

**Annex A**



**Respondent Information Form**

**Wildlife Management and Muirburn (Scotland) Bill: use of snares and powers of Scottish SPCA inspectors**

**Please Note** this form **must** be completed and returned with your consultation response.

To find out how we handle your personal data, please see our privacy policy:

[Privacy - gov.scot \(www.gov.scot\)](http://www.gov.scot/privacy)

Are you responding as an individual or an organisation?

- Individual
- Organisation

Full name or organisation's name

Wild Animal Welfare Committee (WAWC)

Organisation's Sector

- Animal Welfare
- Land Management, including representative bodies
- Sporting Organisation, including representative bodies
- Conservation, including representative bodies
- Public Body
- Law Enforcement
- Other, please specify

Phone number

xxx

Address

xxx

Email

wildanimalwelfarecommittee@gmail.com

**Information for organisations:**

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published. If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No

## Annex B

### Section 1 - Snaring



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

**1. Do you agree with our proposals to amend the Wildlife and Countryside Act 1981 Act so that it is an offence to:**

**a) use a snare or other type of cable restraint for the purpose of killing or trapping a wild animal and;**

**b) use a snare or other type of cable restraint in any way that is likely to injure a wild animal**

Yes  No  Unsure

**Please provide the reasons for your response here (maximum 250 words).**

Snares are indiscriminate, causing suffering to target and non-target species and vulnerable individuals (e.g. juveniles). Alternative control methods with fewer negative impacts are available. Overall, snares represent a substantial risk to animal welfare. Using the Five Domains welfare model, harms may include:

- Domain 1 (Nutritional): being caught in a snare prevents normal eating and drinking. This may lead to dehydration and starvation.
- Domain 2 (Environmental): depending on snare position / weather conditions, the trapped animal may experience exposure to the elements.
- Domain 3 (Physical): trapped animals suffer a variety of external and internal injuries. Struggling to escape the snare may result in exertional or capture myopathy. Escape behaviour may include self-mutilation and, in rabbits, tonic immobility. Oral and dental injuries may arise through trying to chew free. Predation or injury of the trapped animal may occur. Death may result from exhaustion or asphyxiation by strangulation.
- Domain 4 (Behavioural): normal behaviours are restricted or cannot be performed, including feeding, moving, lying, caring for dependent young, escaping from predators. Escape attempts can lead to self-trauma.
- Domain 5 (Mental): can include fear and distress, anxiety, pain, hunger and thirst, breathlessness and stress associated with escape attempts.

Domains 3 – 5 impacts may occur very rapidly.

Release of apparently uninjured non-target animals is not without welfare concerns.

Methods of killing may also result in welfare harm.

Regarding “humane cable restraints”, there is said to be some reduction in injury and/or death due to strangulation; limited research shows risks are not eradicated. Other impacts still apply.

**2. Do you think that the Scottish Government should consider allowing an exception for the use of snares for the live capture of mammals for research purposes for example, catching foxes to allow tracking devices to be fitted?**

Yes  No  Unsure

**Please provide the reasons for your response here (maximum 250 words).**

Any exception to the ban on the sale and use of snares represents a weakening of the overall prohibition we hope to see in place. In principle, WAWC would prefer that non-invasive methods of wildlife research be preferentially undertaken.

There may be very limited circumstances when live-capture using snares may be considered necessary for research purposes, but this should only be permitted after ethical scrutiny of the proposal. If the project is justifiable, it should only proceed when the work is suitably licensed under the authority of the Animals (Scientific Procedures) Act 1986, which must include evaluation of non-snaring alternatives and rigorous justification. Our view is that the use of a snare would cause distress which considerably exceed the threshold imposed for consideration under A(SP)A (the skilled insertion of a needle according to best practice). NatureScot should additionally be required to issue a specific licence and in these cases the welfare cost:benefit evaluation required as part of any A(SP)A licence application should be made available to NatureScot to encourage compliance, transparency and consistency.

If any licences (both Home Office and NatureScot) should be granted, it would be essential for the conditions to prescribe all working practices, including constant monitoring and observation of the traps and immediate attendance to remove the trapped animal. In relation to snares used in any circumstance, and so equally relevant to the answer to Question 2, certain negative welfare impacts can set in extremely rapidly.

**3. If you answered yes question 2, do you agree than anyone using snares for this purpose would require a licence from NatureScot.**

Yes  No  Unsure

**4. Other than for the purpose set out in question 2, are then any other purposes for which you think an exemption should be available to allow a person to use a snare or cable restraint to temporarily capture a wild animal?**

Yes  No  Unsure

**Please provide the reasons for your response here (maximum 250 words).**

As noted above, any exception to the ban on the sale and use of snares represents a weakening of the overall prohibition we hope to see in place and we do not see any reason for additional permissions.

## Section 2 – Powers of Scottish SPCA Inspectors

### Questions

**5. Do you agree with our proposal to provide Scottish SPCA inspectors who are acting under their existing powers under the 2006 Act, with additional powers to search, examine and seize evidence in connection with specific offences under the Wildlife and Countryside Act 1981 as set out above?**

Yes                       No                       Unsure

**Please provide the reasons for your response here (maximum 250 words).**

We agree but only if evidence existed that an offence has been committed (which we believe is what is being proposed), i.e. that the Scottish SPCA could only attend and enter premises with clear evidence that an offence has already been committed.

The enforcement of legislation should normally be the responsibility of Government agencies or Police Scotland, especially the Wildlife Crime Units, but we recognise that the existing expertise, specialist knowledge and experience of the Scottish SPCA has an important role to play. Wildlife crime is notoriously difficult to investigate and it is anomalous that a Scottish SPCA Inspector attending to a welfare issue is currently not permitted to gather evidence when it appears that an offence under the WCA has taken place. The proposals are limited in scope and do not undermine the primary role of the police.

Additional may well be required to ensure the effectiveness of the provisions on trapping created by the Wildlife Management and Muirburn (Scotland) Bill. There may be a deterrent effect on anyone tempted to trap negligently or illegally (for example without undergoing training and obtaining a licence) in the belief that there will be no consequences.

All enforcement agencies should be sufficiently resourced to carry out their work.

**6. Do you agree with our proposal to provide Scottish SPCA inspectors who are acting under their existing powers under the Animal Welfare Act 2006, with additional powers to search, examine and seize evidence in connection with specific offences under the Wildlife Management and Muirburn Bill as set out above.**

Yes                       No                       Unsure

**Please provide the reasons for your response here (maximum 250 words).**

The powers referred to under the Wildlife Management and Muirburn (Scotland) Bill cover the use of glue traps, which WAWC has long opposed. We welcome the ban and agree that Scottish SPCA Inspectors should be fully empowered to enforce it in all situations.

**7. Do you agree with the limitations and conditions placed on these proposals set out below?**

- these powers would only be given to a Scottish SPCA inspector appointed by the Scottish Ministers under section 49(2)(a) of the Animal Health and Welfare (Scotland) Act 2006;
- inspectors would be individually authorised by the Scottish Government and that Authorisations could be withdrawn at the discretion of the Scottish Government;
- all inspectors would be required to undertake specified training prior to being given authorisation to exercise the new powers.

Yes

No

Unsure

**Please provide the reasons for your response here (maximum 250 words).**

Regardless of 'who' is responsible for enforcement, sufficient authority, training, funding and resourcing of such individuals will be essential.

### Section 3 – evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published).

#### 8. How satisfied were you with this consultation?

- Very dissatisfied
- Slightly dissatisfied
- Neither satisfied nor dissatisfied
- Slightly satisfied
- Very satisfied

Please enter comments here

The space limitation for comments has prevented WAWC from providing a more detailed and fully referenced response.

#### 9. How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?

- Very dissatisfied
- Slightly dissatisfied
- Neither satisfied nor dissatisfied
- Slightly satisfied
- Very satisfied
- Not applicable

Please enter comments here