

## **Snaring – Oral PQ S6O-00913 – Ruth Maguire MSP**

**Question:** To ask the Scottish Government what its response is to the Snarewatch Annual Report 2021 from OneKind.

### **Draft answer**

I understand concerns around the use of snares.

We recently completed a review of snaring as required by the Wildlife and Countryside Act which will be published shortly. We are commissioning a wider review to consider whether we should retain snaring. Alongside the wildlife management and livestock protection arguments, the Scottish Animal Welfare Commission will examine the animal welfare aspects.

We are committed to ensuring the highest standards of animal welfare, and have made a number of changes to the law to strengthen regulation of snaring. Scotland has led the way on this issue and we have the most robust regulation in the UK.

(104 words)

### **Supplementary Question for S6O-00913**

#### **Surely snaring is completely unacceptable in modern Scotland?**

I sympathise with those who are instinctively opposed to snaring. However farmers and other land managers do need to be able to protect lambs and other livestock, or vulnerable wild species from predators. Sometimes snaring is the least bad option for managing this problem. Our review will weigh these arguments against legitimate welfare concerns.

#### **Will the statutory Snaring Review take account of the Onekind snaring incidents?**

Yes, the 2021 Snaring Review, as required by the Wildlife and Countryside Act, has taken account of the snaring incidents submitted by members of the public to Onekind's Snarewatch.

#### **When does the Scottish Government plan to publish its latest review into snaring, which, under the Wildlife and Countryside Act, was due to be completed by December 2021.**

The Scottish Government intends to lay a copy of the report before the Scottish Parliament, as soon as it is practicable, as set out in accordance in the Wildlife and Countryside Act. A copy of the report will also be made available on the Scottish Government website.

## **Why have you not fulfilled your statutory obligation under the Wildlife and Countryside Act to publish a review of snaring by December 2021?**

The statutory review was undertaken in 2021. However, there has been a short delay in laying the report before Parliament due to competing priorities.

## **Why were some of the recommendations of the 2016 snaring review not implemented?**

Some of the recommendations from the 2016 review require primary legislation. Unfortunately we were not able to progress those changes during the previous parliament. However, we will seek to update the relevant legislation including any further recommendations arising from the forthcoming review, as soon as it is practically possible.

## **Why are snares allowed when they can catch non-target/protected species?**

A professional following best practice can significantly reduce the likelihood of catching protected species. They will for example avoid setting snares in proximity to a watercourse frequented by otters or to a badger sett.

The improvements that have been made to best practice and training all contribute to the welfare of non-target species caught in snares and allow them to be released unharmed.

## **Why are stink pits allowed/do stink pits attract non-target species?**

Stink pits can be used for wildlife management purposes where sites are more easily checked. This can reduce the number of snares set in the wider countryside and it is the responsibility of the snaring operator to follow best practice.

## **Fox hunting**

### **Why are you not banning fox hunting outright?**

As we set out in our 2021 Programme for Government, we will introduce a Bill during this parliamentary year to strengthen the law relating to use of dogs to hunt foxes and other wild mammals, as well as introducing other measures such as preventing trail hunting.

We recognise that foxes can cause significant harm to farm livestock (including lambs, chickens and ducks) as well as to species of ground-nesting birds that are the focus of conservation efforts. It is important that land managers have access to fox control measures that are both efficient and humane.

In most circumstances foxes can be managed by shooting. Lord Bonyon notes in his review of the 2002 Act that the majority of foxes are killed in this way.

However, we are aware that in some types of terrain it may be impractical or dangerous to shoot, or the risk of wounding may be too high and that the use of dogs to flush foxes from cover is the most effective option.

### **What are you planning as regards Trail Hunting?**

As we have seen from recent events south of the border, there is evidence that trail-hunting is sometimes being used as a cover for illegal hunting. We therefore plan to take pre-emptive action to prevent trail hunting becoming established in Scotland in order to reduce the risk of wild mammals being killed by dogs.

### **Will the fox hunting Bill limit the number of dogs to two?**

As stated before Parliament on 9 January 2019, I am proposing that no more than two dogs can be used to flush a fox to from cover, and will explore the option of a licensing scheme to allow more than two only in exceptional circumstances.

### **What is the purpose of the proposed licensing scheme?**

The proposed licensing system for the use of more than two dogs is still in development. The aim would be to provide for situations where, for example, the local terrain or conditions meant that a limit of two dogs did not allow farmers to protect their livestock adequately.

### **Wildlife crime & grouse moors**

#### **What changes will be made to trapping under the licensing of grouse moor management?**

Although there are already strict regulations governing the use of traps and snares in Scotland and failure to follow these regulations is a wildlife crime, and anyone doing so may be prosecuted; we will look at proposals to improve regulation of trapping in line with the recommendations of Professor Werritty's report. We are also undertaking a review of snaring and will consider any recommendations from the review and will take further action if necessary, including introducing further legislation.

#### **When can we expect the 2020 annual Wildlife Crime Report to be published?**

We are currently finalising the 2020 annual Wildlife Crime Report and will publish it shortly.

### **Glue traps**

#### **When will you stop the use of cruel and inhumane glue traps?**

As I was pleased to announce in Parliament in January, having carefully considered the Scottish Animal Welfare Commission's findings, alongside all other relevant evidence, we intend to end the cruel practice of setting glue traps.

The Commission's report is clear that there are significant animal welfare issues related to the use of glue traps, not only for rodents but also for non-target species such as wild birds. Therefore, we will bring forward legislation to ban glue traps in this parliamentary term.

**Can the Minister confirm that as well as banning the use of glue traps, we will also ban their sale here in Scotland?**

Our intention is to ban both the sale and use of glue traps. However there are implications arising from the Internal Market Act which can undermine decisions made by this Parliament, including in wholly devolved climate and environmental policy.

We understand other UK countries are exploring a ban on glue traps and we will work closely with them with the aim of achieving a ban on sale

## **Background note**

This PQ (S6O-00448) has been lodged by Ruth Maguire MSP who is a Scottish National Party member for Cunninghame South. Ms Maquire was a substitute member on the Environment Climate Change and Land Reform Committee 20/21.

### **OneKind, Snarewatch Annual Report 2021 Findings**

This report highlights a selection of reports from the British public to SnareWatch in 2021, and one case that was reported in the media, that demonstrate the “considerable physical and mental suffering” inflicted by snares, their prevalence across the UK and both the target and non-target species caught in them – from wild, to farmed and companion animals.

Of the eleven cases discussed within the publication, only two occurred in Scotland:

- A dog walker whose leg was caught in a snare on a vehicle track on Phoinies Estate in the Cairngorms National Park – the walker was not hurt;
- Seven snares found near a stink pit by the River Conon in the Highlands. The stink pit included the bodies of a lamb, a fox and two roe deer.

The nine incidences which occurred across England include:

- A dead cat and fox found near snares in Bolton Abbey;
- Bloody snares found in Cumbria;
- A dead fox found in a snare in Cambridgeshire;
- A live badger caught in a snare in Cambridgeshire, the RSPCA attended but the badger died shortly after it was released;
- A deer killed by a snare in Essex;
- A dog caught in a snare in East Yorkshire, the dog was unharmed and freed by its owner; and
- A cat with a suspected snare wire caught around its neck killed by a car in Kent.

### **Legal status of snares and stink pits**

The use of snares to trap wildlife is governed by the Wildlife and Countryside Act 1981 (as amended by the Wildlife and Natural Environment (Scotland) Act 2011). Those regulations require snaring operators to be trained, for their snares to be identified by a tag containing an ID number registered with Police Scotland and for them to keep records, which have to be made available to Police Scotland on request.

Stink pits are legal as long as they don't contain livestock as that is prohibited under the Animal By-Products (Enforcement)(Scotland) Regulations 2013.

However, it is perfectly legal to use other dead animals such as rabbits, deer, foxes, hares, and birds that have been legally killed.

### **Responsibility to carry out a snaring review**

Snaring is reviewed every 5 years under the Wildlife and Countryside Act 1981 (the Act) and the current review has been completed and the report is being finalised. The requirement to publish the report is set out in Section 11F(5) of the Act.

The Scottish Government will consider any recommendations from the review and will take further action if necessary. We are also reviewing timelines and options for the wider remit review to consider whether snaring should be banned. We expect this

should be completed to allow any necessary legislation changes to be included in the Grouse Moor Management Bill.

### **Current Position**

We have committed to undertake a wider review of snaring to further understand the welfare implications of snaring and determine whether snaring should be banned. We recently discussed with you the potential for the Scottish Animal Welfare Commission (SAWC) to undertake this review alongside a review completed by a land management organisation/group such as Rural Environment Land Management (RELM).

We have spoken with both SAWC and RELM and initial discussions have indicated that both groups are keen to undertake a review over the coming months. We also think it would be sensible to speak to other interested stakeholders such as SE LINK and One Kind and give them the opportunity to provide information to assist in our review and decision making.

### **Position in the rest of the UK**

Although the use of snares is currently legal in England and Wales, the Welsh Government 2021-2026 Programme for Government (published in June 2021) contained a commitment to ban snares in Wales. The UK Government announced in May 2021 that they will launch a call for evidence on the use of snares in England.

**(Redacted text)**  
**18 March 2022**