



Briefing for the Public Petitions Committee

Petition Number: [PE01615](#)

Main Petitioner: Logan Steele on behalf of Scottish Raptor Study Group

Subject: State regulated licensing system for gamebird hunting in Scotland

Calls on the Parliament to urge the Scottish Government to implement urgent action to introduce a state regulated system of licensing of gamebird hunting, that addresses the potentially adverse environmental impact of gamebird hunting, provides for the revocation or amendment of licences where a licence-holder fails to comply with their terms and conditions, and to implement the recommendations of the Review of Wildlife Crime Penalties in Scotland.

Background

Two main types of gamebird hunting are practised in Scotland:

- Upland - On upland gamebird hunts the main quarry species is the Red Grouse (*Lagopus lagopus scotius*). Approx 500,000 hectares of heather moorland in the Southern Uplands, Angus, Perthshire, Aberdeenshire, Moray and Highland are managed for driven grouse shooting¹.
- Lowland - On lowland gamebird hunts the main quarry species are the introduced pheasant (*Phasianus colchicus*) and red-legged partridge (*Alectoris rufa*). They are reared in captivity and released for shooting, but also breed in the wild².

Public and Corporate Economic Consultants (PACEC) [reported](#) the findings of a study on the contribution of shooting sports to the UK in 2014. The study was commissioned by 17 organisations involved with shooting and the countryside. It found that shooting influenced the management of 4.5 million hectares of land, employing 3,900 FTEs in running and managing shoots, and supporting 8,800 FTEs in the wider supply chain. Direct spending by shoot providers and participants was estimated at £180m per annum with a total Gross Value Added of £200m. However these findings have been questioned by a [review](#) commissioned by The League Against Cruel Sports.

¹ Based on figures in this RSPB study: <http://www.rspb.org.uk/news/details.aspx?id=404012>

² The native Grey partridge (*Perdix perdix*) was once a common farmland species, but has [declined catastrophically over the last 50](#) years in the UK.

Gamebird Hunting and Raptors

Fourteen species of raptors currently breed regularly in Scotland.³ Numbers of breeding pairs range from the thousands, in the case of the three most common raptor species, the Common Buzzard; Sparrowhawk; and Kestrel, to just a handful of pairs in the case of the rarest breeding species, Honey Buzzard; Marsh Harrier; and Hobby. The [Scottish Raptor Study Group](#) states that:

A suite of scientific peer-reviewed studies has demonstrated unequivocally that illegal persecution continues and that it occurs disproportionately on land managed as grouse moor (Whitfield et al. 2003). For example, populations of golden eagles (Whitfield et al. 2004a; 2004b; 2007; 2008; Watson 2013), hen harriers (Etheridge et al. 1997; Fielding et al. 2011), goshawks (Marquiss et al. 2003); peregrines (Hardey et al. 2003) and red kites (Smart et al. 2010) are all severely constrained in parts of Scotland as a direct result of illegal persecution. The most commonly used methods are poisoning, shooting, trapping and nest destruction.

Environmental impacts

RSPB (2012⁴) carried out a review of the biodiversity and wider environmental impacts of grouse moor management. It argued that UK moorlands are considered to be of high conservation value for their habitats and associated biodiversity, whilst they are also important stores of soil carbon, major sources of drinking water and determinants of water flows, and hence flood risk. Moorland managed for grouse can impact on each of these. The report argues that -

“knowledge gaps make it difficult to fully assess the costs and benefits of grouse moor management to biodiversity and the wider environment. Fundamental information is lacking on some of the key management components and their interactions, as well as on regional variation and current trends...”

Scottish Parliament Action

The Wildlife and Natural Environment (Scotland) Act 2011 introduced “vicarious liability”. This means that where a person has committed certain offences against wild birds, or set traps for them or possessed poisons illegally under the Wildlife and Countryside Act 1981, that person’s employer, or someone to whom that person is providing services (whether this is done through another or not) can be charged with the same offence⁵. The first conviction for a vicarious liability offence was secured in a [case](#) in October 2014.

³ <http://www.scottishraptorstudygroup.org/raptors.html>

⁴ https://www.rspb.org.uk/Images/grant_mallord_stephen_thompson_2012_tcm9-318973.pdf

⁵ The first conviction for a vicarious liability offence was secured in a [case](#) in October 2014.

The Wildlife and Natural Environment (Scotland) Act 2011 also required the Government to lay an annual report on Wildlife Crime before the Parliament. The most recent [report](#) was published on the 30 September 2015. The report was [scrutinised](#) by the then Rural Affairs, Climate Change and Environment Committee, as were two previous reports.

Scottish Government Action

PAW Scotland: The Partnership for Action Against Wildlife Crime Scotland (PAW Scotland) represents a wide range of bodies concerned with the prevention and tackling of crimes against wildlife. It includes agencies like Scottish Natural Heritage (SNH), Police Scotland and conservation and land management organisations.

A sub-group of PAW - the PAW Scotland Raptor Group, was established to develop a programme of work to improve prevention, awareness raising, enforcement and intelligence gathering in Scotland related to crimes against birds of prey.

Wildlife Crime Penalties Review: The [Wildlife Crime Penalties Review](#) reported in 19 November 2015. The Government announced its [response](#) on the 24 February 2016 and will take forward a number of recommendations, including the introduction of new maximum penalties for wildlife crime. Subject to the necessary legislative steps this could mean fines of up to £40,000 and 12 months imprisonment for certain offences.

General licence restrictions: Currently birds such as crows and magpies can be controlled on a general licence for a range of purposes including to protect game birds. This allows anybody who owns land, or with the owners permission, to control such birds as long as they comply with the terms of the licence, issued by SNH. The Government proposed that this general licence could be revoked on land where birds of prey had been persecuted. Proposals were developed by SNH working with the Police during 2014. SNH announced⁶ on 6 October 2014 that the general licence restrictions could be put in place on land where there was evidence of wildlife crime.

On 4 November 2015, the first application of these restrictions was [announced](#), on what SNH called “wildlife crime hotspots”. The areas in question were identified on the blog [Raptor Persecution Scotland](#). A statement from SNH published in a [post](#) on the same blog on 15 June 2016 gave an update in relation to one of these hotspots. It stated that there has been a petition to the courts for a Judicial Review of the decision, by one of the farms affected.

Review of gamebird licensing in other countries: The Government has provided details of the review called for by the Parliament in response to a PQ answer:

⁶ <http://snh.presscentre.com/News-Releases/New-tool-in-fight-against-wildlife-crime-137.aspx>

Question S4W-28992: Claudia Beamish, South Scotland, Scottish Labour,
Date Lodged: 16/12/2015

To ask the Scottish Government when it will carry out the review of gamebird licensing and legislation agreed by Paul Wheelhouse in May 2014; who has been appointed to conduct the review, and when it expects the report to be published.

Answered by Aileen McLeod (11/01/2016):

Tender documents were issued by Scottish Natural Heritage (SNH) on 11 December 2015, inviting bids from contractors to carry out the review of gamebird licensing and legislation in other European countries. The deadline for quotes to be submitted to SNH is 20 January 2016. We expect work on the review to commence in early 2016 and for the report to be published in autumn 2016.

Wendy Kenyon
Senior Researcher
8 August 2016

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