

T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Finlay Carson  
Convener  
Rural Affairs and Islands Committee  
The Scottish Parliament,  
Edinburgh,  
EH99 1SP

[rural.committee@parliament.scot](mailto:rural.committee@parliament.scot)

31 October 2023

Dear Converer

**Wildlife Management and Muirburn (Scotland) Bill: Public consultation on the use of snares and powers of Scottish SPCA inspectors**

On 22 August 2023, the Scottish Government launched a public consultation, inviting views on its proposals to prohibit the use of snares and other cable restraints and to extend the powers of Scottish SPCA inspectors to investigate certain wildlife crimes.

The consultation closed on 3 October 2023 and received a total of 5289 responses. I am writing to provide you with an update on the analysis of responses and a summary of the quantitative analysis of the responses to the closed (yes/no) questions (**Annex A**).

Qualitative analysis of the comments made in response to each open question is underway and will be included in the full report. The analysis will identify the main themes and the full range of views submitted in response to each question, and to explore areas of agreement and disagreement among respondents.

It is my intention to publish both the full analysis report and the responses submitted by organisations, prior to the Stage 1 debate on 29 November. I will provide further update to the Committee on the exact timing of this in due course.

Your sincerely



Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)

# GILLIAN MARTIN

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)

**INVESTORS IN PEOPLE**<sup>™</sup>  
We invest in people Silver



## Quantitative analysis of responses to closed questions

The consultation paper issued by the Scottish Government contained seven numbered questions, some of which were multi-part questions with an initial closed (tick-box) question followed by space for comments. Altogether there were seven closed questions and six open questions. Frequency analysis of the closed questions has been completed, and the findings are shown in tables below.

On snaring;

- 70% of respondents agreed with proposals to ban the use of snares and other cable restraints.
- 71% of respondents did not want an exception to allow snaring for research purposes.
- 73% of respondents did not want any other exceptions.

On Scottish SPCA powers

- 71 % of respondents agreed with proposals to extend the powers of the Scottish SPCA to investigate wildlife crime.
- 71% of respondents agreed with proposals for these powers to include glue trap offences.
- 66% of respondents agreed with proposals to place limitations and conditions on the extended powers.

<b>Question 1</b>				
<b>Do you agree with our proposals to amend the Wildlife and Countryside Act 1981 Act so that it is an offence to:</b>				
<b>a) use a snare or other type of cable restraint for the purpose of killing or trapping a wild animal and;</b>				
<b>b) use a snare or other type of cable restraint in any way that is likely to injure a wild animal.</b>				
	<b>Yes</b>	<b>No</b>	<b>Unsure</b>	<b>Total</b>
All respondents	3709	1552	24	5285
% of all respondents	70.2%	29.4%	0.5%	

<b>Question 2</b>				
<b>Do you think that the Scottish Government should consider allowing an exception for the use of snares for the live capture of mammals for research purposes for example, catching foxes to allow tracking devices to be fitted?</b>				
	<b>Yes</b>	<b>No</b>	<b>Unsure</b>	<b>Total</b>
Number of respondents to this question	1120	3721	420	5261
% of respondents to this question	21.3%	70.7%	8.0%	

<b>Question 3</b>				
<b>If you answered yes question 2, do you agree than anyone using snares for this purpose would require a licence from NatureScot.</b>				
	<b>Yes</b>	<b>No</b>	<b>Unsure</b>	<b>Total</b>
Number of respondents to this question	1106	802	168	2076
% of respondents to this question	53.3%	38.6%	8.1%	

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

#### Question 4

Other than for the purpose set out in question 2, are there any other purposes for which you think an exemption should be available to allow a person to use a snare or cable restraint to temporarily capture a wild animal?

	Yes	No	Unsure	Total
Number of respondents to this question	1121	3763	268	5152
% of respondents to this question	21.8%	73.0%	5.2%	

#### Question 5

Do you agree with our proposal to provide Scottish SPCA inspectors who are acting under their existing powers under the 2006 Act, with additional powers to search, examine and seize evidence in connection with specific offences under the Wildlife and Countryside Act 1981? The specific offences are:

- section 1 (protection of wild birds, etc),
- section 5 (prohibition of certain methods of killing or taking birds),
- section 6 (sale, etc. of wild birds),
- section 7 (registration of certain captive birds),
- section 8, (protection of captive birds),
- section 9 (protection of certain wild animals and prevention of poaching),
- section 10A (protection of wild hares),
- section 11 (prohibition of certain methods of taking wild animals),
- section 11G (prevention of poaching: wild hares, rabbits, etc),
- section 11 (sale, possession, etc. of wild hares, rabbits, etc),
- section 12A (requirements for use of traps),
- section 12F (authorisation from landowners etc. to use traps),
- section 15A (possession of pesticides)

	Yes	No	Unsure	Total
Number of respondents to this question	3752	1401	101	5254
% of respondents to this question	71.4%	26.7%	1.9%	

#### Question 6

Do you agree with our proposal to provide Scottish SPCA inspectors who are acting under their existing powers under the Animal Welfare Act 2006, with additional powers to search, examine and seize evidence in connection with specific offences under the Wildlife Management and Muirburn Bill. The specific offences are:

- Section 1 (offence of using a glue trap),
- Section 2 (offence of purchasing a glue trap).

	Yes	No	Unsure	Total
Number of respondents to this question	3718	1381	146	5245
% of respondents to this question	70.9%	26.3%	2.8%	

#### Question 7

Do you agree with the limitations and conditions placed on these proposals set out below?

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)



- **these powers would only be given to a Scottish SPCA inspector appointed by the Scottish Ministers under section 49(2)(a) of the Animal Health and Welfare (Scotland) Act 2006;**
- **inspectors would be individually authorised by the Scottish Government and that Authorisations could be withdrawn at the discretion of the Scottish Government;**
- **all inspectors would be required to undertake specified training prior to being given authorisation to exercise the new powers.**

	<b>Yes</b>	<b>No</b>	<b>Unsure</b>	<b>Total</b>
Number of respondents to this question	3453	1132	628	5213
% of respondents to this question	66.2%	21.7%	12.0%	

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)

**INVESTORS IN PEOPLE™**  
 We invest in people Silver

