

# Roy Lupton submission of 29 March 2022

## PE1859/X – Retain falconers rights to practice upland falconry in Scotland

After reading the Scottish Government submission of Feb 16th 2022, I was left in disbelief. It seems that they are making a mockery of the public petitions system. Not only have they failed to sensibly answer the issues and possible solutions that have been highlighted within this process, they almost seem to be responding in a manner of chastising falconers for daring to challenge their opinion.

If falconers as a community now face prosecution for intentionally or recklessly, killing, injuring or taking a mountain hare if we decide to fly our birds of prey within the 97.5% of Scotland's land mass that has recorded the presence of mountain hares, I presume the same force of law will be executed upon any hill walker, dog walker, outdoors sport enthusiast, horserider, off roader or any person stepping foot off a paved pathway within 97.5% of Scotland's land mass.

It would be very easy for a family walking their dog on a hill track to kill or wound a hare or leveret.

The list of land uses both commercially and within the leisure sector that could cause harm to mountain hares is enormous. I presume we won't see the Scottish Government advising hill walkers to only walk within the remaining 2.5% of Scotland that hasn't recorded the presence of mountain hares.

Already we are seeing peer reviewed evidence that the information that was submitted in order to railroad this legislation through was at best flawed. The count data coming from the Peak District is showing a huge disparity between the counting methods used. With the most recent methods showing on average a population at least double and in one case a population that is 30 times higher. In my view, this suggests that the count data used by Green MSP Alison Johnstone in pushing her last minute amendment was highly questionable.

All we as falconers are asking for is a Caveat "except for falconry" within the legislation. This would allow this fine and wonderful branch of

falconry to survive and prosper without the practitioners constantly fearing the threat of prosecution.

As a physically disabled man that has had to fight and overcome huge challenges throughout my life in order to be able to practise falconry and witness the breathtaking sights that we are able to enjoy during our pursuit of this ancient and beautiful lifestyle. I hope that I do not see that disappear overnight due to a divisive political agenda. Only to be left in a world that seems to be pushing toward a population living in the Metaverse.