REDACTED] on behalf of Cabinet Secretary for the Environment, Climate Change and Land Reform
Sent: 17 February 2021 11:31
To: Public Engagement Unit
Cc: Cabinet Secretary for the Environment, Climate Change and Land Reform
Subject: FW: Falconry/Mountain Hares

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: MICASE

AO [REDACTED]

For MR please.

Kind regards,

[REDACTED]

[REDACTED] | Assistant Private Secretary to Roseanna Cunningham MSP | Cabinet Secretary for Environment, Climate Change and Land Reform | Scottish Government | cabsececclr@gov.scot

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From: [REDACTED] MSP [REDACTED] mmp@parliament.scot>
Sent: 17 February 2021 11:20
To: Cabinet Secretary for the Environment, Climate Change and Land Reform <CabSecECCLR@gov.scot>
Subject: Falconry/Mountain Hares

Dear Cabinet Secretary,

Constituents have contacted us about the licensing system for the culling of mountain hares. They are concerned that there are not exemptions for falconers who use golden eagles/birds of prey to take a small number of mountain hares as part of their practice.

I would be grateful for clarification on this issue.

Best,

[REDACTED]



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[REDACTED]@parliament.scot

Our Reference: 202100170185
Your Reference: Falconry/Mountain Hares

30 March 2021

Dear [REDACTED],

Thank you for your email of 17 February 2021 to Roseanna Cunningham, Cabinet Secretary for the Environment, Climate Change and Land Reform, raising your concerns of your constituents regarding falconry and a licensing regime for the taking of mountain hares. I have been asked to respond.

I would like to assure you that the Scottish Government recognises the social and cultural heritage associated with falconry. Blue (or mountain) hares are now a protected species following the passage of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act in June 2020. The protection came into force on 1 March 2021. This means that the species can no longer be taken for sporting or recreational purposes.

As the then Minister for Rural Affairs and the Natural Environment, Mairi Gougeon, explained during the Stage 3 debate of the Animals and Wildlife Bill, the Scottish Government has always maintained that large-scale culls of mountain hares are not acceptable if they threaten their conservation status. The current NatureScot assessment is that the species is currently in unfavourable conservation status with inadequate data. NatureScot is the statutory adviser to Scottish Ministers on policies relating to the natural heritage of Scotland.

The Scottish Government therefore decided to support this amendment as we believe it achieves an appropriate balance between the interests of those involved in legitimate land management and protecting an iconic Scottish species.

Birds of prey can still be used take mountain hares for other purposes where carried out under a

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licence granted by NatureScot, as specified in section 16 of the Wildlife and Countryside Act 1981. An example would be to prevent serious damage to timber or agriculture or for the conservation of natural habitats. It should also be noted that birds of prey can still be used to legally hunt other species, such as grouse and rabbits. Any changes to the specified purposes for allowing licensed taking of mountain hares under the Wildlife and Countryside Act 1981 would require primary legislation.

NatureScot has engaged with land management, conservation and welfare bodies, including representatives of the Scottish Hawk Board and other operators, to help develop their approach to the licensing regime for the culling of mountain hares.

I hope this proves to be helpful.

Yours sincerely


NATRES : Wildlife and Flood Management

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St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



INVESTORS
IN PEOPLE

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Until 2020



[REDACTED]

From: [REDACTED] MSP [REDACTED]msp@parliament.scot>
Sent: 24 March 2021 23:23
To: Scottish Ministers
Subject: Letter to Mairi Gougeon MSP (Case Ref: AA6281)
Attachments: letter5403.pdf

Categories: [REDACTED] MICASE

AO – [REDACTED]

Good evening,

Please find attached a letter from [REDACTED] MSP to Mairi Gougeon MSP.

Kind regards,

[REDACTED]
[REDACTED] MSP
Scottish National Party – Na h-Eileanan an Iar
Post: [REDACTED]
Tel: [REDACTED] Mob: [REDACTED]
E-mail: [REDACTED]@parliament.scot

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[REDACTED] MSP
[REDACTED].msp@parliament.scot

Our Reference: 202100186127

22 April 2021

Dear [REDACTED] MSP,

Thank you for your letter of 24 March 2021 to the Minister for Rural Affairs and the Natural Environment, Ben MacPherson MSP, on behalf of your constituent, raising concerns regarding falconry. As I work within the team responsible for this policy area, I have been asked to reply.

I would like to assure you that the Scottish Government recognises the social and cultural heritage associated with falconry. As you mention in your letter, mountain hares are now a protected species following the passage of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act in June 2020. The protection came into force on 1 March 2021. This means that the species can no longer be taken for sporting or recreational purposes.

As the then Minister for Rural Affairs and the Natural Environment, Mairi Gougeon, explained during the Stage 3 debate of the Animals and Wildlife Bill, the Scottish Government has always maintained that large-scale culls of mountain hares are not acceptable if they threaten their conservation status. The current NatureScot assessment is that the species is currently in unfavourable conservation status with inadequate data. NatureScot is the statutory adviser to Scottish Ministers on policies relating to the natural heritage of Scotland.

The Scottish Government therefore decided to support this amendment as we believe it achieves an appropriate balance between the interests of those involved in legitimate land management and protecting an iconic Scottish species.

Birds of prey can still be used to take mountain hares for other purposes where carried out under a licence granted by NatureScot, as specified in section 16 of the Wildlife and Countryside Act 1981. An

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example would be to prevent serious damage to timber or agriculture or for the conservation of natural habitats. It should also be noted that birds of prey can still be used to legally hunt other species, such as grouse and rabbits. Any changes to the specified purposes for allowing licensed taking of mountain hares under the Wildlife and Countryside Act 1981 would require primary legislation.

NatureScot has engaged with land management, conservation and welfare bodies, including representatives of the Scottish Hawk Board and other operators, to help develop their approach to the licensing regime for the culling of mountain hares.

I hope this proves to be helpful.

Yours sincerely


NATRES : Wildlife and Flood Management

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www.gov.scot



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[Redacted]

From: [Redacted]@msn.com>
Sent: 19 March 2021 13:32
To: Scottish Ministers
Subject: F. A. O. Ben Macpherson MSP - Falconry and Mountain Hares - Animals and Wildlife (Penalties, Protection, and Powers) (Scotland) Act 2020

Categories: MICASE

Dear Mr Macpherson,

[Redacted]

As you'll be aware, falconry has an ancient and chequered history. Many people think of falconry only as a sport (or even a blood-sport) carried out by the gentry. Although the aristocracy have indeed indulged in the high-forms of falconry over the centuries - including in Scotland - it originally began its evolution as long as 4000 years ago primarily as an efficient method of obtaining food and it has developed over time to now be more associated with nature conservation, cultural heritage and social engagement within and amongst communities. It is practiced in many countries around the world with varying techniques, equipment, species of bird and styles of flying - but generally with similar methods. Falconry provides a connection to the past, with the natural environment and, in many communities, a link with their traditional culture. In 2016 falconry was inscribed by UNESCO as an Intangible Cultural Heritage of Humanity.

I have trained, flown and hunted with many species of raptor over the last few decades and, since 2004, I have bred falcons . . Peregrine Falcons and more recently Gyrfalcons - the largest species of falcon. I have always also harboured a wish to own, fly and hunt with what I consider as the most magnificent of our native raptors - the Golden Eagle. [Redacted]

Eighteen months ago just such a bird was offered for sale by a young falconer near London and I arranged to buy him, meeting the vendor in the North of England for collection. Due to various limitations I knew that it would be at least 2021 before I would have the time and opportunity to do justice to this wonderful bird and be able to fly him properly on upland ground at their natural quarry - specifically the Mountain Hare. Unfortunately, the wish to fulfil this vision has suddenly been derailed by the recent Animals and

Wildlife (Penalties, Protection, and Powers) (Scotland) Act 2020. Under the aforementioned Act, - from 1st March 2021 - it is now illegal to intentionally kill, injure or take Mountain Hares at any time unless a licence is obtained. It has been disseminated that licences will apparently only be issued under certain circumstances such as concerns for public health or for protection of crops and timber. The legislation where it relates to Mountain Hares - amending Section 10A, Schedule 5 and Schedule 5A of the Wildlife and Countryside Act 1981 in Scotland - is largely aimed at preventing mass culls of thousands of Mountain Hares on organised shoots in Scotland each year . . . however, the options under which licences may be issued for the taking of hares (and likely issued for the culling of large numbers of hares) betray a truth that the legislation leaves much to be desired. The aspect which obviously concerns myself and other falconers who may wish to occasionally hunt a Mountain Hare with a raptor in the Scottish uplands is the fact that to do so is now summarily illegal. I have spoken with relevant officials on this matter in recent weeks and I have it on good authoritative horse's mouth that those qualified specialists whose responsibility it is to grant licences under this new Act consider it to be a classic example of poor legislation, inadequately researched and lacking an acceptable level of prior consultation with relevant agencies/stakeholders . . . nor consideration for the consequences of enactment in it's present manifestation . . . **and** too hastily enacted: They advised that they would have had no hesitation to consider appropriate applications by falconers with a view to granting individual licences '**for the purposes of falconry**' adding that the numbers so taken would also be totally insignificant . . . but, unfortunately, that is not one of the options under which a licence to kill Mountain Hares can now be considered.

This unfortunate consequence is due to a probably unintended omission in the original Wildlife & Countryside Act 1981: The above-mentioned **subsection (1)** of Section 16 of the Act is a list, **relating particularly to 'wild birds'**, of exemptions under which licences may be granted by relevant agencies. **Subsection (3)** of Section 16 of the Act is also a similar list, but **relating particularly to 'wild animals'**, of exemptions under which licences may be granted by those relevant agencies . . . however, **the exemption for the purposes of falconry (or aviculture) is absent in subsection (3)** and the horse's mouth says that there is no good reason that they can identify nor support why it is absent.

It was surely an oversight in the rush to enact the Animals and Wildlife (Penalties, Protection, and Powers) (Scotland) Act 2020 that . . . (1) it unnecessarily discriminates against the pursuit of falconry and . . . (2) it had not been previously identified that - in order to enable a falconer to continue to be able to hunt a limited number of Mountain Hares with a suitable large raptor in Scotland each year without now breaking the law - it would be necessary for some minor further amendment/s to be made to relevant legislation.

Whilst I have rightly focussed this communication on the precise legislative anomaly I have been alerted to . . . which is the root of the aforementioned conundrum, there is however another important dilemma for falconers (particularly those who fly Golden Eagles or similar) and to their birds' welfare of the legislation as it stands: In 1965 the World Organisation for Animal Health (OIE) described '**The Five Freedoms of Animal Welfare**' for the conditions animals should experience when under human control and one can obviously be prosecuted for not meeting those conditions. The fifth of the 'freedoms' is '**freedom to express normal patterns of behaviour**'. For a trained Golden Eagle in Scotland normal hunting behaviour is flying at height in expansive remote uplands in search of - yes - Mountain Hares. Until 28th February 2021 that was a perfectly legitimate activity for a falconer to pursue in Scotland in the knowledge that his bird was enjoying it's fifth freedom . . . but from the 1st March 2021 the falconer will be breaking the law to hunt Mountain Hares with his upland raptor and, in effect, will also be breaking the law if he/she does not hunt Mountain Hares with his upland raptor . . . the result is that some falconers are already declaring that their birds now have to remain idle and are even considering 'hanging up their glove' altogether - because of unintended consequences of inadequately-consulted legislation. Tell me, where is the logic in that? All the above considered and particularly how simple the remedy should be to overcome the discrimination against what is a legitimate cultural pursuit - I am therefore writing to you seeking your early and sustained support to voice and ultimately resolve these oversights in the corridors and chamber

of the Scottish Parliament on behalf of myself as a voter, as well as the rights of all falconers in Scotland or elsewhere in the world who wish (like myself) to be able to continue to give their eagle (or other large raptor) the opportunity to experience the fulfilling of it's ancient destiny by pitting itself in the wild uplands of Scotland against the Mountain Hare, it's natural prey since time immemorial . . and also for others unable to partake in the practice of falconry themselves to be able to accompany and witness a unique spectacle which they will cherish forever.

I understand that Nature.Scot, who will consider and issue licences for killing/taking Mountain Hares in Scotland, can only officially offer the benefit of their scientific and empirical knowledge, advice and recommendations if they are asked so to do by a Minister: I surmise that yourself would be the relevant Minister and accordingly I urge that just such advice/recommendations are sought from Nature.Scot on this particular matter at the earliest opportunity and efforts to amend the legislative anomaly are taken forward as soon as possible thereafter as we are already suffering it's ill-effects. Our legitimate activity and our birds' fifth freedom should never have become a casualty and ideally it should best be restored by autumn 2021 or as soon as possible thereafter.

I look forward to hearing from you . .
RSVP

Yours sincerely,

Mr [REDACTED]

[REDACTED]

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Mr [REDACTED]
[REDACTED]@msn.com

Our Reference: 202100183783

Your Reference: F. A. O. Ben Macpherson MSP - Falconry and Mountain Hares - Animals and Wildlife (Penalties, Protection, and Powers) (Scotland) Act 2020

14 April 2021

Dear Mr [REDACTED],

Thank you for your email of 19 March 2021 to Ben Macpherson, Minister for Rural Affairs and the Natural Environment, raising your concerns regarding falconry and a licensing regime for the taking of mountain hares.

I would like to assure you that the Scottish Government recognises the social and cultural heritage associated with falconry. As you are aware, blue (or mountain) hares are now a protected species following the passage of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act in June 2020. The protection came into force on 1 March 2021. This means that the species can no longer be taken for sporting or recreational purposes.

As the then Minister for Rural Affairs and the Natural Environment, Mairi Gougeon, explained during the Stage 3 debate of the Animals and Wildlife Bill, the Scottish Government has always maintained that large-scale culls of mountain hares are not acceptable if they threaten their conservation status. The current NatureScot assessment is that the species is currently in unfavourable conservation status with inadequate data. NatureScot is the statutory adviser to Scottish Ministers on policies relating to the natural heritage of Scotland.

The Scottish Government therefore decided to support this amendment as we believe it achieves an appropriate balance between the interests of those involved in legitimate land management and protecting an iconic Scottish species.

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Birds of prey can still be used to take mountain hares for other purposes where carried out under a licence granted by NatureScot, as specified in section 16 of the Wildlife and Countryside Act 1981. An example would be to prevent serious damage to timber or agriculture or for the conservation of natural habitats. It should also be noted that birds of prey can still be used to legally hunt other species, such as grouse and rabbits. Any changes to the specified purposes for allowing licensed taking of mountain hares under the Wildlife and Countryside Act 1981 would require primary legislation.

NatureScot has engaged with land management, conservation and welfare bodies, including representatives of the Scottish Hawk Board and other operators, to help develop their approach to the licensing regime for the culling of mountain hares.

I hope this proves to be helpful.

Yours sincerely


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[REDACTED]

From: Public Engagement Unit
Sent: 05 March 2021 08:00
To: Public Engagement Unit
Subject: FW: Mountain hare - Legislation - Falconry - B Blyther - 202100161328 - Further correspondence with SG - 202100161328 - PEU - 030321

Categories: [REDACTED] MICASE

From: [REDACTED]
Sent: 03 March 2021 15:20
To: Public Engagement Unit ; [REDACTED]
Cc: [REDACTED]
Subject: Mountain hare - Legislation - Falconry - [REDACTED] - 202100161328 - Further correspondence with SG - 202100161328 - PEU - 030321
Importance: High

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Wildlife & Protected Areas | Natural Resources Division | Environment & Forestry
Directorate | Area 3G South | The Scottish Government | Victoria Quay | Edinburgh | EH6 6QQ | +44 (0)131 244 [REDACTED] | email:
[REDACTED]@gov.scot



From: [REDACTED]
Sent: 01 March 2021 09:00
To: Public Engagement Unit <CorrespondenceUnit@gov.scot>; [REDACTED]@gov.scot
Cc: [REDACTED]@gov.scot
Subject: Mountain hare - Legislation - Falconry - [REDACTED] - 202100161328 - Further correspondence with SG - 202100161328 - PEU - 010321

[REDACTED]

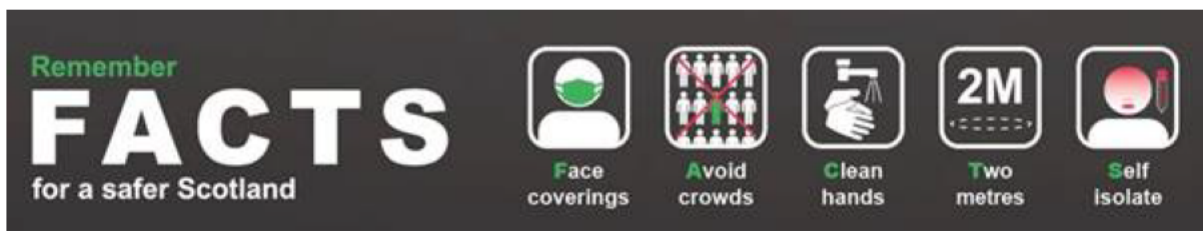
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] | Wildlife & Protected Areas | Natural Resources Division | Environment & Forestry
Directorate | Area 3G South | The Scottish Government | Victoria Quay | Edinburgh | EH6 6QQ | +44 (0)131 244 [REDACTED] 1 | email:
[REDACTED]@gov.scot



From: Public Engagement Unit <CorrespondenceUnit@gov.scot>
Sent: 26 February 2021 15:28
To: [REDACTED]@gov.scot
Subject: FW: Your recent correspondence with Scottish Government and partner agencies - 202100161328

[REDACTED]
[REDACTED]
[REDACTED]
Public Engagement Unit
1E.10 St Andrew's House
CorrespondenceUnit@gov.scot



From: [REDACTED] >
Sent: 26 February 2021 14:27
To: Public Engagement Unit <CorrespondenceUnit@gov.scot>
Subject: Re: Your recent correspondence with Scottish Government and partner agencies - 202100161328

Good afternoon and thank you for your response.

Unfortunately it's really just a little obfuscation and total failure to address the issue. I would appreciate a response suggestive of at least a little consideration of the wider issue, especially considering the highly unconventional way the bill was brought and passed, and its utter failure to acknowledge stakeholder concerns. This aside, the action is not fit for purpose and in many situations will lead to an increase in hare shooting.

Please take another look at the issue and respond with some consideration and actually address the questions posed.

Kindest regards



On 26 Feb 2021, at 14:09, casehandling.service@gov.scot wrote:

Please see the attached letter in response to your email of 1 February 2021 to Ben Macpherson, Minister for Rural Affairs and the Natural Environment, regarding falconry and a licensing regime for the taking of mountain hares.

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[Redacted]

Our Reference: 202100177751

Your Reference: 202100161328, 202100161328 - PEU - 030321

30 March 2021

Dear [Redacted],

Thank you for your letter 26 February 2021 your concerns regarding falconry and a licensing regime for the taking of mountain hares.

I would like to assure you that the Scottish Government recognises the social and cultural heritage associated with falconry. Blue (or mountain) hares are now a protected species following the passage of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act in June 2020. The protection came into force on 1 March 2021. This means that the species can no longer be taken for sporting or recreational purposes.

As the then Minister for Rural Affairs and the Natural Environment, Mairi Gougeon, explained during the Stage 3 debate of the Animals and Wildlife Bill, the Scottish Government has always maintained that large-scale culls of mountain hares are not acceptable if they threaten their conversation status. The current NatureScot assessment is that the species is currently in unfavourable conservation status with inadequate data. NatureScot is the statutory adviser to Scottish Ministers on policies relating to the natural heritage of Scotland.

The Scottish Government therefore decided to support this amendment as we believe it achieves an appropriate balance between the interests of those involved in legitimate land management and protecting an iconic Scottish species.

Birds of prey can still be used take mountain hares for other purposes where carried out under a licence granted by NatureScot, as specified in section 16 of the Wildlife and Countryside Act 1981. An

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example would be to prevent serious damage to timber or agriculture or for the conservation of natural habitats. It should also be noted that birds of prey can still be used to legally hunt other species, such as grouse and rabbits. Any changes to the specified purposes for allowing licensed taking of mountain hares under the Wildlife and Countryside Act 1981 would require primary legislation.

NatureScot has engaged with land management, conservation and welfare bodies, including representatives of the Scottish Hawk Board and other operators, to help develop their approach to the licensing regime for the culling of mountain hares.

I hope this proves to be helpful.

Yours sincerely


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[REDACTED]

From: [REDACTED] on behalf of Minister for Rural Affairs and the Natural Environment
Sent: 04 March 2021 21:04
To: Public Engagement Unit
Cc: Minister for Rural Affairs and the Natural Environment
Subject: FW: Animals & Wildlife Act 2020

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: MICASE

AO [REDACTED]

For MiCase MR please

[REDACTED]
Assistant Private Secretary to the Minister for Rural Affairs and the Natural Environment
Leas-Rùnaire Prìobhaideach am Ministear airson Cùisean Dùthchail agus na h-Àrainneachd Nàdarrach

0131 244 [REDACTED]
MinisterRANE@gov.scot

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From: Loch Lomond Bird of Prey Centre <llbopc@gmail.com>
Sent: 04 March 2021 20:54
To: Minister for Rural Affairs and the Natural Environment <MinisterRANE@gov.scot>
Cc: Ben Macpherson <Ben.Macpherson.msp@parliament.scot>
Subject: Animals & Wildlife Act 2020

Dear Mr. MacPherson,

I thank you for the opportunity to contact you regarding the Animals & Wildlife Act 2020. My reason for contacting you is two-fold. Firstly because of the impact of the act on Falconry in the UK, and secondly, the effect of policy decisions on wildlife in Scotland.

Falconry, the art of hunting wild quarry in its natural state using a trained bird of prey, has been practiced around the world for the last 4000 years and has been included by UNESCO as an intangible cultural heritage of humanity. Specifically, the hunting of mountain hares using golden eagles, goshawks and other hawks, has been practiced in Scotland for decades. Falconers, and visitors, travel from far afield to witness the spectacle of trained birds hunting the elusive mountain hare. The numbers taken are negligible. On some occasions, a full day may be spent hunting with nothing in the bag. The protection of the mountain hare excludes all "taking" of mountain hares. The licensing of culling mountain hare, by inference, excludes the use of falconry methods. This

protection will result in the cessation of mountain hare hunting by falconers in Scotland, depriving communities of wildlife tourism and income.

Falconry is an ancient art, taking commitment, passion, and an understanding of the natural world, to be successful. The falconry community has lost one of it's most admired and respected forms due to this act. Falconry, as with other forms of hunting, puts food on the table, and in our case, provides natural food for our hawks.

There is a petition, PE01859, signed by most in the falconry community, both here and abroad. This petition requests an amendment to the act to exclude falconry from the ban on hunting mountain hares. We have respected the closed season on mountain hares since it's inception and will continue to do so. However, a total ban is wholly unacceptable.

The hunting of mountain hares took place on moorland managed for shooting. That is not by accident. The only areas where mountain hares exist in any numbers is on managed moorland. By managing the moorland correctly, the correct habitat and protection from predation ensures the mountain hare can thrive. You will not find mountain hares in such numbers on nature reserves or unmanaged land, FACT.

The falconry community view this act as the thin edge of the wedge. Pessimistically, many see an agenda to have all hunting banned. That would be an ecological disaster. Nature has become unbalanced, and no, it will not balance itself out without human intervention and species management. Falconers have little effect on overall numbers of prey species, except in cases where pest control is required. Even then, numbers are managed for sustainability. If prey populations, such as rabbits and hares are allowed to increase unchecked, then damage to the eco-system occurs. If predator numbers, such as corvids, foxes, stoats and badgers are allowed to increase unchecked, then the effect on other species can become irreversible.

[REDACTED]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Yours Sincerely,

[REDACTED]

[REDACTED]

Loch Lomond Bird of Prey Centre.

Telephone : [REDACTED]

Mobile : [REDACTED]

www.llbopc.co.uk

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[REDACTED]
[REDACTED]@gmail.com

Our Reference: 202100175318

30 March 2021

Dear [REDACTED]

Thank you for your email of 4 March 2021 raising your concerns regarding falconry and a licensing regime for the taking of mountain hares.

I would like to assure you that the Scottish Government recognises the social and cultural heritage associated with falconry. Blue (or mountain) hares are now a protected species following the passage of the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Act in June 2020. The protection came into force on 1 March 2021. This means that the species can no longer be taken for sporting or recreational purposes.

As the then Minister for Rural Affairs and the Natural Environment, Mairi Gougeon, explained during the Stage 3 debate of the Animals and Wildlife Bill, the Scottish Government has always maintained that large-scale culls of mountain hares are not acceptable if they threaten their conservation status. The current NatureScot assessment is that the species is currently in unfavourable conservation status with inadequate data. NatureScot is the statutory adviser to Scottish Ministers on policies relating to the natural heritage of Scotland.

The Scottish Government therefore decided to support this amendment as we believe it achieves an appropriate balance between the interests of those involved in legitimate land management and protecting an iconic Scottish species.

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habitats. It should also be noted that birds of prey can still be used to legally hunt other species, such as grouse and rabbits. Any changes to the specified purposes for allowing licensed taking of mountain hares under the Wildlife and Countryside Act 1981 would require primary legislation.

NatureScot has engaged with land management, conservation and welfare bodies, including representatives of the Scottish Hawk Board and other operators, to help develop their approach to the licensing regime for the culling of mountain hares.

I hope this proves to be helpful.

Yours sincerely


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[REDACTED]

From: [REDACTED]
Sent: 12 August 2020 20:08
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Blue hare season and licensing

Hi Andrew

Yes, the current legislation remains in force and will continue to do so until the new regulations are commenced, so in the meantime your members can carry out their activities as normal. As I said we don't have a date for that for when the new provisions will come into force. However, we do understand that stakeholders are keen to know when this is likely to happen so that they can plan accordingly and we will provide an update on this as soon as we are in a position to do so.

If your members any other questions about any of the changes being made under the Act please just let us know and we will be happy to provide further information.

Kind regards

[REDACTED]

[REDACTED]

I am currently working at home. The best way to get in contact with me is via my mobile (number below) or SG officials can try Skype for Business.

[REDACTED] | Wildlife Management Team | Natural Resources Division | Environment and Forestry Directorate

Scottish Government | 3-G South, Victoria Quay, Leith, Edinburgh, EH6 6QQ

Ext [REDACTED]/0131 244 [REDACTED] | Mobile [REDACTED] | [REDACTED]@gov.scot

From: [REDACTED]
Sent: 07 August 2020 16:09
To: [REDACTED]@gov.scot>
Cc: [REDACTED]@gov.scot>; [REDACTED]@gov.scot>
Subject: RE: Blue hare season and licensing

Hello [REDACTED]

Thank you for your reply, I will speak with [REDACTED] who is [REDACTED] of the UK Hawk Board and discuss with him about a reporting scheme and get back to you and Hugh.

Could you also clarify that the legislation in place including the closed season and the take of blue hare between August and February is still in place as before and do you envisage the new legislation protecting the blue hare to be enacted before March 1st 2021. I need to update my members on what they can and can't do.

[REDACTED]

From: [REDACTED]@gov.scot [REDACTED]@gov.scot>
Sent: 07 August 2020 14:03
To: [REDACTED]
Cc: [REDACTED]@gov.scot [REDACTED]@gov.scot
Subject: RE: Blue hare season and licensing

Hi [REDACTED]

Thank you for your email.

We don't have a date for bringing in the licensing regime yet; as the Minister for Rural Affairs and the Natural Environment said when the matter was debated in parliament, there are some issues that need to be teased out first and so we will be taking time over the coming months to discuss these issues with stakeholders as part of our consultation process.

I'll keep you updated and let you know once the date for commencing this part of the Animal and Wildlife (Penalties, Provisions and Powers) (Scotland) Act has been confirmed but in the meantime if you have any further questions about this amendment or any of the other provisions in the Act I'd be happy to set up a telephone or video call to discuss further, if that would be useful.

And in terms of your question regarding voluntary reporting of takes from the falconry community, if your members are willing and able to provide that information, it would be really helpful.

Kind regards

[REDACTED]

[REDACTED]

I am currently working at home. The best way to get in contact with me is via my mobile (number below) or SG officials can try Skype for Business.

[REDACTED] | Wildlife Management Team | Natural Resources Division | Environment and Forestry Directorate

Scottish Government | 3-G South, Victoria Quay, Leith, Edinburgh, EH6 6QQ

Ext [REDACTED]/0131 244 [REDACTED] | Mobile [REDACTED] [REDACTED]@gov.scot

From: [REDACTED] >

Sent: 06 August 2020 20:38

To: [REDACTED]@gov.scot >

Subject: Blue hare season and licensing

[REDACTED]

Hello [REDACTED]

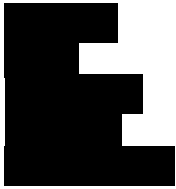
I hope all is well with you in these difficult times. I have been in touch with [REDACTED] about the proposed possibility of a consultation on the future licensing of a 'take' of blue hare.

He is of the opinion that the legislation that was passed through parliament to protect the blue hare is not likely to be put in place till after the end of the current blue hare season, perhaps you can clarify that for me. We discussed a voluntary reporting scheme on the 'take' of blue hare by the falconry community which may aid any consultation process, do you think this is something that you think would of use. If so I will contact the UK Hawk Board and perhaps jointly with the Scottish Hawk Board put something in place for the remainder of this season.

What are your views on this.

Regards [REDACTED]

[REDACTED]



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