

Wildlife Management and Muirburn (Scotland) Bill

Equality Impact Assessment – Results

March 2023

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Title of Policy	Wildlife Management and Muirburn (Scotland) Bill
Summary of aims and desired outcomes of Policy	<p>The main aim and desired outcome of the policy is to address raptor persecution and ensure that the management of driven grouse moors and related activities are undertaken in an environmentally sustainable manner.</p> <p>It also aims to improve animal welfare outcomes by banning the use of glue traps and strengthening the regulation for certain types of other wildlife traps.</p>
Directorate: Division: Team	Environment and Forestry: Nature Division: Wildlife Legislation

Executive Summary

The public sector equality duty requires the Scottish Government to assess the impact of applying a proposed new or revised policy or practice. It is a legislative requirement. Equality legislation covers the characteristics of: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. An equality impact assessment (EQIA) aims to consider how policy (a policy can cover: activities, functions, strategies, programmes, and services or processes) may impact, either positively or negatively, on different sectors of the population in different ways.

This EQIA has been undertaken to consider the impacts on equality of the policies contained in the Bill. The aim of the Bill is to achieve the Scottish Government's objectives in relation to the management of grouse moors and the use of wildlife traps.

The Bill will do this by implementing the recommendations of the independent review of grouse moor management ("the Werritty Review") and introducing licensing for relevant grouse moor activities, as announced by the then Minister for Rural Affairs and the Natural Environment in Parliament on 26 November 2020.

The Bill will:

- Ban the use and purchase of glue traps;
- Introduce licensing and training requirements for certain types of wildlife traps;
- Introduce a licensing regime for land used for the shooting of red grouse; and
- Extend licensing regime for all muirburn, regardless of the time of year that it is undertaken. Muirburn on peatland will only be permitted in very limited circumstances.

This contributes to the following national outcome:

'value, enjoy, protect and enhance their environment.'

As part of the EQIA process, the Scottish Government considered potential impacts of the new measures on people with one or more protected characteristics. The EQIA concluded that the new measures are neither directly nor indirectly discriminatory on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

Background

In response to a report from Scottish Natural Heritage (operating as “NatureScot”), published in May 2017, which found that around a third of satellite-tagged golden eagles in Scotland disappeared in suspicious circumstances, on or around grouse moors, the Scottish Government commissioned an investigation by the Grouse Moor Management Group (the “Werritty report”).

While undertaking their review, the group were asked to have due regard to the socio-economic impacts of grouse moor management.

The Werritty report, which was published in December 2019, made over 40 recommendations regarding grouse moor management which were accepted by the Scottish Government.

The [Werritty report](#) made over 40 recommendations relating to grouse moor management including recommendations on licensing, muirburn and the use of traps.

On 29 November 2020 the Scottish Government set out its response to the recommendations in [The Scottish Government Response to the Report from the Grouse Moor Management Group](#).

There has also been significant and ongoing concern regarding the welfare implications of the use of rodent glue traps. They can result in prolonged suffering and are indiscriminate in nature, meaning that non-target species can easily be caught.

A Scottish Government commissioned report on [the use of rodent glue traps](#) from the Scottish Animal Welfare Commission (SAWC) recommended a ban on the use of glue traps designed to catch rats and mice.

In the 2022-23 Programme for Government, the Scottish Government committed to introduce a Bill that would implement the recommendations of the “Werritty Review”, introduce licensing for grouse moor management and ban glue traps.

The Scope of the EQIA

Current evidence demonstrates that the impact of the Bill on equality is limited and it does not impose any additional impacts on any individuals falling within any of the current protected characteristics when compared to the existing policy. Therefore, a full EQIA is not considered necessary.

Key Findings

The EQIA demonstrated that the proposed measures to regulate the shooting of red grouse, muirburn and wildlife traps will apply equally across all protected groups.

The new policy will affect anyone who wishes to undertake these activities and anyone convicted of an offence under the Wildlife Management and Muirburn (Scotland) Bill, regardless of protected characteristic.

From the evidence gathered, it has been identified that statistically the policy change will likely have the biggest impact on the protected characteristics of sex and age due to the fact that males and those aged between 22-41 are the most likely to be prosecuted for these types of offences.

However, it is a matter for the courts to decide the appropriate sentence to impose, after taking into account all the evidence and mitigating factors presented to them.

Recommendations and Conclusion

The EQIA has supported the development of a Scottish Government Bill which will introduce new measures which aim to address raptor persecution, ensure that the management of grouse moors and related activities is taken forward in an environmentally sustainable way and improve wild animal welfare. The Bill will do this by implementing the recommendations of the independent review of grouse moor management, and by banning the use of rodent glue traps .

Based on an absence of concerns raised throughout the planning process and the findings of the EQIA, it is considered that the policy is neither directly nor indirectly discriminatory under the Equality Act 2010. It is not anticipated that the new measures themselves will directly impact on individuals with protected characteristics.

Any future implementation mechanisms will be subject to separate equality impact assessments if required.

The new measures do not seek to foster good relations between people who share a protected characteristic and those who do not. However, any plans, projects, strategies or policies which result from the new measures will seek to foster good relationships (as appropriate).



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