

Petition PE1124

Response from petitioners– League Against Cruel Sports and Advocates for Animals on behalf of the Hare Preservation Trust, Hessilhead Wildlife Rescue Trust, International Otter Survival Fund, Scottish Badgers, Scottish Wildcat Association and 10,000 signatories

August 2009

Introduction

The Petitioners thank the Committee for pursuing this matter again with the Scottish Government and for its commitment over the last 18 months in addressing our concerns over snaring.

We are grateful to the Scottish Government for taking the time to respond to the questions put to it by the Committee. Unfortunately the response does not alleviate our concerns about the cruel and indiscriminate nature of snares, and our belief that these traps should be banned outright in Scotland.

We would like to take the opportunity to remind the Committee that the snaring regulations announced by the Environment Minister in February 2008 have yet to be implemented, 19 months after the announcement that snaring was to be the subject of further regulation. We reiterate our previous request to the Committee in asking for recognition of the public desire for a ban on the sale, manufacture, possession and use of all snares:

- We request the Committee to institute its own inquiry into snaring in Scotland or refer the matter to the Rural Affairs Committee to do the same; or
- We request the Committee to refer the matter to the Scottish Parliament for a debate on snaring.

Letter from Minister for Environment

We address below the points made in the Minister's letter of 31 July 2009 to the Committee.

1. The Committee asked the Scottish Government how it had actively sought and obtained the views of all relevant animal welfare organisations on the proposed regulations to be laid before the summer recess.

The Scottish Government refers in its response of 31 July to the consultation on the future of snaring that was carried out in 2006/7.

We agree that a public consultation was carried out in 2006/07, but this consultation in fact generated a majority response in favour of a ban on snares. Of the 247 responses generated by the consultation 171 (69%) were in favour of a ban, 72 (29%) were against a ban and only 4 (2%) were in favour of further regulations.

Among the responses calling for a ban were a number of animal welfare organisations, including the Scottish SPCA. We fail to see how the Scottish Government's decision not to ban snaring could be said to represent these views.

The Scottish Government response goes on to say that its proposals were looked at by the PAW (Partnership for Action against Wildlife Crime) Legislation, Regulation and Guidance sub-

group. Again, we agree that the proposals were looked at by the PAW Legislation, Regulation and Guidance sub-group. However, as we stated previously¹:

"...we were informed that recommendations for the regulations would instead be considered by the legislation and regulation sub-group of the Partnership for Action Against Wildlife Crime (PAW Scotland). Despite representations, and despite being members of PAW Scotland, neither Advocates for Animals nor the League Against Cruel Sports was allowed to have a place on this sub-group."

The sub-group has now made brief general recommendations for changes to be made under the order making power in S11 (4A) of the Wildlife and Countryside Act. However, these do not reflect all of the provisions proposed by the previous Minister in his announcement on 20 February 2009. As the Committee is aware, in our view those already fell seriously short of what was required to protect target and non-target animals from suffering and death in snares.

2. The Committee asked the Scottish Government whether it was satisfied that its policy in this area represented the views and position of wildlife and other organisations such as SNH.

The Scottish Government states in its response that it was satisfied that its policy did represent these views and suggests that SNH has a neutral view on the issue of snaring, stated in its response to the Scottish Executive consultation in 2006/07. However, in this response SNH said "*our response will not focus on animal welfare issues as we anticipate this will be addressed by consultees with a specific remit in this regard*" (our italics).

SNH also highlighted concerns with capturing non-target species and questioned the legitimacy of snaring in compliance with the European Habitats Directive, stating "it is necessary to consider whether it can still be carried out legitimately and without risk of non-compliance with Article 15 of the Directive". These concerns are of crucial significance given, for example, the widespread deliberate use of snares, without licence, to trap mountain hares which are protected under Annex V of the Directive.

As far as other wildlife organisations are concerned, we draw attention to the fact that a number of Scotland's largest wildlife organisations are named petitioners on this petition. Others, as cited in our submission to the Committee in September 2008, have a policy of not using snares on their reserves. Scotland's largest animal welfare organisation, the Scottish SPCA is also firmly opposed to snaring.

3. Finally, the Committee asked the Scottish Government what public support there was for its policy on the use of snares. The Scottish Government's response that it has received "numerous correspondence from organisations and individuals supporting the Scottish Government's policy on snaring" is not, in our view, an accurate representation of the position.

We have stated several times the evidence of overwhelming public support to ban snares in Scotland and we summarise this again below:

- 79% of people in Scotland support a ban²
- 75% of vets in Scotland support a ban³
- 69% of vets in Scotland believe regulations will not prevent animals suffering in snares²

¹ Petitioners' submission April 2009

² NOP by TNS System Three, October 2008, commissioned by Advocates for Animals

³ Scottish vet snaring survey carried out by the League Against Cruel Sports and Advocates for Animals in conjunction with Vetfile August 2008

³ Scottish Executive analysis of consultation responses August 2008

- 69% of respondents to a public consultation were in favour of a ban³
- 99.9% of representations (7,182 out of 7,192) made to the Scottish Government from May 2007 to April 2008 on the future of snaring were in favour of a ban⁴

Conclusion

In the months since our Petition was last before the Committee there have been several high profile cases of domestic animals which have become victims of snares. The most recent of these was a spaniel named Harvey who died within a few hours of going missing, and was found to have bitten off his tongue during the incident.

Thousands of wild animals meet this fate, or a similar one, in snares. The fact that Scotland still sees fit to allow the legal use of these cruel and primitive traps is a poor reflection of our nation's attitude to animal welfare.

We believe the Scottish Government's decision not to ban snares was not only misguided but seriously out of touch with what the people of Scotland really want on the issue of snaring. We urge the Committee to keep this petition active and take the appropriate steps to facilitate a full and informed inquiry or a Scottish Parliament debate on this issue.

⁴ Parliamentary Questions SW3-12174 and S3W-12175 by David Stewart MSP answered 1May 2008