

# Cruel and Indiscriminate: **Why Scotland must become snare-free**



**SNARE FREE  
SCOTLAND**



LEAGUE  
AGAINST  
**CRUEL  
SPORTS** 





OneKind is an animal protection charity that aims to end cruelty to Scotland's animals through campaigns, research and education.

We work in partnership with others across the UK to bring our Scottish perspective to UK-wide campaigns. OneKind records snaring incidents on its dedicated SnareWatch website [www.snarewatch.org](http://www.snarewatch.org) to show the nature and extent of animal suffering caused by these traps.

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The League Against Cruel Sports is a charity working to expose and end the cruelty inflicted on animals in the name of sport.

In Scotland the League works to end fox hunting, ban the use of snares and campaigns against the shooting of birds for entertainment.

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#SnareFreeScotland

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# 1. Executive summary

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Snares have long been known to inflict extreme physical and mental suffering on captured animals, and recent legislation has not reduced this to any acceptable level.

Snares continue to be widely used across Scotland, principally to protect gamebirds such as grouse and pheasants from fox predation.

The current legislative regime, established under the Wildlife and Natural Environment (Scotland) Act 2011, has not succeeded in preventing severe suffering in animals trapped by snares.

OneKind and the League Against Cruel Sports Scotland (League Scotland), along with many other conservation and wildlife organisations, many veterinary professionals and the majority of the Scottish public, believe that the use of snares to trap wild animals must be banned for the following reasons:

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## Cruel

Snares have long been known to inflict extreme physical and mental suffering on captured animals, and recent legislation has not reduced this to any acceptable level.

## Indiscriminate

Snares capture a wide range of non-target animals, including protected species such as badgers and otters, as well as dogs and cats.

## Non-selective

Snares capture lactating and pregnant animals or juveniles, including within populations of protected species that may be adversely affected by the use of non-selective traps.

## Incompatible with conservation

UK populations of three main target species for which snares are generally used in Scotland – red fox, rabbit and brown hare – are all in decline. SNH and other major conservation bodies managing land in Scotland do not use snares.

## Regulation has failed

Attempts to regulate snare use have not succeeded in reducing the suffering they cause to captured animals.

## 2. Introduction

OneKind and the League Scotland believe it is essential that the review consider the option of an outright ban on the use of snares in Scotland.



**West Lothian, March 2016**  
**The reality of snaring in Scotland today: what the public seldom see**

Snares regularly capture foxes and badgers round the abdomen, where the wire can cut deep into the soft tissue and cause appalling injuries.

In March 2016, near Cobbinshaw Loch, a dog walker found a fox struggling in a snare, which was closed tightly round its abdomen, just in front of its back legs. The tagged snare was set on a fox run close to a fence beside a public path and the state of the ground showed that the fox had been struggling to escape for some considerable time. The dog walker was able to loosen the wire so that the fox could be freed. The occupant of the local farm was angered to learn that the fox had been released. Astonishingly, the dog walker was charged by the police with stealing the snare, despite having intervened with the best of intentions but the charges were later dropped.

It is over five years since the Scottish Parliament last debated the use of snares, during the passage of the Wildlife and Natural Environment (Scotland) Act 2011 (the WANE Act). Members of the Scottish Parliament (MSPs) decided not to ban these traps but to introduce a new regulatory regime, to be reviewed before the end of 2016, and every five years thereafter.

In July 2016, the Scottish Government confirmed<sup>1</sup> that the review would take place before the end of the year, and would be carried out by Scottish Natural Heritage (SNH), the agency tasked with providing advice and information to Ministers on issues relating to the nature and landscapes of Scotland.

This report has been commissioned to examine the impact of Scotland's snaring regulations and contribute to the Scottish Government review of their effectiveness, particularly with regard to animal welfare. The question now is whether it is possible to regulate the use of devices that are fundamentally cruel and indiscriminate, or whether an outright ban is the only solution. For OneKind and the League Scotland, there can be only one answer to that question.

OneKind and the League Scotland believe it is essential that the review consider the option of an outright ban on the use of snares in Scotland.

Our two organisations have worked together for almost a decade to expose the cruelty of snare use in Scotland. As charities aiming to protect animals in Scotland and beyond, we have developed considerable knowledge and expertise regarding the welfare of wild animals, and the impact of these primitive, indiscriminate traps. Through regular investigative work and SnareWatch<sup>2</sup> a public reporting facility run by OneKind, we have built up a clear picture of how they operate in the field and we have witnessed the difficulty of getting justice for animals snared illegally.

Despite well-informed, evidence-based campaigns by OneKind and the League Scotland, backed by numerous wildlife organisations, the Scottish Parliament has always stopped short of completely banning snares in Scotland, when it had the opportunity.

The current regulations were introduced in response to serious welfare concerns around the use of snares. The wealth of evidence in this report clearly demonstrates that, despite the consideration given to the issues at the last round of legislation, the law still does not protect Scotland's wildlife and pets from unnecessary and unjustifiable suffering.

OneKind and the League Scotland believe that the time has come for a complete ban on the manufacture, sale, possession and use of all snares in Scotland. ■

<sup>1</sup> Response by Roseanna Cunningham MSP to Question S5W-01128 by Mark Ruskell MSP, 20 July 2016

<sup>2</sup> [www.snarewatch.org](http://www.snarewatch.org)

# 3. Preface

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*Professor Ranald Munro, BVMS, MSc, DVM, Dip Forensic Medicine, MRCVS, former Head of Pathology at the Veterinary Laboratory Agency, former Chairman of the Scottish SPCA, former President of the World Society for the Protection of Animals, Chair of the Independent Expert Panel reviewing the English badger cull and Visiting Professor of Forensic Veterinary Pathology at the Royal Veterinary College.*

Change is fundamental to the evolution of Society's views. Access to wildlife programmes, on television and online, has changed public perceptions, leading to increased awareness of the fragility of the natural environment and the threats to wildlife diversity.

Although many improvements have been made to the interactions between people and wildlife, progress has been slow in some aspects. One of the major impediments to such progress is reluctance by elements within the wildlife/estate management sector to acknowledge that a number of commonly accepted practices are outmoded. This reluctance is often based on the erroneous belief that, by acknowledging the need for change, criticism will be forthcoming over past use of inhumane methods of wildlife control. This is a misconception; criticism of poor practice is there already.

Acknowledgement of the need for change is viewed positively by society. There is no appetite for brooding over past mistakes, but blindly following the well-worn path of previous generations thwarts the adoption of better practice. Progress is made by looking forward, rather than back. Nowadays, few people would advocate the use of strychnine or gin traps for wildlife control yet these methods were once commonplace. Snaring is another of these old-fashioned methods that should be consigned to history.

Snaring causes immense suffering. The very nature of snaring makes the infliction of pain and distress inevitable and recent regulation of snare use has not reduced the suffering in trapped animals. Snaring is indiscriminate, catching protected species, cats, dogs, and so-called 'pests'. Also, snares make no exceptions for lactating or pregnant females. Opinion polls have demonstrated that snaring of wildlife is abhorrent to the general public and it is condemned by the veterinary profession.

In recent years, wildlife management has moved forward greatly with the development of modern approaches to the protection of wildlife diversity without recourse to inhumane trapping techniques. As highlighted in this current report, the major conservation NGOs and government-sponsored organisations in Scotland have implemented policy decisions not to use snares. Yet, snaring can still be carried out legally in Scotland. It is a bizarre anomaly that poses a threat to Scotland's reputation as a wildlife friendly country with high animal welfare standards.

Society overwhelmingly wants snares to be banned. Further tinkering with the regulations governing who is authorised to set snares, where snares can be set, how often they should be inspected, etc. would merely be seen as a way of avoiding public acknowledgement that the use of snares is primitive and barbaric. Science has shown that wildlife populations can be managed without snares. It is time for the Scottish Parliament to make the changes that will allow Scotland to join the long list of other countries where snaring is proscribed. ■

*Ranald Munro*

# 4. The trouble with snares

The many case studies compiled in this report demonstrate that snares are inherently inhumane, causing prolonged suffering and often a slow, agonising death to sentient wild and domesticated animals.

Snares are primitive noose-shaped animal traps, dating back to the Stone Age and still used around the world for hunting, poaching, recreational bushcraft, population control, research, and predator or “pest” control<sup>3</sup>. The use of snares to catch foxes and other canids only developed in the early 20th century along with the increased availability of small diameter flexible steel cable<sup>4</sup>. In 21st century UK, snares made of steel or stranded brass cable are routinely set by gamekeepers and some farmers to trap and hold foxes, rabbits and brown hares around the neck so that they can be killed.

## 4.1 Snaring is inhumane, causing severe suffering to animals

A humane control method may be defined as having little or no negative effect on the animal’s welfare, while an inhumane method has a significant negative effect, so that it must be considered unacceptable or cruel.

The many case studies compiled in this report demonstrate that snares are inherently inhumane, causing prolonged suffering and often a slow, agonising death to sentient wild and domesticated animals. Although self-locking snares are illegal in the UK, when the captured animal struggles, the wire can twist and tighten, effectively becoming self-locking and leading to strangulation or severe injuries. Considerable effort has been invested in new designs for snares, but studies of their effectiveness continue to note problems with entanglement and injury<sup>5</sup>.

Sites where animals have been caught in snares tend to show signs of extreme disturbance to the surrounding ground and vegetation – known as a “doughnut” – where the animal has tried to run, jump or scabble its way out of the trap, often for several hours or more. Some animals attempt to gnaw through the wire, causing it to fray so that it cannot run freely enough to slacken and release the pressure - this can cause very painful damage to the teeth and jaw. Inevitably, mental and behavioural stress accompanies these frantic attempts to escape.

Most accounts of the injury and distress observed by field workers, animal welfare organisations and enforcement authorities are anecdotal – but in terms of quantity and severity, the evidence is overwhelming. Numerous authoritative reports, based on first hand observation and fieldwork, have documented the suffering caused to animals captured in snares.

The report of the Independent Working Group on Snaring (IWGS report)<sup>6</sup> in 2005 identified a number of animal welfare impacts associated with snare use in the UK: these ranged from the stress of restraint and fear of predation or capture, to painful injuries inflicted by the snare, thirst, hunger and exposure, infections arising from injuries, and the pain and injury associated with killing by the snare operator.

<sup>3</sup> Anderson, L. Snares and Snaring in Linzey, (Ed) Global Guide to Animal Protection, University of Illinois Press 2013

<sup>4</sup> Fox snares: Guidance for the User <http://www.gwct.org.uk/advisory/guides/fox-snaring-guidelines/>

<sup>5</sup> 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(2), 208-219.

<sup>6</sup> Kirkwood et al, Report of the Independent Working Group on Snaring, DEFRA 2005 <http://www.defra.gov.uk/wildlife-countryside/vertebrates/snares/pdf/iwgs-report.pdf>





**South Lanarkshire, February 2009\*  
Frantic attempts to escape.**

This badger, snared on the Leadhills estate, had chewed the snare wire so that it had expanded and frayed, rendering the snare effectively self-locking. The disturbed state of the ground bears further witness to the animal's frantic and prolonged attempts to escape.

\*While this incident took place prior to 2010, the new Scottish legislation would have made no difference to the animal's behaviour or the animal welfare impacts.

<sup>7</sup> Anon Determining the extent of use and humaneness of snares in England and Wales Report submitted to DEFRA, March 2013 <http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=14689>

<sup>8</sup> Peer review of DEFRA Funded Science: Final Report Appraisal, 18 April 2011

<sup>9</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31998D0142> The AIHTS was used as a reference for animal welfare standards in the DEFRA report, although it does not cover foxes and rabbits.

<sup>10</sup> [http://www.snarewatch.org/images/resources/onekind\\_report\\_snaring\\_2010.pdf](http://www.snarewatch.org/images/resources/onekind_report_snaring_2010.pdf)

<sup>11</sup> Rochlitz I, Pearce G P, Broom DM The Impact of Snares on Animal Welfare Centre for Animal Welfare and Anthrozoology, Department of Veterinary Medicine, University of Cambridge, Chapter 1 OneKind Snaring Report [http://www.snarewatch.org/images/resources/onekind\\_report\\_snaring\\_2010.pdf](http://www.snarewatch.org/images/resources/onekind_report_snaring_2010.pdf)

<sup>12</sup> Broom DM (1999) The welfare of vertebrate pests in relation to their management. In: Advances in Vertebrate Pest Management, ed. PD Cowen and CJ Feare, pp 309-329. Furth: Filander Verlag

<sup>13</sup> Sandøe P, Crisp R & Holtug N (1997) Ethics. In: Appleby MC and Hughes BO (eds) Animal Welfare pp 3-17. CAB International: Wallingford, United Kingdom

<sup>14</sup> Broom DM (1999) The welfare of vertebrate pests in relation to their management. In: Advances in Vertebrate Pest

A report to DEFRA in 2012, Determining the extent of use and humaneness of snares in England and Wales (DEFRA report)<sup>7</sup> identified animal welfare indicators of significant clinical importance, although OneKind and the League Scotland believe that it underestimated their impact. For example, the researchers considered slight oedema (swelling) would cause "no observable discomfort". This comment remained in the report despite comments from a peer reviewer that:

*"This oedema is an indicator of significant and clinically important interference to the blood circulation to the head. It is an unambiguous indication that the welfare of the animal has been significantly compromised<sup>8</sup>."*

The DEFRA report contains many indicators of poor animal welfare, including the predation of trapped hares, physical disturbance of terrain, caused by a fox's desperate attempts to escape, and a harrowing description of a snared rabbit's prolonged death by strangulation. Some of these factors were excluded from consideration, as they did not feature in the standards, such as the Agreement on International Humane Trapping Standards (AIHTS)<sup>9</sup>, against which the researchers were measuring animal welfare.

The OneKind Report on Snaring, published in 2010 (the OneKind report)<sup>10</sup>, includes a paper on welfare by authors from the Centre for Animal Welfare and Anthrozoology at the University of Cambridge<sup>11</sup> who concluded:

*"It is clear that we should assess the welfare of vertebrate pest animals, however undesirable their impact on humans, in the same way as we assess the welfare of any other vertebrate animal. Vertebrate pest animals have the capacity to feel pain, fear, and to suffer just like any other vertebrate animal. Whenever control methods are considered, their effects on the welfare of these animals should be taken into account. In some cases a cost-benefit analysis is a reasonable approach to take, where the real adverse effects of the pests are compared with the extent of poor welfare of the pest animals that a control method would cause (Broom 1999<sup>12</sup>). However, some pest control methods have such extreme effects on an animal's welfare that, regardless of the potential benefits, their use is never justified (Sandøe et al 1997<sup>13</sup>, Broom 1999<sup>14</sup>). Snaring is such a method."*



**Snares do not discriminate between the individuals within the target species.**



**Kirkcudbrightshire, April 2016  
Snoop dog snared**

Near Borgue, Kirkcudbrightshire

Snoop, a Jack Russell dog, became trapped in a snare set close to a path used by walkers and wildlife, in April 2016. The snare was free-running and had a stop on it, but had no ID tag and was attached to a drag, rather than being firmly anchored. An unstopped snare, also on a drag, was found close by. The police were informed as the snares were illegal.

## **4.2 Snares are indiscriminate, catching a wide range of species**

Snares are inherently indiscriminate and regularly catch a wide range of non-target species, including Scottish wildcats, mountain hares, badgers, hedgehogs, deer, otters and family pets such as cats and dogs. In 2005, the IWGS report set the proportion of non target captures at between 21% and 69%.

In 2006, a Scottish SPCA report on snaring showed that, of 269 animals reported as having been caught in snares - ranging from badgers and deer to pet cats and dogs - only 23% were "pests" such as foxes and rabbits. Further data from the Scottish SPCA for snaring incidents between 31 March 2011 and 25 April 2012 showed a 70% rate of non-target capture, including badgers, cats, deer, dogs, birds, hares, otters, pine marten and rabbits.

The same pattern emerges in reports from around the UK to the SnareWatch website<sup>18</sup> since 2011. Out of 127 reports from concerned members of the public, 72 concerned pets. It is illegal to set snares for a number of protected species, yet a quarter of the animals reported were protected wildlife, including 25 badgers and four otters. Only 19 of the animals discovered in snares and reported to SnareWatch were foxes or rabbits, the supposed target species.

In Scotland, snares are known to catch capercaillie and government grants for predator control preclude the use of snares in capercaillie<sup>19</sup> forests.

The DEFRA report<sup>20</sup> reinforced concern about the high rate of non-target captures in snares, even under so-called "best practice" conditions. 60% of users surveyed for the report had caught non-target animals in fox snares, and in field trials of snares, 68% of 44 capture events involved non-target species.

<sup>15</sup> Kirkwood et al, Report of the Independent Working Group on Snaring, DEFRA 2005

<sup>16</sup> Snaring in Scotland: A Scottish SPCA Survey of Suffering, Scottish Society for the Prevention of Cruelty to Animals, Edinburgh, December 2006

<sup>17</sup> Scottish SPCA: Additional response to Petition PE1124

[http://www.scottish.parliament.uk/S3\\_PublicPetitionsCommittee/Submissions\\_08/PE1124\\_DD\\_Scottish\\_SCPA\\_16.05.12.pdf](http://www.scottish.parliament.uk/S3_PublicPetitionsCommittee/Submissions_08/PE1124_DD_Scottish_SCPA_16.05.12.pdf)

<sup>18</sup> [www.snarewatch.org](http://www.snarewatch.org). See also SnareWatch report, OneKind, 2016 <http://www.onekind.org/uploads/publications/OneKind-snarewatch-report-online-low-res2.pdf>

<sup>19</sup> <https://www.ruralpayments.org/publicsite/futures/topics/updates/guidance-archive/forestry-grant-scheme---sustainable-management-of-forests-archive/predator-control-capercaillie-black-grouse-archived-13-01-2016>

<sup>20</sup> Anon Determining the extent of use and humaneness of snares in England and Wales Report submitted to DEFRA, March 2013 <http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=14689>

Table 1. UK reports to SnareWatch 2011 - 2016

| Species           | Number     |
|-------------------|------------|
| Cat               | 46         |
| Dog               | 25         |
| Pet (Unspecified) | 1          |
| Badger            | 25         |
| Deer              | 3          |
| Hare              | 4          |
| Otter             | 4          |
| Fox               | 18         |
| Rabbit            | 1          |
| <b>Total</b>      | <b>127</b> |

Snare traps do not discriminate between the individuals within the target species either, and are known to catch juveniles, pregnant and lactating animals, with potential consequences for local populations of protected species. The snaring of mountain hare, for example, may adversely affect their local distribution or abundance<sup>21</sup>.



**Ayrshire, March 2015**

**Born in a snare**

This brown hare leveret was born while her mother was trapped in an illegal (untagged) snare in Cumnock, Ayrshire, in March 2015. The mother had already died when they were found. The baby hare was taken to Hessilhead Wildlife Rescue Trust where, despite expert care, she also died.



**South Lanarkshire, August 2009\***

**Helplessness and despair**

These photographs from Leadhills estate show a non-target protected species, a badger, caught by a snare around its abdomen. The snare wire has cut through the skin and underlying tissues, causing very severe wounds to the caudal abdominal area which are likely to be painful and cause suffering. The animal's snout and body are covered in dirt, which suggests that it has struggled vigorously against the snare. These pictures illustrate how neck snares are indiscriminate: they may catch an animal by another part of the body (rather than the neck), and may catch non-target, including protected, species.

The scene in this picture is one of utter helplessness and despair, following a long and painful struggle. The animal was euthanased.

\*This incident pre-dates the new Scottish legislation but the photographs are included here to illustrate issues that remain current.

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Most of the legal use of snares takes place on sport shooting estates to trap foxes.

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...proponents of snares incorrectly encourage the public to believe that the landscape, flora and fauna of the Scottish moors require the continued removal of predators and so-called "pests".

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<sup>21</sup> Conservation (Natural Habits &c) Regulations (Amendment) Scotland) Regulations 2007

<sup>22</sup> P J Baker and S Harris (2006) Does culling reduce fox (*Vulpes vulpes*) density in commercial forests in Wales, UK? *European Journal of Wildlife Research*, 52:99 - 108

<sup>23</sup> British Trust for Ornithology/Joint Nature Conservation Committee/RSPB Breeding Bird Survey – Mammals Survey 2016

<sup>24</sup> Alex Hogg, SGA Chairman to Scottish Parliament Rural Affairs Committee, September 2010

<sup>25</sup> Bryden, D.M., Westbrook, S.R., Burns, B., Taylor, W.A., and Anderson, S. 2010. Assessing the economic impacts of nature based tourism in Scotland Scottish Natural Heritage Commissioned Report No. 398.

## 4.3 Snares are unnecessary and counterproductive

Most of the legal use of snares takes place on sport shooting estates to trap foxes. The abundance of foxes in an area is, however, governed by a number of factors, of which availability of territory is probably the most significant. Even when large numbers of foxes are killed, other foxes rapidly immigrate to fill territory spaces<sup>22</sup> - especially where there is an excellent food supply, such as game birds released or conserved for shooting.

Figures for UK mammal populations published in July 2016 by the British Breeding Bird Survey (BBS)<sup>23</sup> identified significant declines in populations of rabbits (59%) and red fox (34%) over the period from 1996 – 2014. The drivers behind these declines are unknown. In addition, brown hare populations have declined by 5% and combined mountain and Irish hare populations by 32%.

Even so, proponents of snares incorrectly encourage the public to believe that the landscape, flora and fauna of the Scottish moors require the continued removal of predators and so-called "pests". For example, the Scottish Parliament Rural Affairs and Environment Committee was told in 2010 that, "If snaring is banned in Scotland, the Government will wreck Scotland's biodiversity for the future<sup>24</sup>."

OneKind and the League Scotland find this argument misleading and unconvincing: the target and non-target species that are caught in snares are part of this biodiversity and their numbers are already in decline. Furthermore, conservation organisations in Scotland do not use snares on land that they manage, suggesting that conservation objectives can be met through other means, whether lethal or non-lethal.

There is also a significant concern that the widespread trapping of native wildlife damages Scotland's reputation as an ecotourism destination. A commissioned report from Scottish Natural Heritage in 2010<sup>25</sup> showed that Scotland is a major European destination for ecotourism, because of the huge range of the Scottish landscapes and coastal areas and the outdoor activities they support. These attractions are much wider than the highly managed grouse moors. A majority of visitors (65%) stated that nature and wildlife were an important or very important factor when choosing Scotland as a holiday destination.

Annual visitor spending on nature-based tourism was assessed at £1.4 billion per year, with the value to the economy of wildlife watching, walking and other outdoor pursuits far outstripping that of shooting<sup>25</sup>.

OneKind and the League Scotland are convinced that the public would prefer to see upland areas managed by using modern ecological science to encourage as many species as possible and to build and maintain functional ecosystems that include predator and prey species.

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“I have never used snares to control foxes. I use lamping with a high-powered rifle to manage fox numbers and electric fencing to secure birds.”

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<sup>26</sup> Ross, S and Harris, S, University of Bristol Alternatives to Snaring for Chapter 3 OneKind Snaring Report [http://www.snarewatch.org/images/resources/onekind\\_report\\_snaring\\_2010.pdf](http://www.snarewatch.org/images/resources/onekind_report_snaring_2010.pdf)

<sup>27</sup> Lethal methods, which OneKind and League Scotland would discourage, were included in the study for completeness.



**Fox showing typical snare injury around the abdomen**

## 4.4 There are alternatives to cruel and indiscriminate snares

Where management measures are considered necessary, there are many alternatives to the use of snares. Research commissioned by OneKind from the University of Bristol<sup>26</sup> cited and assessed a range of alternatives which could be used, including cage traps, habitat management, shepherding, exclusion fencing, shooting, novel disturbances, tree guards, gassing and ferreting, no control and novel deterrents such as llamas.

Some gamekeepers manage their land without snares, preferring to use more humane alternatives. One Scottish gamekeeper told OneKind and the League Scotland:

*“I manage a pheasant shoot with 150 birds. I have never used snares to control foxes. I use lamping with a high-powered rifle to manage fox numbers and electric fencing to secure birds. I have been active in game shooting for over 40 years and have chosen never to use snares because they are cruel and do not discriminate between foxes and domestic pets like cats and dogs. I fully support a total ban on the practice of snaring.”*

Alternative fox control options<sup>27</sup> considered in detail by the authors included:

- > **Cage trapping:** Cages are said to be highly effective in urban environments and settings associated with human activity, such as chicken runs, provided they are set correctly, and the fox is first acclimatised to cages by pre-baiting. Thoroughly testing the effectiveness of one cage is recommended as a first step.
- > **The addition of llamas to sheep flocks:** In the USA, llamas have been used for some time to guard livestock, especially sheep, from predators, and a number of users in the UK claim it is a successful method of reducing predation by foxes on lambs, poultry and ground nesting birds. Llamas are hardy creatures well suited to hill farming situations.
- > **Lamping:** In open rural areas, shooting with spotlights, especially during the winter, is regarded as the most effective means of control as it decreases the breeding opportunities of the population.

Importantly, the Bristol researchers stressed:

*“The fox does not always deserve its ubiquitous negative image. Foxes are a valuable resource for many farmers, particularly those with crops and pasture, through its control of rabbits, small mammals and rats. While there is variation in the monetary value of each fox to farmers, all estimates indicate that farmers are best served by maintaining its service as an important native UK predator. Fox*

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The methods we have highlighted are advantages in that they are effective, and importantly will improve the negative public image of people who use traps as part of their job.

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*control and economics needs to be studied at a larger scale in order to understand if the benefits to one group (farmers) overcome the costs to another (gamekeepers). Such a study would allow a more holistic, ecosystem-based approach to fox control and would highlight where industrial subsidies may be a cost-effective solution."*

For rabbits and hares, the researchers noted that there were more effective and more humane methods than snares, including:

- > **Live trapping:** Cage trapping is regarded as effective for both species, with high success rates, although cage trapping of hares requires greater investment of time to develop procedures. Drop traps can be set along fences for rabbits, allowing them to pass through holes onto a weighted trap door and drop into a box buried in the ground. The natural behaviour of rabbits is to live underground so they are not alarmed at being caught, and these traps can be very humane provided they are frequently inspected and despatch is carried out humanely.
- > **Shooting:** In open rural areas lamping of rabbits is useful in combination with other methods, but is unlikely to be effective alone. Driving and shooting both mountain and brown hares results in large numbers being removed, although there are welfare and conservation concerns about large-scale killing of hares.

The researchers concluded:

*"All methods are relatively easy to adopt but granted are more difficult than continuing to set conventional snares. In order to achieve success, users will need to engage with new methods, change, and be willing to put an extra initial effort in to set the change in motion. After this initial push, the methods we have highlighted are advantageous in that they are effective, and importantly will improve the negative public image of people who use traps as part of their job, by improving the welfare standards of their profession. It is important if such change occurs, however small, that the efforts of the people involved are appreciated. The negotiations to change trapping practice must be a two way process."*

# 5. Snaring incidents in Scotland

Information on the extent and nature of snaring in Scotland has been drawn from three principal sources:

- > Investigations data provided by the Scottish SPCA (Tables 2 and 3)
- > Fieldwork carried out on behalf of OneKind and the League Scotland between May and August 2016 (Table 4)
- > Reports to the SnareWatch website [www.snarewatch.org](http://www.snarewatch.org) (Table 5)

Table 2. Scottish SPCA snaring investigations since 1 April 2013

|   | 1 April 2013 - 31 March 2014   | 1 April 2014 - 31 March 2015                   | 1 April 2015 - 31 March 2016 | Totals |
|---|--|--|------------------------------|--------|
| <b>Number of investigations</b>                             | 27   | 21   | 23                           | 71     |
| <b>Non-target species caught</b>                            | Badger<br>Cat<br>Deer<br>Dog<br>Hedgehog<br>Pine Marten  | Badger<br>Cat<br>Deer<br>Mink<br>Sheep<br>Swan | Badger<br>Cat<br>Deer<br>Dog |        |
| <b>Number of snares recovered as part of investigations</b> | 191  | 93   | 32                           | 316    |
| <b>Number of illegal snares seized</b>                      | 140  | 71   | 22                           | 233    |
| <b>Number of snares not tagged</b>                          | 161  | 88   | 26                           | 275    |
| <b>Number of trained operators investigated</b>             | 0  | 3  | 1                            | 4      |
| <b>Number of cases submitted to COPFS</b>                   | 6  | 7  | 0                            | 13     |
| <b>Occupations of persons charged</b>                       | 1 gamekeeper<br>1 mole catcher<br>1 retired<br>1 oil worker<br>(charged 3 different occasions) | 4 gamekeepers<br>3 unemployed                  | -                            |        |
| <b>Outcomes of prosecutions</b>                             | 3 no proceedings<br>1 guilty<br>1 PF warning<br>1 not guilty                                   | 2 no proceedings<br>5 guilty                   | -                            |        |
| <b>Penalties imposed</b>                                    | 1 fine   | 5 fines  | -                            |        |

Of the 11 persons accused (one person was charged on three separate occasions), 5 were gamekeepers, 4 were not employed, 1 was a mole catcher and 1 was an oil worker.

The information in Table 2 has been provided by the Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA). The Scottish SPCA has 60 authorised Inspectors with experience in gathering evidence in all types of animal welfare cases, involving companion animals, farmed animals and wildlife. Complaints from the public about snares in the Scottish countryside are made to a number of agencies, including the police and the Scottish SPCA.

Table 2 shows the number of investigations of suspected illegal snaring undertaken by the Scottish SPCA between April 2013 and March 2016. With only three years' data (following implementation of the full suite of legislation on 1 April 2013), no particular patterns can yet be established.

A total of 71 Scottish SPCA investigations resulted in 13 charges reported to the Crown Office and Procurator Fiscal Service (COPFS). Of these, 5 were marked "no proceedings" by prosecutors. Of the 8 cases that proceeded, 1 person was found not guilty, and 1 received a Procurator Fiscal (PF) warning. A PF warning is a direct measure that can be imposed when it is in the public interest to take action but prosecution is not considered the most appropriate course; however, it does not amount to a criminal conviction. The 6 persons found guilty during this period were all fined (although, as reported on page 25, there has been one sentence of community service since then).

Of the 11 persons accused (one person was charged on three separate occasions), 5 were gamekeepers, 4 were not employed, 1 was a mole catcher and 1 was an oil worker.

Out of 316 snares recovered in the course of investigations, 233 were illegal, for example because they were self-locking or set in a position where the animal could become suspended. 275 untagged snares (not all in use) were recovered.

Out of the 23 investigations carried out between April 2015 and March 2016, there were no charges or reports to COPFS. This illustrates the difficulty of gathering evidence of snaring offences, as with other types of wildlife crime. OneKind and the League Scotland understand, however, that there are further cases in progress at the time of writing (August 2016), and that these are expected to proceed.

Table 3. This table shows that 31 animals of the permitted target species were involved in Scottish SPCA investigations since 2013. This indicates that even when the "correct" animal is captured, there is still a significant possibility of other breaches.

|                    | 2013-2014 | 2014-2015 | 2015-2016 |
|--------------------|-----------|-----------|-----------|
| <b>Foxes</b>       | 5         | 6         | 7         |
| <b>Rabbits</b>     | 4         | 5         | 3         |
| <b>Brown Hares</b> | 0         | 0         | 0         |

With thanks to

**SCOTTISH SPCA**  
Scotland's Animal Welfare Charity

Table 4. This table is based on visits made to shooting estates by OneKind and League Scotland field officers, between May and August 2016.

| OneKind/League Scotland field visits to sample areas on shooting estates, May – August 2016      |   |
|--|---|
| Estates visited  | 13  |
| Estates where snares found   | 10  |
| Estates where active snares found  | 6   |
| Estates where closed/deactivated snares found  | 4   |
| Estates where insufficiently deactivated snares found (e.g. loop still open and lying on ground) | 4   |
| Estates where incorrectly set active snares found  | 3   |
| Estates where stink pits found   | 3   |
| Number of stink pits found   | 5   |
| Animals found in stink pits  | Pink-footed geese, fish, crabs, cats, deer, foxes, crows, magpies |



Table 5. Out of 43 reports to the SnareWatch website since 2011, 33 involved a captured animal, alive, injured or dead.

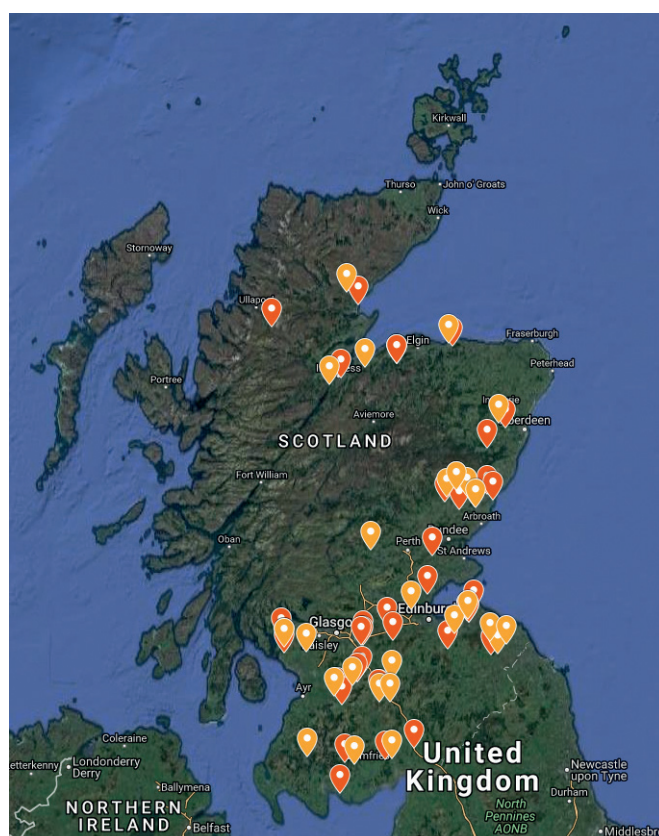
| Scottish reports to SnareWatch website 2011 – 2016 |    |
|--|----|
| No animal present                                  | 10 |
| Badger   | 5  |
| Cat  | 9  |
| Deer   | 3  |
| Dog  | 4  |
| Fox  | 10 |
| Hare   | 1  |
| Otter  | 1  |
| Total  | 43 |

## 6. Where snaring occurs in Scotland – incidents since 2010

Figure 1

This map shows the distribution of snare incidents and discoveries throughout Scotland reported to the SnareWatch website since 2011. Snare discoveries made in the course of OneKind and League Scotland field visits from 2010 - 2016 have also been shown. From these incidents it can be seen that snares are consistently to be found in areas where sport shooting takes place.

-  SnareWatch reports 2011 - 2016
-  OneKind and League Scotland field work reports 2016







# 7. Snares in the UK - Current legislation and voluntary codes

The four UK administrations have separate legislation and codes of practice covering snaring.

The four UK administrations have separate legislation and codes of practice covering snaring. In Scotland, England and Wales, the main legislation is the Wildlife and Countryside Act 1981, and in Northern Ireland, the Wildlife Order (Northern Ireland) Order 1985. Both wildlife laws prohibit the use of self-locking snares but permit free-running snares.

Certain animals including badger, wildcat, hedgehog, pine marten, otter, polecat and red squirrel are protected from killing, including by snares. In Northern Ireland the wildcat is not included on this list, but the Irish hare, brown hare, fallow deer, red deer and sika deer are protected.

The Conservation (Natural Habitats &c) Regulations 1994, as amended, also contain provisions relevant to non-selective traps and protected species including mountain hare.

Captured animals are also theoretically protected from ill-treatment by domestic animal welfare legislation covering animals "under the control of man" in the UK<sup>28</sup>.

<sup>28</sup> Animal Health and Welfare (Scotland) Act 2006, Animal Welfare Act 2006, Welfare of Animals Act (Northern Ireland) 2011

<sup>29</sup> Snares (Scotland) Order 2010

<sup>30</sup> <http://www.gov.scot/resource/0041/00412984.pdf>

## 7.1 Scotland

New regulations governing the placing and setting of snares in Scotland were first introduced in April 2010<sup>29</sup>. The provisions were re-stated in s.13 of the Wildlife and Natural Environment (Scotland) Act 2011 (the WANE Act), which inserted detailed new provisions into s.11 of the Wildlife and Countryside Act 1981, along with provisions for user training and requirements for identification tags on snares set for foxes, rabbits or brown hares.

Snare operators are recommended to follow a voluntary Practitioners' Guide<sup>30</sup> produced by a consortium of industry bodies at the request of the Scottish Government.

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Anyone setting a snare in Scotland must inspect it (or cause it to be inspected), at least once every day at intervals of no more than 24 hours.

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<sup>31</sup> Borders College, British Association for Shooting and Conservation Limited, Countryside Alliance, Game and Wildlife Conservation Trading Limited, The Board of Management of The North Highland College, Scottish Association for Country Sports, Scottish Gamekeepers Association Charitable Trust, Scottish Rural University College

<sup>32</sup> Scottish SPCA Chief Inspector, pers comm

<sup>33</sup> Scottish SPCA Chief Inspector, pers comm

### 7.1.1 Nature and use of snares

The WANE provisions intended to improve welfare include the following:

- > All snares used in Scotland must have a stop on them, so that the noose cannot close to a circumference less than 23 centimetres for a fox snare, or 13 centimetres for any other animal. Snares must be fixed to the ground, meaning that drag snares, where the snare is attached to a heavy object that the animal can pull away from its original position, are prohibited.
  - > Snares must not be set where the animal is likely to become suspended (for example, by jumping over an adjacent fence and being left to hang there), or close to water where it is likely to drown.
  - > Anyone setting a snare in Scotland must inspect it (or cause it to be inspected), at least once every day at intervals of no more than 24 hours to see whether an animal is caught in it and to see whether it is free-running. If it is not free-running, it must be removed or repaired. Any captured animal must be released or removed, regardless of whether it is alive or dead.
  - > Snares may only be set with the landowner or occupier's permission.
- 

### 7.1.2 Training and identification numbers

The WANE Act requires all snare users in Scotland to undertake a short training course after which they can obtain a personal identification number from Police Scotland. Every snare set for foxes, rabbits or brown hares must carry a tag bearing the identification number and showing which of these animals it is intended to catch.

The Snares (Training) (Scotland) (No.2) Order 2012 made under the WANE Act (now superseded by the Snares (Training) (Scotland) Order 2015) sets out the purpose of training and lists five gamekeeping and shooting industry bodies and three Scottish colleges approved to deliver it<sup>31</sup>. The Snares (Identification Numbers and Tags) (Scotland) Order 2012 requires snare users to have approved accreditation and a personal identification number from the police. Non-compliance with the Orders is a breach of the Wildlife and Countryside Act 1981.

Many of the incidents described in these pages involve the use of tagged snares, meaning that the operator has undergone the relevant training. Even then, however, their snares are often non-compliant in other ways, and it appears that many are not being inspected every 24 hours, as the law requires<sup>32</sup>.

The WANE Act provided that the "identification number which appears on a tag fitted on a snare is presumed in any proceedings to be the identification number of the person who set the snare in position". However, enforcement officers report that some accused persons have successfully denied responsibility for the setting of one of their tagged snares, as the law does not impose strict liability<sup>33</sup>.

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Snare users must record the location of every snare currently set; the location of every snare set within the past two years; the date on which each snare was set; the date on which each snare was removed; the type of animal caught and the date it was found.

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Snare users are required to record all animals captured, including non-target animals such as deer, which are frequent victims.

### 7.1.3 Record keeping

Under the WANE Act, record keeping also became a legal requirement from April 2013. Snare users must record the location of every snare currently set; the location of every snare set within the past two years; the date on which each snare was set; the date on which each snare was removed; the type of animal caught and the date it was found.

## 7.2 England

Legislation governing the use of snares in both England and Wales is provided under the Wildlife and Countryside Act 1981, Animal Welfare Act 2006 and Deer Act 1991.

The legislation provides that snares must be inspected every day and must not be set in a manner calculated to cause bodily injury to any wild animal coming into contact with them. Unlike Scotland, there has been no new legislation to amend the Wildlife and Countryside Act 1981, although consideration has been given to a new consolidated wildlife Bill.

Industry groups in England recommend snare users to follow the voluntary DEFRA Code of Practice<sup>34</sup> published in 2005 and based on the IWGS report<sup>35</sup> published in the same year. Neither of these documents has been updated since that time.

In 2012, the DEFRA report<sup>36</sup> found that the 2005 Code was widely ignored and that Code-compliant snares were virtually unavailable. Even so, Ministers took the view that they would not legislate to ban or strictly regulate snare use. A revised code of practice is said<sup>37</sup> to have been developed by the British Association for Shooting and Conservation (BASC), the National Gamekeepers Organisation, the Game and Wildlife Conservation Trust, the Moorland Association and the Countryside Alliance but it had not appeared by the time of writing this report (August 2016).

<sup>34</sup> Code of Practice on the Use of Snares in Fox and Rabbit Control DEFRA, October 2005 <http://archive.defra.gov.uk/wildlife-pets/wildlife/management/documents/snares-cop.pdf>

<sup>35</sup> Kirkwood et al, Report of the Independent Working Group on Snaring, DEFRA 2005 <http://www.defra.gov.uk/wildlife-countryside/vertebrates/snares/pdf/iwgs-report.pdf>

<sup>36</sup> Anon Determining the extent of use and humaneness of snares in England and Wales Report submitted to DEFRA, March 2013 <http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=14689>

<sup>37</sup> Dr Thérèse Coffey MP, Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, during backbench debate on snaring 21 July 2016 <https://hansard.parliament.uk/Commons/2016-07-21/debates/16072150000001/Snares>

<sup>38</sup> <http://gov.wales/docs/desh/publications/150915-code-of-practice-snares-en.pdf>

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The Welsh code advises: “If in doubt, do not set a snare.”

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<sup>38</sup> <http://gov.wales/docs/desh/publications/150915-code-of-practice-snares-en.pdf>

## 7.3 Wales

While the primary legislation in Wales is the same as in England, the Welsh Government updated its Code of Practice on Snaring in 2015, in consultation with gamekeepers, farming and animal welfare groups. The Welsh code<sup>38</sup> sets out the relevant legal requirements and additionally advises operators to consider whether the use of snares is necessary and justified, bearing in mind the risks of catching non-target animals, the welfare implications of all captures and the practicality of alternative control methods. The Welsh code advises: “If in doubt, do not set a snare.”

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## 7.4 Northern Ireland

In Northern Ireland, in addition to the prohibition on self-locking snares, all snares must be inspected every 24 hours and any animal found must be released or removed, regardless of whether it is alive or dead. Snares may only be set with the landowner’s or occupier’s permission.

The Wildlife Order (Northern Ireland) 1985 was amended by the Wildlife and Natural Environment Act (NI) 2011, which introduced new controls over the use of snares in Northern Ireland. The Northern Ireland Assembly decided to retain snaring but to increase statutory standards by way of an Order.

In March 2013, the Department of Environment issued a consultation on a proposed Draft Snares Order (Northern Ireland) 2013 and a Code of Practice. In November 2015, the Order was lodged but was quickly withdrawn when it met with public demands for stronger measures.

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## 7.5 Other EU countries

A number of European member states, including Austria, Cyprus, Czech Republic, Denmark, Estonia, Germany, Greece, Hungary, Lithuania, Luxembourg and Malta, either prohibit the use of snares or have no tradition of using them. Other European member states limit snaring, for example by permit systems. Switzerland, which is not an EU member state, also has a complete ban on the use of snares. However, snares are still generally permitted in four member states (Belgium, Ireland, Latvia and UK).

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... the current  
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Article 15.

## 7.6 Is UK snaring legislation compliant with EU law?

Article 15 of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) requires member states to create a general prohibition of all indiscriminate means of capture or killing capable of causing the local disappearance of, or serious disturbance to, certain species of wild fauna listed under Annex V and Annex IV(a).

In 2005, following a complaint against the UK by the European Commission (EC), the European Court of Justice (ECJ) held that the UK's Conservation (Natural Habitats &c) Regulations 1994 (the Habitats Regulations) did not transpose certain Articles correctly<sup>39</sup>. With regard to Article 15, the Regulations failed to include the general prohibition of indiscriminate methods.

In its 2006 consultation on the future of snaring in Scotland<sup>40</sup>, the Scottish Executive referred to the ECJ judgment and the measures then in preparation to amend the Habitats Regulations as a consequence<sup>41</sup>. The consultation document stated:

*"[...] the introduction of a general prohibition of indiscriminate means of capture and killing which may have an impact on European Protected Species, raises the question whether a comprehensive ban on snaring should be introduced in Scotland. [...] the current frameworked regulation on snaring may not, in practice, provide adequate safeguards for species which are required to be protected under Article 15."*

The consultation also referred to another ECJ judgment<sup>42</sup> concerning the use of stopped snares for the hunting of foxes in certain regions of Spain. The snares were used subject to permits, which did not allow the traps to be set near riverbanks where there was a risk of otters being trapped. The ECJ concluded that it was unlikely that otters would be found in the area covered by the permits, and the case was decided in favour of Spain. However, the Court found that:

*"Deliberate harm to protected species of fauna is therefore to be assumed if the harm is the result of an act whereby the perpetrator was aware of the risk to the protected species and also accepted that risk."*

In Scotland, where there is no system of area permits and where European Protected Species such as otters are extensively distributed, this risk is arguably significant.

The 2006 consultation acknowledged that the technical measures proposed for regulating snaring, which were later adopted, might not be enough to ensure compliance:

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<sup>39</sup> Case 6/04 – Commission of the European Communities v United Kingdom

<sup>40</sup> Consultation on snaring in Scotland, Scottish Executive, November 2006 <http://www.gov.scot/Publications/2006/11/22132400/2>

<sup>41</sup> This was implemented in the Conservation (Natural Habitats, &c.) Amendment (Scotland) Regulations 2007

<sup>42</sup> Case 221/04 - Commission of the European Communities v Kingdom of Spain

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## The Convention specifically lists snares as one of the means which may not be used to take certain protected species that are found in Scotland.

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<sup>43</sup> Opinion of Counsel for Advocates for Animals, Michael S. Jones QC, Graham S. Primrose, 7 January 2008

<sup>44</sup> e.g. Response by Michael Russell MSP to S3W-12080 by Sarah Boyack MSP, 8 May 2008

<sup>45</sup> Kinrade, V., Ewald, J., Smith, A., Newey, S., Iason, G., Thirgood, S. & Raynor, R. (2008). The distribution of Mountain Hare (*Lepus timidus*) in Scotland (2006/07). Scottish Natural Heritage Commissioned Report No.278 (ROAME No. R07AC308).

<sup>46</sup> Email from Head of Policy and Advice, 29 July 2016

*"[...] this option also retains the possibility of infraction proceedings being lodged in Europe against Scotland over the compatibility of its snaring regime with the Habitats Directive."*

In 2007, OneKind (then known as Advocates for Animals) took advice from senior counsel to assess the legality of snaring. The resultant Opinion<sup>43</sup> concluded that the revised Regulation 41 now correctly transposed the Directive but that:

*"a person who sets a free-running snare in Scotland can be said to be reckless as to whether or not he captures, injures or kills a European protected species, and can also be said to have accepted the possibility of such harm."*

The advice continued:

*"That opens up the argument that, in order effectively to prevent the capture, killing and injuring of European protected species, it is necessary to prohibit snaring."*

The obligation to prohibit indiscriminate traps derives originally from the Council of Europe's Convention on the Conservation of European Wildlife and Natural Habitats (1979) (Bern Convention), a binding international treaty designed to protect species and habitats. The Convention specifically lists snares as one of the means which may not be used to take certain protected species that are found in Scotland including otter, wildcat, pine marten, polecat, red squirrel, mountain hare, beaver and badger.

Of these species, both badger and mountain hare are regularly captured in snares in Scotland. Despite clear guidance from the Scottish Government<sup>44</sup> - and the existence of a licensing scheme administered by SNH - gamekeeping organisations have long insisted that the general use of snares is not prohibited for this species. The capture of 5,000 mountain hares by snaring was actually reported by gamekeepers for inclusion in an SNH report<sup>45</sup> of 2008.

This confusion about the nature of snares led to the failure of a prosecution in 2011, when the defence agent for two gamekeepers from Lochindorb estate successfully argued that snares set for mountain hare would not have been likely to catch non-target species. Regrettably, the court did not address what OneKind and League Scotland believe to be the real point of the legislation, which is to protect target species from indiscriminate traps.

SNH has recently confirmed its view that the use of snares to trap mountain hares is illegal without a licence<sup>46</sup>. Since 2012, SNH has issued four licences to control mountain hares. Following advice on the availability of snares with the appropriate stop length to be effective, limit capture of non-target species and address welfare concerns, SNH withdrew the two licences issued in 2016 and amended them to remove snaring as a permitted method. ■

# 8. The impact of the snaring regulations in Scotland

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...it is clear that some land managers continue to use large numbers of snares as part of an intensive predator control regime, with inevitable negative impacts on target and non-target species.



Berwickshire, July 2016

**Insufficiently closed or incorrectly set snare**

Cases recorded by OneKind and League Scotland field workers and on the Snare Watch website since 2010 illustrate graphically that the regulation of snares in Scotland has not been sufficient to protect thousands of wild and domestic animals from suffering. The observations of OneKind and the League Scotland are that:

- > Some estates continue to snare intensively, while others appear to have adapted to using fewer snares
- > Legal snares continue to cause appalling suffering to target and non-target animals alike
- > Snare users continue to disregard some aspects of the law with apparent impunity
- > Enforcement of the law encounters practical difficulties
- > The use of stink pits to lure animals into snares remains routine and commonplace
- > Regardless of the quality and availability of training, even trained users make mistakes or deliberately break the law

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## 8.1 The extent of snaring

Scottish SPCA data, reports to the SnareWatch website and fieldwork carried out on behalf of OneKind and the League Scotland all show that snaring takes place all over Scotland. Snares are still principally used in rural areas to protect pheasant pens and on grouse moors, but there are reports of incidents in urban areas too.

Fieldwork carried out in spring and summer 2016 found snares on 10 out of 13 estates visited. On five of these estates, snaring was extensive. For example, on one estate there were 60 active snares in just one locality. However, on four of the sites that were known to use snares in previous years, the snares were inactive. It is not known why this was the case, but it may suggest that some estates have been able to adapt to using fewer or no snares.

Inactive snares in themselves can be a welfare concern. They are closed or half-closed and left lying on the ground, causing a danger to animals that might step into the closed loop and get caught.

Snares were also found still anchored and, while not technically set, they had an open loop of about five to eight centimetres in diameter – large enough to capture an animal. Some of these half-closed loops were almost touching the ground, posing a greater risk of capturing non-target animals such as cat, pine marten, badger or otter. Such snares, being theoretically inactive, would not be checked and any trapped animal would probably die from starvation, dehydration or predation.



**Berwickshire, May 2016**

**Snare site showing ground disturbance**



**South Lanarkshire, December 2010**

**Leadhills Estate, South Lanarkshire**

Snares left unattended in woodland were twisted by the struggling, captured animals to the extent that they became self-locking. It appeared that these snares were never inspected in any case, as they contained the remains of animals.

## 8.2 Continued suffering caused by legally set snares to target and non-target animals

OneKind and the League Scotland believe that training, tagging and technical changes cannot alter the fact that snares are primitive and fundamentally inhumane. Even legally-set snares become twisted and kinked due to the prolonged and desperate struggling of the trapped animal, so that they no longer run freely.

In summer 2016, OneKind and the League Scotland field workers observed several locations where the ground had been disturbed in a circular pattern – the classic “doughnut” well known to snare users and researchers. Trees close to the disturbed ground showed scratch marks on the trunk as well as some animal hair, indications of an animal’s desperate struggle to escape.

Many snares catch the animal by the wrong part of the body, such as the leg, face or abdomen, so that serious injury is inflicted by the wire.



**Angus, September 2014**

**Young foxes eviscerated by snares**

In September 2014, the OneKind field officer visited Glenogil estate in Angus to gather evidence of legal snare use and its effects on animal welfare. Two foxes were found in snares around 15 metres apart. The first fox was dead but the second was still alive. The snare was slicing through her abdomen but she was still struggling. The Scottish SPCA was called and an Inspector euthanased the animal at the site.

An investigation followed and the gamekeeper who set the snare was charged with not checking his snares every 24 hours and failing to keep records as the law requires. After a number of preliminary hearings, the Crown dropped the case despite the availability of evidence from six witnesses, as well as video and photographic evidence.

The WANE Act contained no measures directed at reducing rates of non-target capture and indiscriminate snares continue to affect a wide range of species. Scottish SPCA figures since 2013 include 11 complaints about snared deer, 9 complaints about badgers and 9 about cats. Other non-target animals captured included cattle, dog, swan, squirrel and bird of prey<sup>47</sup>.

<sup>47</sup> Data provided by Scottish SPCA Inspectorate, July 2016



© Scottish SPCA



**Aberdeenshire, July 2014**

### **Snared on an electric fence**

A gamekeeper from Skene, Aberdeenshire, set a snare by an electric fence where it trapped a badger in such a way that its head was held in contact with the current for a considerable time prior to death. He failed to tag the snare or to inspect it within the legal time limit – Scottish SPCA inspectors commissioned forensic entomology examinations of fly larvae present on the body when it was discovered, establishing that these would have taken over 24 hours to appear. The gamekeeper was fined £600 after pleading guilty to the offences in November 2015.



**South-west Scotland, July 2016**

### **Illegally set snare**

An untagged snare set on a steep bank close to a pheasant pen in July 2016. The snare was reported to the police as it was illegal. The location is therefore not specified here.

## **8.3 Continued disregard of the law**

Outright illegal use of snares continues: for example, snares are deliberately set to capture deer<sup>48</sup>, sometimes by poachers, sometimes by accredited users. Snares are still intentionally set beside fences and on steep slopes. In both situations, the animal is likely to become suspended and die of strangulation.

One recent case where animals were put at risk in this way featured no less than 47 unstopped, self-locking snares set along a 300-metre fence line at a farm in East Lothian in January and February 2015. Footage obtained from trail cameras placed by the Scottish SPCA, with the landowner's permission, showed the operator checking and apparently re-setting one of the snares. When the Inspectors returned to the farm, they found that their cameras had been stolen. However, GPS devices housed in the cameras led police to the home of the accused. On conviction in May 2016, he was ordered to carry out 180 hours of unpaid work and given a six-month Restriction of Liberty Order.

## **8.4 Lack of enforcement**

The lack of detailed recording of crimes involving snares makes it difficult to assess the extent of illegal use. There have been a few cases involving breach of the tagging requirement. In June 2015, the Crown Office and Procurator Fiscal Service (COPFS) reported that there had been 15 charges involving identification numbers and tags, relating to eight different individual cases, reported to the Crown following implementation of the Snares (Identification Numbers and Tags) (Scotland) Order 2012 in November 2012. Thirteen of the charges related to snares set with no ID number and two concerned defective tags<sup>49</sup>.

According to the Scottish Government's Wildlife Crime in Scotland 2014 report<sup>50</sup>, in 2013-14, out of 25 mammal cases identified at post mortem by SAC Consulting Veterinary Services as suspected wildlife crime, 11 related to trapping or snaring<sup>51</sup>. However, only seven snaring incidents were recorded by police in the 2013-14 reporting period, all involving badgers. Four of the incidents reported dead or trapped badgers whilst the others referred to inappropriately set snares at or near a badger sett or where they were likely to catch a badger.

Fieldwork for OneKind and the League Scotland suggests that these official figures seriously under-represent the extent of illegal snaring. This view is borne out by the fact that since April 2013, the Scottish SPCA has investigated 71 reports about potentially illegal snares and reported 13 cases to the COPFS.

In practice, probably all of the investigations into snaring complaints in Scotland involve the Scottish SPCA, whose Inspectors are experienced in gathering evidence of wildlife crimes and report charges directly to the COPFS. Officers have commented that the requirement for snares to be tagged has facilitated enforcement to some extent, but in some cases snare operators have successfully denied responsibility for an illegal snare (saying, for example, that the snare was de-activated and must have been re-set by another person). The presumption under s.11D of the Wildlife and Countryside Act 1981 (inserted by the WANE Act) is that the identification number on a snare is the identification number of the person who set the snare in position. Clarification is therefore required to ensure that snares are not left in position and capable of being re-set, if that does in fact occur.

<sup>48</sup> <http://www.bbc.co.uk/news/uk-scotland-26366473>

<sup>49</sup> Published FOI response by COPFS <http://www.crownoffice.gov.uk/foi/responses-we-have-made-to-foi-requests/1120-the-snares-training-scotland-no-2-order-2012-and-snares-identification-numbers-and-tags-scotland-order-2012-r010607>

<sup>50</sup> Wildlife Crime in Scotland, Annual Report 2014 Scottish Government Environment and Forestry Directorate, September 2015 <http://www.gov.scot/Resource/0048/00486449.pdf>

<sup>51</sup> Wildlife Crime in Scotland, Annual Report 2014 Scottish Government Environment and Forestry Directorate, September 2015 <http://www.gov.scot/Resource/0048/00486449.pdf>

<sup>52</sup> GWCT Middens Factsheet <https://www.gwct.org.uk/media/208726/middensfactsheet-scotland-2015hr.pdf>



Angus, April 2011

### Mountain hares dumped in stink pits

A stink pit on Airlie Estate, Angus, was found with approximately eight set snares surrounding it. The snares were legal but set among thick branches, posing a risk of suspending the trapped animal. The stink pit contained three foxes, five mountain hares, a jay and eight pheasants.

A second stink pit was found about a mile away, containing decomposed pheasants, mountain hares and a fox, and surrounded by set snares.

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...the discovery of rotting carcasses with snares set around them to trap wild animals often causes disgust and disbelief, but the technique is currently legal in Scotland.

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## 8.5 Continued use of stink pits

The use of stink pits, also known as middens, is a fundamental part of intensive predator control on shooting estates. Gamekeepers are taught to dig a "grave" and fill it with "bait" such as wildlife carcasses, fish heads and other animal remains, and to build low walls of brash and branches to direct foxes towards gaps where snares are placed. GWCT Scotland advises the use of stink pits as a focus for the legal inspection regime:

*"The logistics of checking snares daily limits the scale of snare use. Middens are then especially useful because they can draw foxes to a few more easily checked sites."<sup>52</sup>*

To the public, the discovery of rotting carcasses with snares set around them to trap wild animals often causes disgust and disbelief, but the technique is currently legal in Scotland. There are a number of concerns about the continued use of stink pits:

- > Where the stink pit is encircled with walls of branches, there is a risk of suspension or entanglement. Such cases may therefore already be technically illegal.
- > Rather than targeting a specific animal deemed to be a pest, stink pits are designed to lure in and catch all foxes and other mammals in an area.
- > The use of stink pits to lure animals into cruel snares demonstrates a lack of respect for both wild and domestic animals, all regularly found among the piles of carcasses.



**Perthshire, May – June 2016**

**Whole salmon dumped in stink pit**

A: Snare set in a wall of branches to catch animals attracted by the stink pit on an estate in Glen Almond.

B: Whole salmon found dumped in a container, May 2016

C: The same container a month later, now full of maggots – a potential risk to sheep in the surrounding area.

A

B

C



**Berwickshire, March 2015**

**Mountain hare in stink pit at start of close season**

One of two stink pits found on Marchmont Estate, Berwickshire in March 2015, surrounded by five snares. All appeared to be legal and were tagged. In the middle of the stink pit was a whole carcass of a deer, a fox with a shattered leg, possibly from gunshot, and a mountain hare. The hare appeared to have been recently killed, despite the close season for mountain hare starting on 1 March.



**Berwickshire, October 2015**

**Protected geese used as bait**

Snare set by a stink pit containing a dozen pink-footed geese on Marchmont estate in October 2015. Pink-footed geese are protected between February and September, suggesting that these birds were probably shot as soon as the season opened, only to be dumped in a stink pit to attract predators into snares.

**Perthshire, February 2015 and June 2016**

**Cats in stink pit on Glen Turret estate**

A: The stink pit was found after a member of the public reported seeing snares close to a reservoir. It also contained deer, pheasant, crows, fresh salmon and a fox. The cat looked as though it had only recently been killed as there was little sign of decomposition. Branches were positioned in a wall around the stink pit, with snares set in two gaps to trap any animal attempting to get at the carcasses. All the snares found were tagged, although the tags had been buried in the ground.

B: Another dead cat in a stink pit on the same estate, June 2016

A

B



**Angus, May 2011**

**Snared fox thrown in a tree**

In May 2011, a OneKind field officer found an active snare line in woodland on Glenogil estate, Angus, with about twenty snares set. Just by the snare line, a dead, decomposing fox had been thrown over a tree stump. Nearby, a second fox had been thrown into bracken, with a snare still round its neck.



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Participants were also advised that feral cats were legitimate targets of snares.

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<sup>53</sup> Shedden, C Interference and vandalism of traps and snares in Scotland, 2014/15, report by BASC Scotland to Scottish Government, May 2015

<sup>54</sup> Responses by Aileen McLeod MSP to S4W-27213 and S4W-27214 by Sarah Boyack MSP, 14 September 2015

<sup>55</sup> Response by Police Scotland to FOI request by Libby Anderson, 9 May 2016 IM-FOI-2016-0978

<sup>56</sup> Response by Police Scotland to FOI request by Libby Anderson, 9 May 2016 IM-FOI-2016-0978

<sup>57</sup> Syllabus provided to Rural Affairs Committee 2012 [http://www.parliament.scot/S4\\_RuralAffairsClimateChangeandEnvironmentCommittee/General%20Documents/The\\_Snares\\_\(Training\)\\_\(Scotland\)\\_\(No.\\_2\)\\_Order\\_2012\(1\).pdf](http://www.parliament.scot/S4_RuralAffairsClimateChangeandEnvironmentCommittee/General%20Documents/The_Snares_(Training)_(Scotland)_(No._2)_Order_2012(1).pdf)

## 8.6 Superficial snaring training

The problems described above persist despite the requirement for snare users to complete training courses, to learn “best” practice. However, the quality of this training is not monitored and is variable. Every offence involving a tagged snare involves an operator who has undertaken the training. There is no requirement for a convicted snare operator to undertake further training. Once trained, snaring accreditation lasts a lifetime.

More people attend the training than go on to acquire their snaring operator number from Police Scotland. In May 2015, BASC Scotland estimated that “possibly 1,000” people were using snares in Scotland<sup>53</sup>. By August 2015, a total of 2,386 people had attended training courses, but only 1,166 had identification numbers<sup>54</sup>. By May 2016, the latter number had increased to 1,438<sup>55</sup>.

These numbers are considerably lower than the estimated 5,000 users predicted by sport shooting bodies at the time of the WANE Act.

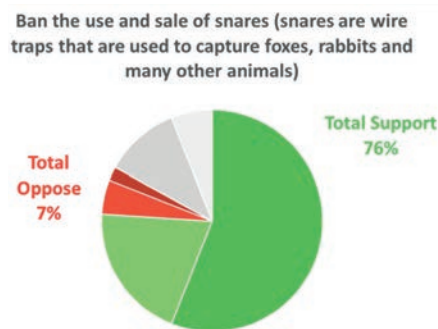
As might be expected, the amount of training being delivered has reduced considerably since 2013 when the tagging legislation was implemented. In the first four months of 2016, 47 people received their accreditation<sup>56</sup>. At the time of writing (July 2016), none of the providers were advertising training courses on their websites. The GWCT site stated at this time that it had suspended courses until after completion of the Scottish Government review.

Snaring courses last around half a day and are intended to teach snare users about the law, how to set a snare to minimise by-catch, and how to protect animal welfare. The approved syllabus gives little detail about applied animal welfare content although it does stress that “any failure to observe best practice and the law with regard to welfare will threaten the continued use of snaring.”<sup>57</sup>

Scottish SPCA Inspectors who attended a recent course run by the British Association for Shooting and Conservation (BASC) Scotland reported that the content was accurate and well delivered. However, this has not always been the case. One participant on a course, run by the Scottish Gamekeepers’ Association (SGA) in 2012, reported that the tutor advised that a badger caught round the front leg should be released, even if bleeding, on the basis that “it will heal itself” – ignoring the possibility of wounding, infection, pressure necrosis and the effects of exertional myopathy. Participants were also advised that feral cats were legitimate targets of snares. ■

# 9. A consensus against snares

Figure 2. Poll of Scottish adults, March 2016



<sup>58</sup> Poll of 1,009 Scottish adults carried out by YouGov on behalf of the More For Scotland's Animals coalition, March 2016

<sup>59</sup> Professor Ranald Munro, BVMS, MSc, DVM, Dip Forensic Medicine, MRCVS, former Head of Pathology at the Veterinary Laboratory Agency, former Chairman of the Scottish SPCA, former President of the World Society for the Protection of Animals and Visiting Professor of Forensic Veterinary Pathology at the Royal Veterinary College

<sup>60</sup> Survey conducted by League Scotland and Advocates for Animals (now OneKind) in conjunction with Vetfile, 2008

<sup>61</sup> <http://www.league.org.uk/news-and-opinion/news-stories/2015/august/glorious-twelfth--pet-owners-warned-of-snares-risk>

## 9.1 Public opinion

Polls taken over the years consistently show majority opposition to the use of snares. Very often, members of the public do not realise that snares are still permitted in the UK.

A poll of Scottish adults carried out in March 2016 found that 76% supported a ban on the sale and use of snares in Scotland<sup>58</sup>.

## 9.2 Veterinary views

Professor Ranald Munro, a leading veterinary pathologist<sup>59</sup>, described the effects of snares as follows:

"From the veterinary perspective, snares are primitive indiscriminate traps that are recognised as causing widespread suffering to a range of animals. At their least injurious, snares around the neck can result in abrasion and splitting of the skin. However, being caught in a snare is extremely distressing for any creature and vigorous attempts to escape are natural. These efforts cause the snare wire to kink, thereby changing a free-running snare to a self-locking one. Strangulation and choking follow. It is commonplace for snares to lodge around the chest, abdomen or legs rather than the neck. In such instances the stop restraint is ineffective and the wire cuts through skin and muscle and, eventually, bone. Badgers may be eviscerated when the abdominal wall is cut through. Amputation of the lower limb and foot by a snare is well-documented in deer. These unfortunate animals suffer immensely."

In 2008, a survey of **Scottish veterinary practitioners**<sup>60</sup> received 130 responses, of which 75% supported a ban on snares in Scotland, while 69% believed that regulation of snaring could not provide an acceptable level of protection for animals.

In June 2015, an online survey of the **wider veterinary profession** was conducted by Veterinary Business Development for the League Against Cruel Sports<sup>61</sup>. The sample of 287 individuals was composed of 198 veterinary surgeons and 89 qualified veterinary nurses in the UK. The main findings were:

- > 32% of respondents had experience of snaring (either personally or via a colleague)
- > More respondents from rural areas had experience of snaring (44% of those in rural areas, 27% urban/suburban)
- > 31% of these respondents had treated snare casualties in the past 12 months (39% from rural practices, 21% from urban)
- > 22 pets had been seen as snare casualties in the past 12 months (14 cats, 8 dogs)
- > 87% of respondents believed that snaring is not a humane method of pest control - higher amongst those who had experience of snaring (92%)
- > 82% of respondents were in favour of a government ban on snaring, higher amongst those with experience of snaring (85%)

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<sup>62</sup> SWT Parliamentary Briefing, Wildlife and Natural Environment (Scotland) Bill, September 2010

<sup>63</sup> Head of Species and Land Management, email 21 July 2016

<sup>64</sup> SNH Head of Policy evidence to Scottish Parliament Rural Affairs and Environment Committee, September 2010

## 9.3 Conservation organisations and public land owners

Snaring is often presented as a means of aiding conservation management, supposedly protecting ground-nesting birds from fox predation, for example. However, conservation charities in Scotland and government agency SNH do not use snares, as a matter of policy.

**The Scottish Wildlife Trust (SWT)**, manages over 120 nature reserves covering an area of over 20,000 hectares. The SWT as a policy does not use snares, and supports a complete ban on their use in Scotland. In a briefing in 2010<sup>62</sup>, the SWT stated:

“Our position is that snaring is contrary to European law (Habitats Directive Article 15) as it is an indiscriminate means of taking, capture or killing of species listed in Annex V and is capable of causing the local disappearance of, or serious disturbance to, populations of such species. We believe that the proposals in the bill are illegal and unworkable in any practical sense, and that there should be a ban on snaring in Scotland. It was suggested in evidence to the Committee that snaring can be a conservation management tool. This suggestion is laughable. We have liaised with other landowning conservation NGOs on this issue and can report that not one of them allows snaring.”

**RSPB Scotland** is another significant landowner in Scotland: the charity owns or manages 77 nature reserves in Scotland, totalling some 72,000 hectares of land, and has practical experience of managing land for nature conservation, farming, forestry and related enterprises. RSPB Scotland does not, as a matter of policy, use snaring as a wildlife control technique on its land, considering it an indiscriminate method of capture, with the risk therefore of capturing non-target species<sup>63</sup>.

The **National Trust for Scotland (NTS)** owns 78,000 hectares, including core landholdings at the heart of both of Scotland's National Parks, seven National Nature Reserves, 27 sites designated as of European importance for nature conservation and 46 sites of national importance. As a matter of policy, NTS does not use snaring on its land.

The Scottish Government's conservation agency, **Scottish Natural Heritage**, does not employ snaring on any of the land that it owns or manages directly, which includes 36 of Scotland's National Nature Reserves. Foxes are controlled on some reserves by shooting at night and digging out dens.

In 2010, the SNH Head of Policy stated:

“The reason why we do not employ snares is twofold. We think that other methods are effective enough for our purposes and we are concerned about the possibility of bycatch. We are trying to attract the public to our reserves, and we want their experience to be enjoyable. The risk of bycatch—whether we are talking about otters or another species—is too great, and we have other methods in place<sup>64</sup>.”

<sup>65</sup> Forestry Commission Scotland (2010) Annual review 2009-2010

<sup>66</sup> Forestry Commission Scotland (2008) Woods for Nature: our biodiversity programme 2008-2013

<sup>67</sup> John Muir Trust (2010) [www.jmt.org](http://www.jmt.org)

<sup>68</sup> Evidence on behalf of John Muir Trust, given by Mike Daniels, Chief Scientific Officer, to the Rural Affairs and Environment Committee, 15 September 2010, [www.scottish.parliament.uk/s3/committees/rae/or-10/ru10-1902.htm#Col3045](http://www.scottish.parliament.uk/s3/committees/rae/or-10/ru10-1902.htm#Col3045)

<sup>69</sup> The Woodland Trust (2010) [www.woodlandtrust.org.uk](http://www.woodlandtrust.org.uk)

<sup>70</sup> The Woodland Trust (2002) Position statement: snares [www.woodlandtrust.org.uk/en/campaigning/our-views-and-policy/policy/Pages/position-statements.aspx](http://www.woodlandtrust.org.uk/en/campaigning/our-views-and-policy/policy/Pages/position-statements.aspx)

<sup>71</sup> Plantlife Scotland (2010) [www.plantlife.org.uk/scotland](http://www.plantlife.org.uk/scotland)

<sup>72</sup> Evidence on behalf of Plantlife Scotland, given by Dr Deborah Long, Conservation Manager, to the Rural Affairs and Environment Committee, 15 September 2010, [www.scottish.parliament.uk/s3/committees/rae/or-10/ru10-1902.htm#Col3045](http://www.scottish.parliament.uk/s3/committees/rae/or-10/ru10-1902.htm#Col3045)

**Forestry Commission Scotland** (FCS) manages 660,000 hectares (6,600 square kilometres) of land<sup>65</sup>, and its biodiversity strategy aims to “Help to halt the loss of biodiversity and reverse previous losses through targeted action for species and habitats.”<sup>66</sup> This includes management and enhancement of habitats to support the capercaillie, black grouse and red squirrel. FCS current operational practice is not to use snaring in the National Forest Estate, and this has been the practice for some years.

The **John Muir Trust** (JMT) is “dedicated to the protection of wild land for both nature and people”, mainly in the Highlands and Islands. The Trust owns 25,000 hectares (250 square kilometres) of land with partnerships in an additional 50,000 hectares<sup>67</sup>.

The JMT does not use snaring on the land it manages and told the Scottish Parliament’s Rural Affairs and Environment Committee:

“The John Muir Trust does not generally do predator control, and we certainly do not snare... Our main reasons for not snaring are, first, that we are not into individual species management and, secondly, that we are concerned about the indiscriminate nature of bycatch, with otters, pine martens, wildcats and other species getting caught in snares<sup>68</sup>.”

**The Woodland Trust** manages 80 woods in Scotland, covering 8,500 hectares (85 square kilometers). It also manages nearly 12,000 hectares of woodland in England, Wales and Northern Ireland<sup>69</sup>. The Woodland Trust has a long-standing policy of opposing the use of snares, stating:

“We believe that national governments should ban all snares because they are indiscriminate and that species of conservation concern, as well as many other more common non-target wildlife species, are killed and injured in them... The Woodland Trust believes that government policy across the UK should promote biodiversity by enabling the widest range of our native habitats and species to survive and evolve. The Woodland Trust therefore believes that the use of all snares should be banned<sup>70</sup>.”

**Plantlife Scotland** owns and manages the Munsary Peatlands, a nature reserve of over 1200 hectares and of international importance as a blanket bog habitat, designated a Site of Special Scientific Interest and a Special Protection Area, and home to a number of notable bird species, including the golden plover, curlew and greenshank<sup>71</sup>.

Plantlife Scotland does not use snares on the reserve and told the Rural Affairs and Environment Committee: “Plantlife Scotland has approved a vertebrate [animal] control policy to which we all adhere on the land that we own and manage. That means that we do not use snaring as a form of vertebrate [animal] control. We will control vertebrates only where they are having a damaging impact on the plant interest for that site<sup>72</sup>.”



Table 6. Scottish political party policies, August 2016

| Party                      | Current policy   |
|----------------------------|--|
| Scottish Conservatives     | Party does not support a ban   |
| Scottish Greens            | Party supports ban   |
| Scottish Labour            | Scottish Manifesto 2016 commitment to consult on ban                                   |
| Scottish Liberal Democrats | Party supports ban   |
| SNP                        | Party supports continuing review of the decision not to ban outright the use of snares |

<sup>73</sup> Email from Director of Policy, 23 August 2016

<sup>74</sup> Email from Senior Administration Officer, 22 August 2016

<sup>75</sup> Email from Policy Officer, 12 September 2016

<sup>76</sup> Email from Special Adviser to First Minister, 8 September 2016

## 9.4 Scottish political parties

There has been significant political support for a ban on snaring over the years, with supportive Motions tabled in the Scottish Parliament by MSPs from Scottish Labour, the Scottish Green Party and the Scottish National Party (SNP).

The **Scottish Conservatives** support strong regulation of snaring “given the potential for suffering and injury”. The party believes that snares are a “significant and – if used properly – relatively humane way of controlling rabbit and fox populations”, and does not support an outright ban on snares<sup>73</sup>.

The **Scottish Green Party** has a longstanding commitment to a ban on animal snaring, stating: “We will introduce a ban on the manufacture, sale or possession of all snares to trap animals<sup>74</sup>.”

The **Scottish Labour** Manifesto 2016 stated: “We believe that snaring is a cruel, ineffective means of land management and will bring forward a consultation on banning snaring.”

In 2013, the **Scottish Liberal Democrats** voted at their conference to support a ban on snaring as a party policy.

In December 2010, the **SNP** National Council agreed a motion on animal welfare including a call for the Scottish Government to conduct a continuing review of its decision not to ban outright the use of snares, and an investigation of the success of wildlife conservation on landholdings which do not use snares<sup>75</sup>. The Scottish Government stated that Ministers were not bound by this.

In September 2016, Scottish Government policy was expressed to OneKind and the League Scotland as follows: “The SNP government has acted to improve animal welfare standards and increase the accountability of snaring practitioners. The Snares (Scotland) Order 2010 and the Wildlife and Natural Environment (Scotland) Act 2011 were specifically designed with this in mind. Scottish Natural Heritage is currently undertaking a review of snaring on behalf of ministers and the Scottish Government will report its findings to the Scottish Parliament as soon as possible. Snaring is an emotive issue which divides opinion. SNP ministers will take the views of land managers, who see the practice as an important tool, and the opponents of snaring into account when making policy decisions.”<sup>76</sup>.

# 10. Conclusion

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Snaring is an outdated, primitive animal trapping technique almost exclusively associated with the management of land for sport shooting. Snares inflict unacceptable suffering on thousands of wild and domestic animals in Scotland every year. Continuing to permit the use of these cruel and indiscriminate traps flies in the face of modern concerns about animal welfare, conservation and the wider environment.

OneKind and the League Scotland urge the Scottish Government and Scottish Parliament to accept that snaring has had its day and must now be eradicated from the Scottish countryside.

The time for a comprehensive ban on the manufacture, sale, possession and use of snares is now long past.

# 11. Suggested further reading

Determining the extent of use and humaneness of snares in England and Wales Report submitted to DEFRA, March 2012  
<http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=14689>

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Iossa G, Soulsbury CD & Harris S (2007) Mammal trapping: a review of animal welfare standards of killing and restraining traps. *Animal Welfare* 16: 335-352  
<http://www.ingentaconnect.com/contentone/ufaw/aw/2007/00000016/00000003/art00005>

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League Against Cruel Sports Scotland – Still Blood on the Wire – A report into snaring in Scotland, August 2010  
<http://www.league.org.uk/~media/Files/LACS/Reference-material/Still-Blood-on-the-Wire.pdf>

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League Against Cruel Sports Scotland The utility of killing foxes in Scotland, Professor Stephen Harris, October 2015  
[http://www.league.org.uk/~media/Files/LACS/Publications/1407-LACSS-A4-The-Utility-of-Killing-Foxes-in-Scotland-Report-AW-\(2\).pdf](http://www.league.org.uk/~media/Files/LACS/Publications/1407-LACSS-A4-The-Utility-of-Killing-Foxes-in-Scotland-Report-AW-(2).pdf)

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League Against Cruel Sports, Manifesto to End Snaring in Great Britain and Northern Ireland, May 2013  
<http://www.league.org.uk/~media/Files/LACS/Publications/Snaring-Manifesto-2013.pdf>

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OneKind Report on Snaring, October 2010  
[http://www.onekind.org/campaigns/snare\\_free/policy](http://www.onekind.org/campaigns/snare_free/policy)

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SnareWatch.org: Public Reports of Snaring in the UK, OneKind 2016  
<http://www.onekind.org/uploads/publications/OneKind-snarewatch-report-online-low-res2.pdf>

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Scottish Natural Heritage Commissioned Report No 287 The conservation status and management of mountain hares, SNH 2008  
[http://www.snh.org.uk/pdfs/publications/commissioned\\_reports/287.pdf](http://www.snh.org.uk/pdfs/publications/commissioned_reports/287.pdf)

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Scottish Natural Heritage Commissioned Report No. 630 Applying wildlife welfare principles to individual animals, SNH 2013  
[http://www.snh.org.uk/pdfs/publications/commissioned\\_reports/630.pdf](http://www.snh.org.uk/pdfs/publications/commissioned_reports/630.pdf)



# Cruel and Indiscriminate: **why Scotland must become snare-free**

Snaring is an outdated, primitive animal trapping technique almost exclusively associated with the management of land for sport shooting. Snares inflict unacceptable suffering on thousands of wild and domestic animals in Scotland every year. Continuing to permit the use of these cruel and indiscriminate traps flies in the face of modern concerns about animal welfare, conservation and the wider environment.

OneKind and the League Scotland urge the Scottish Government and Scottish Parliament to accept that snaring has had its day and must now be eradicated from the Scottish countryside.

The time for a comprehensive ban on the manufacture, sale, possession and use of snares is now long past.

**SNARE FREE  
SCOTLAND**