

BVA response to Scottish Government consultation on the Wildlife Management and Muirburn (Scotland) Bill regarding the use of snares and powers of Scottish SPCA inspectors

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Introduction

- 1) The British Veterinary Association (BVA) is the national representative body for the veterinary profession in the United Kingdom. With nearly 19,000 members, our primary aim is to represent, support and champion the interests of the United Kingdom's veterinary profession. We therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.
- 2) We welcome the opportunity to respond to the Scottish Government's consultation on the Wildlife Management and Muirburn (Scotland) Bill regarding the use of snares and powers of Scottish SPCA inspectors.

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

Answers – Yes, No, Unsure

- 3) Yes we agree. The [BVA position](#) on snaring is clear. While we recognise that it may be necessary to control free-ranging wildlife in certain circumstances where there is a negative impact on human and animal health, food, agriculture, property, or the environment, any control should follow recognised ethical principles, first apply prevention and deterrents, and where lethal control is shown to be necessary, methods which are as humane as possible must be used.
- 4) The methods used for wildlife control, both lethal and non-lethal, can be controversial due to their impact on animal welfare, and this is especially so in the case of snares. Snares significantly compromise the welfare of caught animals from the moment of capture and in some cases over a subsequent considerable length of time. Some animals die in the snare whilst others may be killed by methods that also compromise welfare, for example blunt force trauma may be attempted by those who are neither confident nor competent in such methods. Snares may also capture 'non-target' species, including domestic animals and protected wildlife, for which their use is not intended, resulting in death or significant injury to these animals. The UK is one of the few remaining European countries that permits the use of neck snares for mammals.

BVA is therefore calling 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.

The Scottish Animal Welfare Commission (SAWC) concluded in its [position paper](#) on trapping of terrestrial wild mammals using snares, that snares cause significant harm to the welfare of target and non-target animals. They recommended that the sale and use of snares by the public and industry should be banned in Scotland based on animal welfare grounds, which we agree with entirely.

Responsible use of the most humane methods of pest control available

- 5) We recognise that it may be necessary to control wildlife where there is a negative impact on human and animal health, food, agriculture, property or the environment. If a problem is identified, we

support the responsible use of the most humane control methods available, which first requires consideration of whether it is necessary to control animals considered to be 'pests' at all. Before lethal control is considered, prevention methods or deterrents should be implemented, and finally, if lethal control of animals is considered necessary, methods that minimise suffering, fear and pain should be used.

Alternatives to snares

- 6) In light of the above evidence, we call for an outright ban on the use and sale of snares. We consider that there are sufficient alternative means of prevention and deterrence and lethal control available, including cage trapping and shooting, such that there is no justification for the use of snares even under a licensing regime. A ban should encompass the use of homemade snares.
- 7) Organisations such as the Game and Wildlife Conservation Trust consider that for effective fox control it is desirable to have a range of methods available, giving options according to cost, time, safety, landscape and seasonal constraints.
- 8) Alternatives to using snares for fox control include good management techniques to prevent access to livestock, including removing fallen stock promptly to avoid attracting foxes, baited live cage traps (followed by shooting), or free-shooting (known as lamping if carried out at night). Guard animals such as llamas, alpacas, and dogs are also used in Europe, South Africa and the US to protect livestock from predation.
- 9) For rabbits, Government suggested alternatives to snaring include prevention methods such as fencing. Alternative lethal methods including gassing, trapping, ferreting, and shooting, all of which have potential welfare harms.
- 10) We recognise that cost and practicality are necessary considerations for those organisations representing the interest of land managers. However, as an animal welfare focused profession we cannot support the selection of lethal control methods based primarily on resource availability or convenience where prevention and deterrents have not been either considered or used and there are more humane alternative lethal methods (such as accurate shooting) available.
- 11) While the welfare concerns associated with snares are significant, it is important to recognise that other methods of wildlife control may also compromise welfare. With this in mind, it is paramount that additional research is carried out into the development of alternative methods for the exclusion and deterrence of wildlife, and more humane methods of killing.

Question 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?

Answers – Yes, No, Unsure

- 12) No, we do not agree. Given the extensive negative impacts that snaring has on animal welfare, which we have described above, we struggle to see how any exceptions can be made to an outright ban on the use of snares to capture animals. It is not clear why a snare should be used in place of methods that cause less adverse effects on the trapped animal's welfare such as baited live cage traps. Similarly, it would be hard to justify the potential benefit from fitting a tracker for example against the very real damage that snaring can inflict on those caught by them.
- 13) A [study](#) was carried out which examined the use of snares for live-capturing red foxes and the authors concluded that the neck snares did not greatly affect the behaviour of the foxes and that the method is a successful alternative way to live capture red foxes for studies. Given that 2 out of the 21 foxes captured in the study were killed by the snares we would not be able to make the same conclusions. We fail to see how any method could be considered that has the potential to kill the subject of the study when the intent is to capture to observe.
- 14) If an exception was made for those using snares to live capture animals for research purposes, then we would expect, as a bare minimum, that it would fall under a licencing regime similar to those already required by the Animals (Scientific Procedures) Act 1986 (ASPAs). A person with a licence must then regularly demonstrate they are not adversely impacting the welfare of the animals they are trapping and there needs to be sufficient powers in place to remove a person's license if they fail to meet the regulations agreed upon under the license.

Question 4 - Other than for the purpose set out in question 2, are there 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?

- 15)** No, we consider that there are sufficient alternative means of prevention and deterrence and lethal control available, including cage trapping and shooting, such that there is no justification for the use of snares even under a licensing regime. A ban should encompass the use of homemade snares.

Section 2 – Powers of Scottish SPCA Inspectors

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?

Answers – Yes, No, Unsure

- 16)** Yes, we agree with the proposal. The Scottish SPCA is the only animal charity which is a reporting agency to the Crown Office and Procurator Fiscal. Their inspectors already have powers to enter and search properties under warrant, seize animals and issue Animal Welfare Notices. However, when it comes to protecting wildlife and punishing those who cause unwarranted pain and suffering to those animals the charity is not able to go far enough to actively deter these crimes from happening or punish those who commit them. A good example of this, which these proposals seek to rectify, is not allowing inspectors to investigate and disable any nearby traps upon discovery of an illegal trap. These proposals seek to broaden inspector's powers so they can provide the level of protection to wildlife animals that is already afforded to domesticated animals.
- 17)** Whilst these proposals are very welcome it is vital that adequate training and resources are provided to support the increased powers.