

The use of snares in Scotland: an essential part of pest and predator control and wildlife conservation

A paper compiled for practitioner organisations by the Game & Wildlife Conservation Trust

Introduction

The Wildlife & Natural Environment (Scotland) Act 2011 introduced additional requirements in relation to the use of snares. These included the provision for a review and report on the operation and effect of changes made to snaring to the Scottish Parliament every 5 years. The most recent report covering the period 2016-21 was published in April 2022.

Separately, in response to a question from Colin Smyth MSP at Holyrood in November 2021, the Minister for Environment, Biodiversity and Land Reform confirmed that the Scottish Government would extend the scope of the snaring review to include a potential ban on snares in Scotland.

This report has been produced following a request from the Scottish Government for the land management sector to provide its perspective on the use of snares as a tool for pest and predator control and conservation management. The practitioner organisations are pleased to submit this response.



British Association for Shooting and Conservation (Scotland)

British Deer Society (Scotland)

Scottish Countryside Alliance

Scottish Gamekeepers Association

Scottish Land & Estates

Scottish Regional Moorland Groups

Contents

Section	Page
Introduction	1
Background and use of snaring as part of pest and predator control	3
- The conservation context	3
- Key species conservation	4
- Fox population in Scotland	5
- Trends in Scottish sheep flock	5
- Fox abundance and predator control	5
Professional use of snaring	6
- Welfare provisions - snaring components and improvement in design	6
- Welfare provisions - breakaway snares	7
- Tagging of foxes for research purposes	8
o GWCT research experience	8
- Legal and Health & Safety considerations	9
Wildlife & Natural Environment (Scotland) Act 2011 – changes introduced	9
- Behavioural changes following WANE Act – targeted activity by time area and specific foxes	9
- Recording app technology	10
- WANE Act five-year reviews – additional best practice requirements	10
- WANE Act five-year reviews: snaring incidents and crimes	11
The future	12
Summary	12
Report addendum	13

Background and use of snaring as part of pest and predator control

Fox control is a widespread and, we maintain, an essential part of managing wildlife in rural Britain. Foxes prey on vulnerable wild ground-nesting birds like capercaillie, black grouse, grey partridge, lapwing, curlew, and both mountain and brown hares. Several of these are species of major conservation concern, others are game species; some are both. Foxes also kill young lambs, piglets reared outdoors, and free range and domestic poultry. Farmers cull foxes when experience shows there is a risk of predation on livestock or when predation is already taking place.

There are several methods to control foxes but none of them are effective in all circumstances. One method widely used for foxes is snaring. These are necessary in places and at times of the year when rifle shooting is impossible because of dense cover or the absence of safety backstops, yet when fox predation has critical impact and control can mitigate the damage. Similarly, rabbit snares may be deployed where shooting is not an option where there are no safe backstops. The need for different approaches to management is therefore vital. In Scotland, we already face the prospect of limitations on the use of dogs to flush foxes from dense cover. Whilst a licensing system for use of more than two dogs might offer a safety valve despite the additional administrative burden and any increase in time to secure the appropriate authority (the process and criteria remain to be determined), further limitation of the predator control tools available to land managers is of very real concern to the members of our organisations.

The development of the modern cable restraint is now far removed from the crude, cruel and indiscriminate snares of the past

Welfare aspects must be front and centre of all predator control, and particularly so regarding snare use. Such management is not undertaken at all lightly by professional users, who must recognise the public interest, but who also seek to deliver public good from this work. The development of the modern cable restraint as a holding device is now far removed from the crude, cruel and indiscriminate snares of the past, now incorporating stops, swivels, and break-away units. Coupled with training, registration, ID tagging and new methods of recording to retain an evidence base, these advances place more emphasis than ever before on humane best practice. This progress must be distinguished from random, malicious, and illegal use of snares which have nothing to do with livestock protection or conservation and are often selfish acts inflicted in peri-urban environments or by poachers.

Pest control

Although the use of snares for rabbit control takes place, we do not know precisely how many of the 1,877 registered snare users do so for this particular purpose. With cyclical reduction in rabbit numbers in certain areas, there is likely to have been some decline in use of snares and a preference to use of rifle and lamp.

However, we assume that in those areas of high rabbit abundance, and particularly where shooting is impractical, snares are used, along with other methods, to reduce damage to agriculture and horticulture, and to reduce damage to the ground through burrowing.

The conservation context

Always accepting the need for welfare best practice in predator control, any reduction in control methods must be weighed against the impact on conservation, particularly for those ground-nesting bird species already at risk. Research undertaken by the Game & Wildlife Conservation Trust, advisers to land management organisations, suggests that predation can be a common limiting

factor for breeding success for many species in the UK, especially where there is limited habitat extent, quality, and connectivity.

Key species conservation

The British Trust for Ornithology (BTO) identifies the Eurasian Curlew as one of the UK's most rapidly declining breeding bird species, showing a 48% decline from 1995-2016, with this figure exceeding 50% in Scotland¹. In the case of Capercaillie, the recent report commissioned by NatureScot and submitted to its Scientific Advisory Committee in February 2022 identifies that if current trends continue, the bird will be extinct **within two to three decades**. The report lists predator control as one of the options likely to have the greatest immediate positive action on the population².

“...reducing the numbers of predators would rapidly improve breeding success of Capercaillie...” Report to NatureScot Scientific Advisory Committee (February 2022)

Other studies indicate beneficial responses to predator control for Black Grouse and Capercaillie³. The recent report to NatureScot's Scientific Advisory Committee on Capercaillie Conservation and Management⁴ highlighted that reducing the numbers of predators would rapidly improve breeding success of Capercaillie. Shooting foxes in Caper habitat is not always practical, nor safe. The use of snares provides an alternative method of predator control, although deployment for Caper conservation needs to be carried out with particular care. Previous guidance developed by GWCT and RSPB for the Capercaillie BAP (Biodiversity Action Plan) Group is being updated to fit in with the current, urgent action being led by the Cairngorms Caper project, backed by the Cairngorms National Park Authority and NatureScot.

GWCT research undertaken at Otterburn over eight years has described how effective predator control can raise species' local abundance to levels higher than in the absence of predator control, resulting in improved conservation status given suitable habitat. Lapwing, golden plover, curlew, red grouse, and meadow pipit bred on average three times more successfully when predator control was performed. As a result, the populations increased in subsequent years. In the absence of predator control, the populations declined⁵. Work during the Langholm Moor Demonstration Project illustrated how fox and corvid control benefited waders⁶, hen harriers and red grouse⁷.

The impact of predators is now generally recognised by a wide range of bodies at both policy and practical levels⁸. As a result, predator control is used not just by farmers and gamekeepers, but on a

¹ www.bto.org/sites/default/files/bbs-report-2017.pdf

² Commissioned Report - Review of Capercaillie Conservation and Management – Report to the Scientific Advisory Committee (February 2022) www.nature.scot/doc/review-capercaillie-conservation-and-management-report-scientific-advisory-committee

³ Summers, R.W., Green, R.E., Proctor, R., Dugan, D., Lambie, D., Moncrieff, R., Moss, R. & Baines, D. (2004). An experimental study of the effects of predation on the breeding productivity of capercaillie and black grouse. *Journal of Applied Ecology*, 41: 513-525.

⁴ Review of Capercaillie Conservation and Management – Report to the Scientific Advisory Committee, NatureScot, February 2022

⁵ Fletcher, K.L., Aebischer, N.J., Baines, D., Foster, R., & Hoodless, A.N. (2010). Changes in breeding success and abundance of ground-nesting moorland birds in relation to the experimental deployment of legal predator control. *Journal of Applied Ecology*, 47: 263-272.

⁶ Ludwig SC, Roos S, Baines D (2019) Responses of breeding waders to restoration of grouse management on a moor in South-West Scotland. *Journal of Ornithology* 160: 789–797

⁷ Ludwig S., Roos S., Bubb D. and Baines D (2017) Long-term trends in abundance and breeding success of red grouse and hen harriers in relation to changing management of a Scottish grouse moor. *Wildlife Biology*, 2017

⁸ Smith, R.K., Pullin, A.S., Stewart, G.B. and Sutherland, W.J. (2010), Effectiveness of Predator Removal for Enhancing Bird Populations. *Conservation Biology*, 24: 820–829.

wide range of designated sites and nature reserves around the country and in some places, it is supported by public-sector finance^{9,10}.

Fox population in Scotland

The 2018 Review of the population and conservation status of British mammals indicates that the Red Fox range is increasing in Scotland. The Review estimates the British population to be around 357,000 (95%CI = 104,000–646,000)¹¹, an increase of 48% over the 1995 Technical Summary. The Scottish population was estimated at around 23,000 at this time and appears to have shown a slight decrease over the next decade. However, no up-to-date estimates of the population exist. With increasing woodland expansion providing cover, we can however expect the fox range to continue increasing. The threat from generalist predators is recognised in guidance provided by Scottish Forestry and can extend to requiring Environmental Impact Assessments for new planting proposals.

Human activities also ensure that foxes are present in our countryside at high density. Everything from food waste, through roadkill, to fallen livestock helps to feed foxes and maintain their population. This in turn means that they impose high and at times intolerable levels of predation pressure on a wide range of game and other wildlife species, some of which are in serious trouble. It is also worth pointing out that the RSPB suggest that foxes are at a high density in the UK compared to the rest of Europe and that they have an impact on prey species¹². At a time when Scotland is committed to tackling the twin emergencies of climate change and nature loss, now is not the time to be sacrificing effective tools to manage one of our most adept predators.

Trends in the Scottish sheep flock

Scottish Government information indicates that “Overall trends in the sheep population show the total decreasing by 800,000 (10.5 per cent) from 7.63 million in 2006 to 6.83 million in 2016.”¹³ We might reasonably assume that a stable or increasing fox population is likely to have more impact on a reduced number of lambs, particularly if this is compounded by any policy that restricts predator control.

Fox abundance and predator control

There is no evidence to suggest that predator control in Scotland is having more than a local impact on the abundance of the Red Fox, nor that there is any impact on its conservation status. With wading birds such as Curlew, Lapwing and Golden Plover increasingly restricted to moorland and hill edge, any reduction in management of foxes may place these waders in an extremely vulnerable position, particularly where the predator range is extended by a presumption in favour of woodland planting across Scotland. In the case of Curlews, they are in serious danger of extinction.

Considering the evidence for impact of foxes on both birds and mammals and the responses observed when fox control is relaxed or ceases, the signatory organisations are clear that all current, legal means for taking foxes, including snaring, should be retained.

⁹ Sotherton, N.W. & Reynolds, J.C. (2011). Managing the UK's wildlife: Must we intervene to regulate numbers? *Journal of the Royal Agricultural Society of England*, 172: 1-9

¹⁰ <https://www.ruralpayments.org/publicsite/futures/topics/all-schemes/agri-environment-climate-scheme/management-options-and-capital-items/predator-control>

¹¹ Mathews F, Kubasiewicz LM, Gurnell J, et al (2018) A review of the population and conservation status of British mammals: technical summary

¹² Roos et al. (2018) A review of predation as a limiting factor for bird populations in mesopredator-rich landscapes: a case study of the UK. *Biological Reviews* doi: 10.1111/brv.12426

¹³ Agriculture Statistics Tables by Topic: Sheep - gov.scot, www2.gov.scot/Topics/Statistics/Browse/Agriculture-Fisheries/agritopics/Sheep

Professional use of snaring

We recognise that the use of snares places considerable emphasis on professional use and best practice in snare training. Their retention as part of the suite of legal predator control options must be rational, achievable, proportionate, targeted, and humane. We examine legal, technical, training, and other advances in the following section.

The GWCT has undertaken years of research to identify how snaring can be improved through better operating practices, training, and snare design. Peer-reviewed research has shown that the performance of well-designed snares can surpass international standards for restraining traps. The practitioner organisations are strongly committed to ensuring such improvements continue to take place. As indicated earlier, the fox snare has no functional replacement in the effective control of fox predation. Whilst advancements in thermal imaging and night vision have dramatically improved the efficiency of fox control by rifle (albeit only to those who can afford the high cost of such technology), vegetation height and habitat type can still render shooting impossible as an option, particularly during wildlife breeding and fledging through the spring and early summer months when grasses, shrubs, bracken, and other plant-life have grown. Thermal imaging can also be affected by rain, which can reduce everything in scope to the same temperature.

Woodland and forestry or upland areas with folds in the ground can make it difficult to shoot safely and effectively, whatever type of equipment is used. This problem has been exacerbated over the past winter by wind-blow, with fallen trees restricting visibility and reducing the ability to control by shooting.

Welfare provisions - snaring components and improvements in design

Previous generations of fox snares carried risks of poor welfare and non-target capture. Whilst these concerns are now much reduced through design improvements, we consider it essential that fox snare operators use them responsibly, taking advantage of technical and training updates.

The recent 5-year snaring review¹⁴ undertaken as a requirement of the Wildlife and Natural Environment (Scotland) Act 2011, highlighted technical improvements that can help improve the welfare of any animal restrained in a snare. Whilst these recommendations remain to be enacted in legislation, chiefly because of the lack of suitable parliamentary time-table opportunities, they stem from practitioner organisation trials and developments, are now in practice, and will materially improve animal welfare. These technical improvements are set out below:

Requirement	Action
<ul style="list-style-type: none">• Increase the stop position on fox snares to enlarge the noose size to 26cm;	<ul style="list-style-type: none">• Built into snare design & manufacture. Add further notes to best practice guidance and re-publish
<ul style="list-style-type: none">• Increase the number of swivels on fox snares to a minimum of two;	<ul style="list-style-type: none">• Built into snare design & manufacture. Add further notes to best practice guidance and re-publish

The use of stops reduces the likelihood of accidental capture of deer. The adjusted stop position also allows smaller non-target animals such as hares to back out, ensuring that there is no risk of strangulation from a properly configured snare. Incorporation of two swivels means less risk of injuring a fox and provides a back-up in case one of the swivels jams.

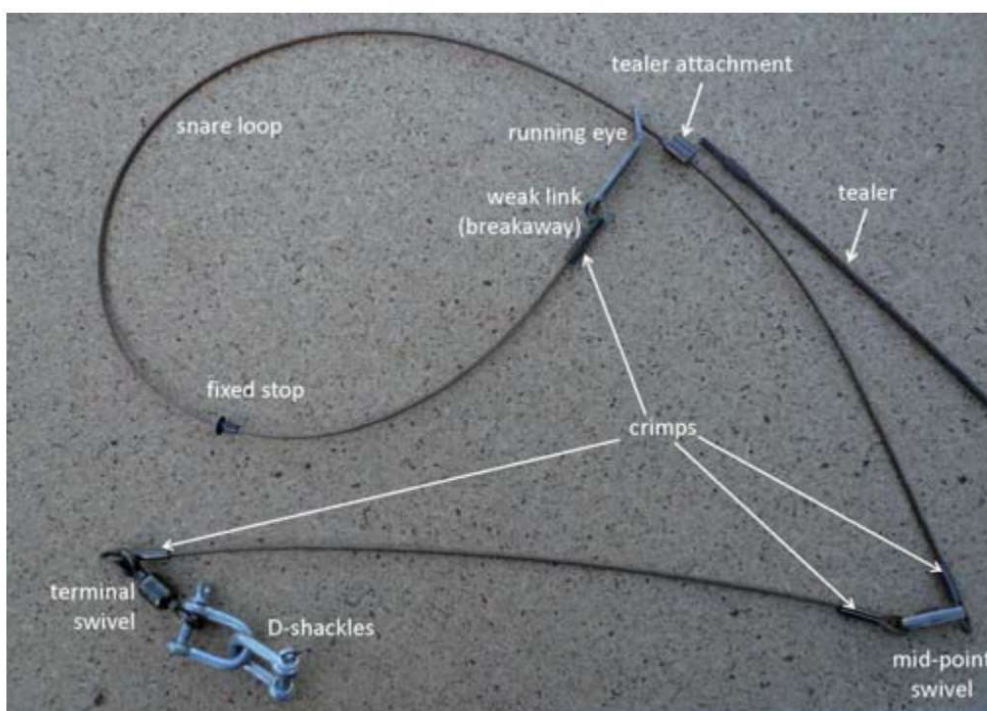
¹⁴ <https://www.gov.scot/publications/review-snaring-scottish-government-february-2022/>

Welfare provisions - breakaway snares

To ensure that snares pass the AIHTS welfare standard for a live-capture device for foxes, this is achieved with an appropriate weak-point (i.e., a breakaway link) within the snare design. From 2016 (the year of the first review following passing of WANE Act in 2011) there was a recognition that more research was required on breakaways.

The wording agreed for the revised (2022) Practitioners’ Code for snare use in Scotland is ‘All snares should incorporate a breakaway device into the snare noose. The breakaway must form the weakest part of the snare’. Placing the breakout at the running eye of the restraint means it is situated at the weakest link and can therefore pop open under pressure. This allows bigger and stronger non-target animals like badgers and deer to break free of the snare, without it remaining around them, further reducing welfare risks

Parts of an example breakaway snare and related equipment



Snare component	Purpose
D-shackles	The shackles facilitate attachment / detachment from the anchor. The permanent anchor prevents the snare being dragged away.
Fixed stop	The fixed stop is set to ensure the loop never closes beyond that point, keeping the loop size to a minimum of 26cm, preventing strangulation.
Running eye	The running eye ensures that the snare loop is free running and not self-locking, allowing it to open and close as far as the fixed stop.
Swivels (mid-point and terminal)	The two parts of a swivel rotate independently. Inclusion in design prevents the snare wire and loop from twisting and fouling, reducing welfare risks.
Tealer (and attachment)	Stiff wire or stick holding the snare loop at a recommended height for fox restraint. The loop can separate from the tealer at the attachment under pressure.
Weak link (breakaway)	A link designed to pop open under the weight of bigger and stronger animals than foxes, allowing their complete, safe release from the snare.

This introduction marks another important evolution in fox snare design which will further reduce welfare issues, particularly those connected with non-target species.

Tagging of foxes for research purposes

Early radio tracking research into fox behaviour undertaken by the GWCT involved the use of snares to catch the foxes in the first place. This convinced the researchers that snares need not cause significant harm to either foxes or non-target animals if they were well made and set.

For live capture of foxes for tagging purposes, current research work undertaken by the Trust uses the DB snare, which is the commercial version of the GWCT Breakaway Snare¹⁵. This has an enormous weight of science behind it¹⁶. Other snare configurations in commercial use now follow the key features of the DB snare designed specifically for humane capture, which has also helped to increase market choice. The key technical features of the snares used for tagging purposes are embedded and discussed in the GWCT's Home Office licence which permits the Trust to use them to catch foxes for research purposes. It has also been noted in radio-tagging research work that some foxes were re-captured in snares, showing no sign of harm. Recent use of snares for research purposes was conducted to GPS-tag foxes in the Avon Valley in Hampshire¹⁷.

GWCT research experience

In 1985, we were doing research that required us to catch foxes alive, attach radio collars, and release them in good condition. Although we tried persistently to catch them using baited cage traps, these were never successful and we repeatedly found clear evidence of trap-shyness. Conversely, we had considerable success with our own hand-made fox snares.

Foxes caught in snares for radio-tagging were not only alive and uninjured, but went on to live normal lives that could be followed by radio-tracking. This was noteworthy, because at the time there was already a strong lobby pressing for snares to be banned on grounds of cruelty, and their photographic evidence of injured or dead animals found in snares could not be denied. We began to consider why snares were benign in some circumstances but injurious in others. We also wondered how one could improve the chances of catching a fox while reducing the risk of catching non-targets.

Our experiences resulted in the publication of a GWCT leaflet 'Guidance for the Snare User' in 1998. This has now been through numerous updates, but most of its recommendations have remained unchanged since the first edition.

Today, we still use snares to catch foxes for radio-tagging, because of their remarkable effectiveness. Periodically we also make time to try cage traps again, because we'd love to clarify why they are so ineffectual. But to date we have not found a serious role for cage traps in rural areas.

A brief history of GWCT research on snares

GWCT website

¹⁵ <https://www.gwct.org.uk/game/research/predation-control/fox-snares/the-gwct-fox-snare/?msclkid=d90fd53dbb2e11ec8a813c228754a0c8>

¹⁶ Short, M.J., Weldon, A.W., Richardson, S.M., & Reynolds, J.C. (2012). Selectivity and injury risk in an improved neck snare for live-capture of foxes. *Wildlife Society Bulletin*, 36: 208-219.

¹⁷ www.gwct.org.uk/wadersforreal/monitoring-predators/red-fox-gps-tracking/

Legal and Health & Safety considerations

Along with the introduction of welfare improvements through technical changes, the practitioner group organisations have also considered the legal and health & safety implications arising from use of 'middens'. These aim to draw foxes to a particular location through careful placement of carcass material where snares can be set. These sites are often fenced off to mitigate the risk of livestock and other non-target captures. Middens are easily checked sites, which can therefore reduce the need for wider geographical distribution of snares and the attendant challenges around routine monitoring in line with legislation. Correctly managed, middens can therefore provide efficient and proportionate means of predator control. Nevertheless, relevant members of the practitioner group organisations were concerned to explore issues around the use of animal by-products for drawing foxes in, which further prompted a duty of care assessment and a recommendation to register middens with SEPA. Best Practice advice to practitioners was therefore updated in line with legal opinion to help avoid any risk to water, air, soil, plants, or animals, and any potential nuisance through odours, or adverse effects on the countryside or places of interest through use of middens.

We are aware that discussion on the use of middens has taken place within the Cairngorm National Park Area. As this is the principal remaining stronghold of the Capercaillie in Scotland, any constraint on the use of snares, particularly in a midden configuration (sited in ways to prevent risks to the Caper themselves) would be a major blow to conservation efforts when we need to use all legal and practical methods at our disposal to halt and reverse their decline. Best practice guidance is being updated to assist humane predator control options as part of the support for Caper recovery. This guidance emphasises the recommendation that snares be used at middens on farmland or moorland at least five hundred metres away from woods known to hold capercaillie.

Wildlife & Natural Environment (Scotland) Act 2011 – changes introduced

For reasons described earlier, effective fox control is an integral part of wildlife management for conserving wild species of ground nesting birds and game birds. Snaring plays an important role in fox control in particular circumstances. If snares are well designed and used in accordance with legislation and Best Practice guidance, they surpass international standards for restraining traps. Fox snares do, nonetheless, have attendant welfare and non-target capture risks. It is therefore essential that fox snare operators always use them responsibly. We believe that Scotland has made significant progress in this respect, prompted both by the sector's commitment to Best Practice and by the relevant section of the Wildlife & Natural Environment (Scotland) Act of 2011, particularly in respect of training (with specific focus on welfare concerns), record keeping and use of ID tags.

It should also be noted that in the 2017 Review of snaring it was reported that 2,578 individuals had been trained and, of these, 1,502 had registered with Police Scotland to use snares. By the 2022 Review a total of 3,207 individuals had been trained and 1,877 registered. The number of individuals legally allowed to use snares in Scotland is therefore small, broadly comparable with the total number of professional gamekeepers and pest controllers.

Behavioural changes following WANE Act - targeted activity by time, area, and specific foxes

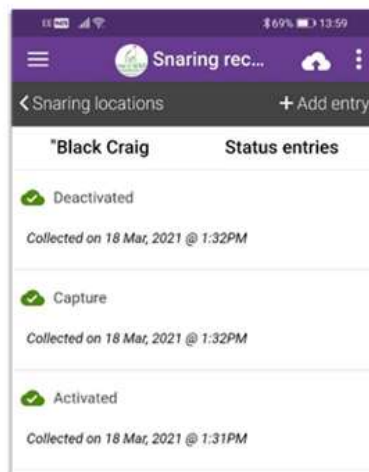
Through training courses, inspections, and advisory visits, land management organisations have regular contact with practitioners in Scotland. The GWCT advisory team report that even before the introduction of the WANE Act, and certainly accelerating since then, users have developed far more selectivity in the use of snares to adhere to best practice guidance. In particular, the time-period during which snares are used is often now restricted to periods just before, or during key breeding and fledging times for ground-nesting birds in spring and early summer months, or in line with local lambing.

To ensure the ability to check all snare locations within the requisite 24-hour time provision, advisors report that practitioners have reduced the number of active snares but concentrated them in specific areas, and even only used them to target individual foxes identified through observation, signs, or use of camera traps. Both time-based approaches and focused techniques enable trained users to reduce the risks of by-catch, particularly with regard to rising badger populations in some areas, and tougher legislation in respect of badgers.

Recording app technology

The introduction of a predator control recording app is a recent development and is intended to provide an evidence base for confirmation of snaring and other predator control best practice. It enables:

- Recording the position(s) of snares
- Identifying whether a snare is active or disabled
- Date when snare set/removed
- Snare check confirmation
- Notes, photos, and monitoring of interference
- Catch and by-catch recording



Example mobile app snare checking screen

Mobile data collection facilitates analysis and adjustment of snaring practice by users. It also affords significant opportunity for further research, and as information builds up, provide further insight that could inform future 5-year reviews.

At present, this facility is being rolled out to larger estate keeping teams but could be extended to individual use in due course. The app also provides the ability to cross-reference snare management with mapping to analyse predator control activity. This may lead to a rationalisation in use of, and thus more efficient deployment of snares.

Current users have welcomed this advance as a simple and effective way of demonstrating compliance with WANE Act record-keeping

The app records can be downloaded and provided in a timeous report, where required by legislation.

WANE Act five-year reviews – additional best practice adjustments

The Act introduced 5-year reviews regarding the operation and effect of changes introduced by snaring section 11. The latest 5-year review has recently concluded. The report observes that Scotland currently has the most stringent restrictions on snaring in the UK. We have already identified technical changes to snare design that have been introduced and which are highlighted in

training. Other requirements flowing from the review include tightening up of record keeping and production of information to the police and ensuring that guidance reflects up-to-date best practice. We note these requirements and action to meet them below:

Requirement	Action
<ul style="list-style-type: none"> implement a time-period for updating snare records and reduce the time allowed for producing records to the police; 	<ul style="list-style-type: none"> Mobile app introduced to allow practitioners to record inspection checks, simplifying record keeping
<ul style="list-style-type: none"> Update 'Snaring in Scotland – A Practitioners' Guide' 	<ul style="list-style-type: none"> Review completed in consultation with Scottish Government

WANE Act five-year reviews: snaring incidents and crimes

The current report sets out data from the Crown Office Procurator Fiscal Service in relation to the number of Standard Prosecution Reports from 2006 to 2021. This shows a steady decline in reports over 5-year period from introduction of WANE Act changes. The review acknowledges that recent cases investigated by COPFS point more towards deliberate abuse of snares by untrained users rather than recklessness by trained users, indicating that Scottish Government's legislation has been effective.

The five-year report also references information from OneKind and from the SSPCA, although it is difficult to draw firm conclusions on trends from these data. The OneKind monitoring suggests twenty-seven incidents in the four-year period 2013-16 and a similar number in the full five-year period from 2016 to 2021 – on the face of it, a slight decline. Information can be passed by members of the public to OneKind through their Snarewatch website. We do not know the extent to which members of the public are sufficiently skilled to identify legal and illegal snare set-ups, nor whether such reporting might be subject to partiality. It is therefore possible that legally set and monitored snares are categorised as incidents and incorrectly included within reporting in both periods, before and after 2016.

The signatory organisations stand four-square behind SSPCA efforts to highlight and tackle illegal use

The SSPCA information set out in Annex 2 of the report is likewise difficult to interpret. The table does not appear to include data from 2019-20, so it is difficult to compare with the five-year COPFS recording periods. The report suggests the SSPCA information indicates that "...there is still widespread misuse of snares." Any incident is clearly problematic, but unless the information properly disaggregates incidents (which may simply be zealous reporting) from clear crimes, it is far from obvious that misuse is widespread, particularly amongst trained operators. It would also be instructive to understand more about the locations of the incidents that are occurring. This might help provide better insight into whether illegal use is a problem of the urban fringe, rural, or upland settings.

Nevertheless, the signatory organisations stand four-square behind SSPCA efforts to tackle illegal use, whether of unsuitable wire, other materials including twine, absence of safety features, or failure to undertake checks that do not conform with welfare standards sought by either Scottish Government or by professional use.

The future

Professional operators now have the capacity to eliminate any unpleasant outcomes that can make the use of snares so controversial. The use of well-designed restraints and following best practice brings snaring within international humaneness standards for live-catch traps. Conversely, ignoring snare guidance and best practice simply risks causing poor welfare and target selectivity. There is no advantage for snare practitioners in that scenario. We do not believe that professional managers wish that upon themselves, as it threatens their livelihoods and quite possibly, the demise of some of Scotland's most cherished bird species.

COPFS case statistics, as well as monitoring by SSPCA and others points to a more significant problem with misuse of snares by untrained, unregulated individuals for their own purposes, or by criminal poaching. A ban on snaring will simply further restrict the work of trained, legitimate and accountable operators rather than illegal misuse.

Practitioner organisations and their advisers have a key role to help ensure that snare practitioners in Scotland are fully up to speed with current training requirements, are registered, use the evidence of their management through accessible recording to adjust practice and can demonstrate public good through nature recovery. We are committed to this task.

Summary

- **Technical adjustments to cable restraints including safety stop positioning, double swivels and breakaway sections now considerably reduce welfare risks**
- **The Wildlife and Natural Environment (Scotland) Act 2011 has accelerated behavioural change including more selective use and siting of snares and reduction of the time during which they are deployed**
- **The Act has prompted novel use of mobile technology to improve record-keeping and use of information gathered during checks. We suggest that use of this facility is at least given fair chance to assess changes to welfare, record-keeping, and incident statistics.**
- **Significant concern regarding the conservation status of emblematic Scottish bird species means that all current, legal forms of predator control must be retained for the time being if we are to assist their recovery**
- **Data on incidents and prosecutions suggests a steady decline since changes introduced by the Wildlife and Natural Environment (Scotland) Act 2011.**
- **Nevertheless, this information can be further improved to understand and isolate problems. It would be illiberal to remove snaring without better insight and objective assessment of any concerns relative to the public good deriving from species conservation.**

Other references

Defra and GWCT 2012 snare studies compared by results

Defra: Determining the extent of Use and Humaneness of Snares in England and Wales

The use of snares in Scotland - report addendum

We are aware of evidence recently presented to the Scottish Parliament Cross Party Group on Animal Welfare by the National Anti-Snaring Campaign (NASC), an organisation based in England. We do not know whether any of the evidence and images therefore relate to Scottish incidents, where snaring legislation is the most stringent in the UK, nor do we know when the pictures were taken. Given that there is already a means for the Scottish public to report snaring incidents via SnareWatch and through SSPCA inspection and action, the data compiled for the most recent WANE Act five-year review, published this year, provides guidance as to scale and trend of incident statistics in Scotland. Whilst any incident is a concern, this information demonstrates a steady decline, which we firmly believe reflects the effectiveness of legislation and professional standards. The review acknowledged that cases investigated by the Crown Office and Procurator Fiscal Service pointed towards deliberate abuse of snares by untrained users rather than recklessness by trained users, but this must be a point of clarity in any future review.

We understand that the presentation made by the NASC suggested incidents can still occur even when using 'DB' breakaway restraints intended to release larger non-target species such as deer or badgers. Again, we do not know whether the presentation referenced Scottish cases. We can however confirm that the trial published in the Wildlife Society Bulletin¹⁸ tested the Game & Wildlife Conservation Trust (GWCT) breakaway snare. A key aim of this trial was to establish proof-of-concept that it is possible to design fox restraints with an integral weak-link strong enough to hold most foxes, but weak enough to allow animals that can generate a greater pulling-force, with an opportunity to escape.

The breakaway testing report cited in the NASC presentation ('Testing of DB type snare': TTI Testing Ltd, Oxford) is based on a very small sample of snares, but it does establish that in each test, the weakest point of the DB snare (the commercial version of the GWCT restraint) was the breakaway clip within the noose. It is possible that there are differences in performance between GWCT-designed and commercially manufactured snares, but the GWCT confirms, based on its own practical experience of using DB snares to catch foxes for GPS-tagging purposes, that both badgers and roe deer are capable of escaping by opening the breakaway device.

The GWCT has also pointed out that during the fox snare field trials for the Defra Snares Study¹⁹, badger, hare and deer were all able to escape from the second type of fox snare that was field-tested, by activating a J-hook breakaway device, which was substantially stronger than the relevant component used in the GWCT Breakaway and DB Snares.

We stress in our main report that technical adjustments to snare restraints including safety stop positioning, double swivels and breakaway sections now considerably reduce welfare risks. Nevertheless, the sector is fully committed to ongoing research, training and continuous improvement by professional users.

We do however wish to re-emphasise that further constraints placed on predator controls intended to support ground-nesting birds, hares and livestock erode the ability to manage both for conservation and for economic reasons. Legislation, particularly in the arena of wildlife management, will be challenging, if not impossible to reverse, once enacted. The Scottish Government has rightly pointed to the need for an adaptive approach to management of our natural environment. With biodiversity so evidently in crisis, now is not the time to close off any options that might aid recovery. We undertake to work with stakeholders to ensure such options remain fully compliant with all welfare requirements whilst providing for conservation and economic good.

¹⁸ Selectivity and injury risk in an improved neck snare for live-capture of foxes: Mike J. Short, Austin W. Weldon, Suzanne M. Richardson, Jonathan C. Reynolds Wildlife Society Bulletin, April 2012

¹⁹ P. 126: 'Determining the extent of use and humanness of snares in England and Wales', DEFRA 2012 Report accessible: <http://randd.defra.gov.uk/Default.aspx?Module=More&Location=None&ProjectID=14689>