

PE2151/L: Grant protected status to primitive goat species in the Scottish Borders

The Wild Goat Conservation Trust written submission, 27 November 2025

In its written submission, JNCC stated the following three points that we should like to directly comment upon.

- 1) “Feral goats are understood to be non-native to the UK and therefore ineligible under current guidance.”

Whilst there are no non-native animals included in Schedule 5, the Wildlife and Countryside Act 1981 has been carefully worded so as not to preclude this possibility. The Act, in describing animals and plants that are to be listed in the protecting Schedules, uses the terms “principally” and “in general” in respect of them being indigenous to the UK. The guidance referred to by JNCC is therefore open to challenge.

- 2) “We do however note, from a practical standpoint, that it would be difficult to define and enforce a schedule listing for ‘British Primitive Goats’, as distinct from more modern variants because they are taxonomically the same species (*Capra hircus*) and there is no commonly accepted subspecies status for feral populations.”

Whilst the Wildlife and Countryside Act 1981 generally protects at taxon level (species or sub-species) in practice, Schedule 5 allows listings of regional forms, or distinct population units separately from nominal species. Geographically or genetically distinct sub-populations have been granted separate protection.

The ask of PE2151 is specific to a geographic upland area of 30,000 acres that is the home range of a distinct population of ancient wild goats. The Langholm-Newcastleton Goat has already been described as a distinct population by Scottish Natural Heritage.

Protection should therefore be afforded on the grounds of a distinct population within its geographic range... This is very specific, tightly defined and was set out reasonably clearly by the petitioner.

It therefore poses no definition or enforcement difficulties.

- 3) “Their listing could create a paradox in the WCA whereby the species is simultaneously protected under Schedule 5 and restricted as a non-native species under Section 14, creating barriers to their management by landowners and NatureScot in pursuit of conservation goals.”

There is no paradox, there are already examples of birds listed in Schedule 1 and Part 1 of Schedule 9; Section 14. The Section 14 restrictions would be beneficial given that a real existential threat to Langholm-Newcastleton Goats, as pointed out by Scottish Natural Heritage in 2011, comes from introgression caused by goats in general being released into the Langholm-Newcastleton Goat population. It is

evidently helpful therefore, to have as an offence the releasing of goats into the wild under the Section 14 restrictions.