

# Wild Animal Welfare Committee

Scottish Charity Number SC045958

## Position Paper 1. Lethal Trapping of Terrestrial Mammals

### Summary

*Lethal traps designed to kill one or more of a number of species of mammals are routinely and widely deployed in a variety of locations and for a variety of reasons in the UK. This includes gamekeepers setting traps to kill stoats because of a perceived threat to game birds and the setting of traps to kill rodents in domestic and commercial premises such as restaurants and shops.*

*Lethal traps may adversely affect animal welfare. Lethal traps have the potential to cause significant harm to animals and should be used in accordance with an ethical framework. In particular, it is desirable that alternatives such as changes in human behaviour and non-lethal interventions have been tried and exhausted before deploying lethal means. Lethal traps should be capable of rendering the target animals instantaneously and irreversibly unconscious and be designed to capture only the target species. Poorly designed traps and poorly deployed traps represent a substantial risk to animal welfare since they are unlikely to cause instantaneous and irreversible unconsciousness. In addition, poorly designed and/or deployed traps can result in unnecessary harm and suffering to non-target species and dependent neonates and juveniles. There is evidence that some types are unlikely to cause rapid death no matter how well they are deployed.*

### Background

Lethal traps are deployed in a variety of locations and circumstances but generally because the landowner, business owner or householder considers that the presence of one or more of a particular species represents a threat to their interests. Most lethal traps are spring-loaded (spring traps) with the tripping mechanism triggered by the arrival of the target animal in the trap (eg: Fenn Trap MkIV: <https://www.pestcontroldirect.co.uk/shop/household-pests/pest-control-direct-rats-mice/traps/fenn-trap-mk4/>). These are mainly used for killing small - to medium-sized mammals such as rodents and mustelids. Tripping of the trap releases a mechanism which applies rapid force to the target animal with the intention of causing the rapid onset of unconsciousness and death. Some more modern traps (eg Goodnature® traps: <https://goodnaturetraps.co.uk>) are powered by pressurised CO<sub>2</sub> and designed to re-set automatically. A number of types of spring trap, such as pole traps and gin traps are prohibited from use although their continued possession is not an offence in itself.

Legal traps fall into two categories:

Regulated spring traps: Spring traps are generally required to meet welfare approval in the UK<sup>ii</sup>.

Unregulated spring traps: Some traps are exempt from the welfare approval process. The Small Ground Vermin Traps Order (1958) implemented a provision in The Pests Act (1954) to exempt from the approval process break-back traps for use with rats and mice and all mole traps. Such traps have not required to undergo humaneness testing but they are

widely available and widely used.

Other species, such as the fox, may not be trapped with lethal traps.

Since 2011, the standards of the [Agreement on International Humane Trapping Standards](#) (AIHTS) have been applied to the testing of all new traps for all species. The AIHTS requires ≥80% of target animals in twelve fur-bearing species to reach irreversible unconsciousness in a certain time (45 seconds for stoats, 120 seconds for martens and 300 seconds for all other UK species).

More recently, the [Humane Trapping Standards Regulations 2019](#) and the [Humane Trapping Standards Regulations \(Northern Ireland\) 2019](#) were introduced to implement the requirements of the AIHTS for relevant species found in the UK (stoats), permitting the use of certain specified types of trap under general licence (eg: DOC trap: <https://www.gwct.org.uk/game/research/predation-control/tunnel-traps/doc-traps/>).

## Operation

Lethal traps are generally sited in locations frequented by the target animal, and placed and set in a way that is either attractive to the target species (baited with food, for example) or on a regular 'run' where the target animal is likely to pass through or over the trap. To reduce the risk of trapping non-target species, regulated spring traps must be placed in an appropriate tunnel or housing as specified in the relevant spring traps approval order.

There are no legal requirements for the trap operatives to have formal training in the operation of the traps or in animal welfare. However, some organisations offer training<sup>iii</sup>.

Supervision and Scrutiny: There are no legal requirements other than a requirement to check spring traps used for rabbits and hares every 24 hours.

Recording and reporting: There are no legal requirements. Traps do not currently need to be identified as belonging to or set by an individual operative.

Note: Animal welfare legislation such as the [Animal Welfare Act 2006](#), the [Animal Health and Welfare \(Scotland\) Act 2006](#) and the [Welfare of Animals Act \(Northern Ireland\) 2011](#) is primarily intended to protect domestic animals. Non-domesticated animals are also protected under these Acts when they are under the control of man or not living independently in the wild and this is generally taken as including animals in traps. However, it would be difficult to prove intention to cause unnecessary suffering in an approved lethal trap.

The [Wild Mammals Protection Act 1996](#) makes it an offence to carry out a variety of acts against wild mammals including mutilating, nailing, impaling and crushing, any of which might feasibly occur in a spring trap. Again, however, the offence depends on there being an intention to cause unnecessary suffering and there is a specific exemption in the Act for a lawfully used trap.

## Discussion

Lethal trapping is a routinely deployed measure in many types of businesses. Target animals are known to be sentient and capable of feeling pain and hence poorly designed or poorly deployed traps, that do not kill animals instantaneously, are likely to cause suffering. Individuals of non-target species that are able to be caught in the trap will also suffer and may die, often very slowly. Neonates and juveniles may starve to death if traps catch an adult, on which they depend for survival.

WAWC believes that the current legal controls of the use of lethal traps are insufficient to ensure that these issues are addressed. The areas of concerns are:

### Poor Accountability

- There is no requirement to consider and document what alternative means of control have been considered and why these have been rejected as ineffective.
- The decision to use a trap rests solely with the occupier of the land or premises.
- There is no threshold of 'harm' in statute or any Code of Practice which sets out the circumstances when such traps can be used, for example, damage to property, crops, livestock or impact on species of conservation concern.
- There is no requirement to register, record or report any activities associated with trapping or monitor its success or otherwise.
- No proof of knowledge or training in species ecology, biology, tracks and signs to set a trap correctly is required.
- While voluntary codes of practice exist (e.g British Association for Shooting and Conservation, Game and Wildlife Conservation Trust, etc) there are few legal standards of operation.
- Scrutiny by the regulators is scant.
- Lack of mechanisms to link/identify an operator with a trap makes enforcement difficult when breaches are found.

### Poor welfare.

- It is unclear whether different designs of spring traps are capable of causing instantaneous and irreversible loss of consciousness, even when used in accordance with the manufacturer's instructions. This applies in particular to break-back traps for mice and rats, and mole traps<sup>iv, v</sup>.
- Traps both approved and unapproved, are freely available to purchase on the market.
- There are no competence requirements. Anyone can set a trap provided the landowner has given permission.

### Impact on target and non-target species populations

- Traps may be deployed without limit and throughout the year, with little or no consideration for breeding seasons.
- The indirect welfare impact on the target species including any dependent young cannot be determined.
- There is evidence of substantial numbers of non-target species being caught<sup>vi</sup>. This is despite the existence of certain technical requirements, for example, that the setting of Fenn-type traps should be fitted with tunnels to deter birds and other non-target species.

To address these concerns, WAWC believes that a review of the need for trapping and of the methods employed is long overdue. Further, WAWC believes that any decision to apply lethal trapping needs to involve an ethical framework<sup>vii</sup>: The need for wildlife control should be justified with evidence that substantial harm is being caused to people, property, livelihoods, ecosystems, and/or other animals. **Further, where lethal control cannot be avoided it must be carried out humanely.**

### **Conclusion**

The lack of universal trap type-approval, competence requirements and supervision means that lethal traps pose considerable risk to animal welfare. A lack of recording and reporting of the numbers killed means that the impact on target populations cannot be properly determined. Similar concerns apply to the impact of 'by-catch' where scarce, often fully protected, species are at risk of being trapped.

Lethal traps should be used in accordance with an ethical framework such as that set out by Dubois and others (2017). In particular, it is desirable that alternatives such as changes in human behaviour and non-lethal interventions have been tried and exhausted before deploying lethal means. Lethal traps should be capable of rendering the target animals instantaneously and irreversibly unconscious

and be designed to capture only the target species. Poorly designed traps and poorly deployed traps represent a substantial risk to animal welfare since they are unlikely to cause instantaneous and irreversible unconsciousness. In addition, poorly designed and/or deployed traps can result in unnecessary harm and suffering to non-target species and dependent neonates and juveniles.

**WAWC believes that a comprehensive review of the lethal trapping of wild mammals is necessary and that this should encompass both the need for trapping as well as the welfare impact of the trapping process itself.**

**WAWC  
[November 2020]**

---

<sup>i</sup> There are several other commonly used traps but these are not intended to be instantly lethal:

A: The glue trap uses a sticky adhesive which merely holds the target animal until death ensues from starvation or dehydration or it is killed by the operative.

B: Live bird traps (for example: Ladder and Larsen Traps) which use a decoy bird or bait to lure the target species into the trap from which it cannot then escape. Subsequently, the operative returns to kill the trapped birds.

C: Snares: A wire noose fixed to the ground is used to catch a running animal. Depending on the purpose of setting the snare

These traps are subject to varying degree of regulation. [WAWC is/has produced position papers on each of these trap types]

<sup>ii</sup> Approved traps are listed on separate Orders across the UK administrations –

[Spring Traps Approval \(England\) Order 2018](#), made under the Pests Act 1954

[Spring Traps Approval \(Wales\) Order 2019](#), made under the Pests Act 1954

[Spring Traps Approval \(Scotland\) Order 2011](#) (as amended by the [Spring Traps Approval \(Scotland\) Amendment Order 2018](#)), made under the Agriculture (Scotland) Act 1948

[Spring Traps Approval Order \(Northern Ireland\) 2019](#), made under the Wildlife (Northern Ireland) Order 1985

Traps listed on the relevant schedules are approved for the use on certain prescribed species (stoats, weasels, grey squirrels, mink, rabbits, rats, mice and edible dormice) and their design/construction and manner of use are specified.

<sup>iii</sup> The Grouse Moor Management Report (Werritty Review) called for legislation in Scotland to make it an offence to set a trap without completing a training course (and obtaining an ID number).

<https://www.gov.scot/publications/grouse-moor-management-group-report-scottish-government/pages/8/>

<sup>iv</sup> Baker, S.E., Shaw, R.F., Atkinson, R.P.D., West, P. & Macdonald, D.W. (2015) Potential welfare impacts of kill-trapping European moles (*Talpa europaea*) using scissor traps and Duffus traps: a post-mortem examination study. *Animal Welfare*, 24(1): 1-14.

<sup>v</sup> Baker SE, Ellwood SA, Tagarielli VL, Macdonald DW (2012) Mechanical performance of rat, mouse and mole spring traps, and possible implications for welfare performance. *PLoS ONE*, 7(6): e39334.

<sup>vi</sup> Hanged by the feet until dead: An analysis of snaring and trapping on Scottish grouse moors by Professor Stephen Harris BSc PhD DSc and Bruce Thain: A report commissioned by the Director of the League Against Cruel Sports Scotland, August 2020.

<sup>vii</sup> Dubois, S., Fenwick, N., Ryan, E. A., Baker, L., Baker, S. E., Beausoleil, N. J., & Griffin, J. (2017). International consensus principles for ethical wildlife control. *Conservation Biology*, 31(4), 753-760.