

**Ethical Principles in Wildlife Management**  
**Motion S6M-03023 Colin Smyth MSP**

**Briefing by Wild Animal Welfare Committee and UK Centre for Animal Law**  
**Scottish Committee**

**1. Introduction**

The Wild Animal Welfare Committee (WAWC) and UK Centre for Animal Law Scottish Committee (ALAW) welcome [Motion S6M-03023](#) and thank Colin Smyth MSP and the Members who have supported it for bringing the issue of wildlife protection and welfare to the Scottish Parliament. We are encouraged to see so much interest in the ethical and humane treatment of sentient wild animals in Scotland. With the recognition that wild vertebrates possess sentience comes a growing responsibility to treat them accordingly, even when control of individuals or populations is deemed necessary. (Similar consideration could reasonably also be applied on a precautionary basis to certain invertebrates, taking account of recent scientific assessment of the [sentience of cephalopod molluscs and decapod crustaceans](#).)

Wildlife management or control encompasses a variety of interventions, whether lethal or non-lethal, including habitat adaptation, translocation, tagging for identification purposes, changing animals' behaviour, reintroductions, trapping and killing. Some interventions are part of national agency strategies, such as the Hebridean mink eradication project, overseen by NatureScot. Others, such as grey squirrel control, involve conservation bodies and NGOs such as the RSPB or Scottish Wildlife Trust and again, can involve lethal or non-lethal methods.

For most people, however, wildlife control implies the killing of predators or "pests" and raises legitimate concerns about animal suffering and loss of life. The focus of this Motion is on the thousands of animals and birds that are taken and killed in wildlife management in Scotland every year. These operations involve taking the lives of sentient wild animals, sometimes accompanied by significant suffering, and the fact that they are widespread and commonplace does not mean that they should continue unquestioned.

The last few years have brought increased scrutiny and consideration of wildlife management. Welfare has been peripheral to a number of Scottish Government-commissioned reviews, such as the Wildlife Crime Penalties Review (the Poustie review) (2015), the Grouse Moor Management Review (the Werritty review) (2019) and the Deer Working Group review of the management of wild deer in Scotland (2020), and was frequently raised during these inquiries. Other policy developments such as the Review of the Protection of Wild Mammals (Scotland) Act 2002 (the Bonomy review) (2016) leading to the Hunting with Dogs (Scotland) Bill currently before the Parliament, the ongoing Scottish Government review of snaring, and the proposed glue trap legislation all have a more direct focus on animal welfare, which we welcome.

The questioning of traditional wildlife control practices such as snaring – which WAWC, ALAW and other animal welfare groups have long held to be cruel, indiscriminate and unacceptable – has become more wide-ranging. For example, the British Veterinary Association (BVA) and British Veterinary Zoological Society (BVZS) joint position on the use and sale of snares for the control of free-ranging wildlife (In press) calls for:

- An outright ban on the use of snares, including homemade or adapted snares, by both the general public and trained operators.
- An outright ban on the sale of snares to both the general public and trained operators.
- Further research and development into alternative methods for the deterrence of free-ranging wildlife where it is considered necessary
- Further research and development into more humane methods of trapping and killing of free-ranging wildlife where it is considered necessary.

In the context of this interest in wildlife control practices, the [international consensus principles for ethical wildlife control](#) (“the ethical principles”), which are summarised in the Motion, provide a robust framework for assessing government policies as well as individual management plans. More than that, they offer an opportunity to review attitudes and practices towards wildlife in Scotland, aiming to improve animal welfare without damaging legitimate economic, social or conservation interests.

## **2. What are the ethical principles?**

The [international consensus principles for ethical wildlife control](#) were developed by a panel of 20 experts convened in 2015 at the University of British Columbia to explore international perspectives on and experiences with human–wildlife conflicts and develop principles for ethical wildlife control, using a facilitated engagement process and discussion. The resultant academic paper, published in 2017, foresaw the ethical principles approach being incorporated into international or domestic regulations and decision-making by public authorities or by private operators such as land managers, animal control businesses and others.

Ethical principles mean that the acceptability of a wildlife control action is based on a comprehensive analysis of the necessity for control, benefits, feasibility, costs to people and animals, alternatives, and effects on animal welfare in terms of the humaneness of the physical methods employed.

While the ethical principles are not intended to prohibit or prevent wildlife control, including lethal control, their application allows for significant reduction and mitigation of harmful effects on individual animals and populations, as well as promoting the public acceptability of justifiable interventions. The ethical principles are flexible and can be applied across a wide range of interventions involving different species, whether by way of government or agency policy or as part of local decision-making processes, either public or private.

## **3. Example – principles into practice**

The AnimalKind Accreditation Program of the British Columbia SPCA aims to decrease wild animal suffering by promoting Wildlife Control Service Providers who “*prioritize the use of*

*non-lethal, removal-and-exclusion methods to resolve human-wildlife conflicts. In the limited cases where use of live capture or lethal control methods are justified, the Program supports only those methods that are legal and cause fewer harms to animal welfare.”* The Program also contributes to public education by raising awareness of the animal welfare outcomes of traditional wildlife and rodent control methods.

The AnimalKind [Wildlife and Rodent Control Standards](#) are based on a simplified set of questions derived from the ethical principles:

- 1. Can the problem be mitigated by changing human behaviour?*
- 2. Are the harms serious enough to warrant wildlife control?*
- 3. Is the desired outcome clear and achievable, and will it be monitored?*
- 4. Does the proposed method carry the least animal welfare cost to the fewest animals?*
- 5. Have community values been considered alongside scientific, technical and practical information?*
- 6. Is the control action part of a systematic, long-term management program?*
- 7. Are the decisions warranted by the specifics of the situation rather than negative categorization of the animals?*

The fifteen AnimalKind Wildlife and Rodent Control Standards cover matters ranging from licensing and technician safety to prohibited methods (such as limb-restraint/leg-hold/body gripping traps, snares, rodent glue traps and drowning or snares), all of which are described and explained in detail along with the reasons for prohibiting their use. Wildlife and rodent control companies have begun to sign up to the Standards and they are also being promoted among local authorities, while their comprehensive, well-informed content can be drawn on by public and operators alike.

Parks Canada, a federal government agency overseeing all national land and marine parks, has also adopted the ethical principles for its biodiversity programmes (specifically, consideration of introduced species eradication).

#### **4. NatureScot wildlife welfare position statement**

In 2014, NatureScot (at that time, Scottish Natural Heritage) was the first of the UK’s national nature agencies to adopt a [wildlife welfare position statement](#), intended to form the basis of staff guidance and information on how to implement welfare principles in SNH casework and projects. This was an important and forward-looking approach, particularly when the welfare of the individual was not (with a few exceptions) a statutory consideration for a conservation agency tasked with working at species or population level. We applaud the commitment that *“Welfare will be explicitly considered in activities and planning processes which either directly or indirectly are likely to impact on the welfare of wildlife. Plans which have a bearing on wildlife welfare will show how welfare has been taken into account, both at the group and individual level, for species where we have the adequate knowledge and can undertake appropriate action.”*

The position statement was integrated into the NatureScot [Wildlife Management Shared Approach Concordat](#) (see below) as the central welfare component.

However, the position statement is now eight years old (pre-dating the ethical principles) and does not always align with modern definitions of animal welfare. The Scottish Animal Welfare Commission defines animal welfare as “the mental and physical state of an individual as it experiences and engages with its environment”. The position statement focuses largely on an animal’s “biological function” rather than the totality of its mental and physical experiences, as described in the [Five Domains model for assessing animal welfare](#).

We believe that NatureScot could now build on and modernise its original position statement, harnessing the Five Domains to define wild animal welfare and promoting the application of the ethical principles to any wildlife management operation with which it is involved. We therefore strongly welcome recent indications that the NatureScot Position Statement on Wildlife Welfare will be reviewed, with input from expert animal welfare stakeholders.

## **5. Scottish Government strategic approach to wildlife management**

The [Programme for Government 2019-2020](#) contained a commitment to “develop a strategic approach to wildlife management that puts animal welfare at the centre while protecting public health and economic and conservation considerations” and to publish a set of principles. The outcome of this commitment was the [Wildlife Management: A Shared Approach Concordat](#) (“the Concordat”) co-ordinated by NatureScot and published in 2020, with most of its signatories coming from the wildlife management sector.

WAWC and ALAW would have liked to see the implementation of this commitment go much further, incorporating a more up to date position statement on welfare, a full review of wildlife management practices in Scotland and the development of detailed standards, similar to those developed in British Columbia. Standards of this nature would recognise the sentience of individual wild animals and the growing public disquiet over traditionally used methods of lethal control in Scotland, such as snares, crow cage traps and glue traps.

It is no longer acceptable to characterise public concern about the treatment of wild animals as simply misunderstanding the realities of rural life, as has sometimes been the case in the past. WAWC and ALAW believe that the best way to assuage public concern about wildlife management activities is to demonstrate that they have been subject to a full ethical audit, including consideration of animal welfare as it is currently and scientifically defined.

Adoption of the ethical principles is relevant here because it offers a robust framework for developing standards at either local or national level, depending on the operation(s) under consideration.

## **6. Approaches to introducing ethical principles**

The Scottish Government could commit to supporting individual voluntary projects or programmes, as well as incentivising land managers to carry out the appropriate assessments when deciding on local control methods and ensuring that they provide the desired outcomes.

Ethical principles could be incorporated and applied in non-statutory codes and guidance, and into species licensing. This could build on the [Programme for Government 2021-2022](#)

commitment to review the species licensing system and to provide that lethal control is only licensed where the conditions required for such a licence are demonstrably being met.

Alternatively, ethical principles could be introduced by legislation. There are a number of precedents for the inclusion of principles within legislation, to be acted on or observed by governments and their agencies in the UK administrations. For example, EU environmental law and policy is based on four core environmental principles contained in Article 191(2) of the Treaty on the Functioning of the European Union (TFEU), and these are now incorporated into Scots law. Legislation could be brought to extend species licensing provisions to cover all, or almost all, interventions affecting free living, sentient wild animals in Scotland and incorporate ethical principles into licence applications and conditions.

## **7. Conclusion**

WAWC and ALAW are confident that Scotland has the appetite to set a humane example by recognising the welfare needs of sentient wild animals, reviewing the way they are treated in management interventions, and applying rigorous yet practical ethical principles to both policy and practice. This would allow Scotland to lead the way, as the Motion proposes, in sustainable and humane interaction with the wild animals with whom we share the environment.

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