For several years, Scottish Government has worked to introduce an air weapon licensing scheme. Despite extensive lobbying by the pro-shooting community for the scheme to be scrapped, the proposed bill includes measures for a robust licensing scheme.

We believe the licensing scheme itself, as well as measures to prevent shooting in back gardens, are sensible and robust. However, we show below that:

- Attacks on animals using airguns occur in significant numbers, but are underreported
- Airgun attack on animals also have an impact on their owners and feelings of public safety, and that only controls on where air guns can be used will address these concerns
- There is a need for legislation to reflect the danger posed by air weapons to animals, and to be strengthened so that previous convictions for wildlife crime and animal cruelty are taken into account when applying for a licence
- There is little justification for allowing animals to be hunted for sport with air guns generally, and particularly by young and inexperienced shooters.

Overall, we believe that the Air Weapon component of the Bill is a positive step, but the legislation should be amended to make it more stringent, and the proposals should not be diluted in any way.

**Data on airgun attacks on animals**

The SSPCA reported over 178 air gun attacks on animals in 2012\(^1\)

Shortly before the unification of police forces in Scotland, a Freedom of Information request revealed the following figures for air gun attacks on animals in 2010/2012:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>Combined figures for 2010-2012(^{ii})</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strathclyde</td>
<td>2</td>
<td>1</td>
<td>5</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>Tayside</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Lothian</td>
<td>2</td>
<td>4</td>
<td>11</td>
<td></td>
<td>17</td>
</tr>
<tr>
<td>D&amp;G</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Northern</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Central</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>14</td>
</tr>
<tr>
<td>Grampian</td>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>Fife</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td>3</td>
</tr>
</tbody>
</table>

68
The disparity between SSPCA and Police figures, where the SSPCA record 178 attacks alone for 2012 but the Police have only 68 on record between 2010 and 2012, shows that the majority of airgun attacks on animals are not reported to the police.

Police reports tend to relate to large animals or attacks in unusual circumstances, including incidents where swans, pigs, and birds of prey were attacked.

It is likely that many attacks are never reported to either agency. Reasons for this include:

- Animals which are shot dead but their bodies not recovered. Uncertainty of events – animals have pellets lodged in their bodies which are only discovered by vets at a later date, or the animal goes missing for a time between being shot and arriving at home
- Animals are not taken to the vet for financial reasons
- Wild animals are targeted and their deaths not noted or investigated

Introducing an air gun licensing system would be the first step in regulating a practice which harms an unknown number of animals every year.

**Airgun attacks on animals and feelings of public safety**

Currently, it is permissible to use air guns in back gardens and on private land. We do not know the exact locations of many airgun attacks on animals. There have also been numerous reports of attacks on publically accessible or publically owned land such as parks, golf courses and other green spaces. Examples include a recent shooting of a cat in Carnoustie\(^iv\), and several recorded instances of attacks on swans\(^iv\).

As the cases outline below demonstrate, the damage to animals targeted by airguns can be fatal, and in some cases requires extensive medical treatment.

However, these case studies also show that attacks on animals can lead to people feeling less safe within their communities.

**Case Study 1, Lenzie, 1996**

This case involved a cat, Suki, which had a particularly friendly nature and often approached strangers, being shot at close range with an airgun. The lump found in Suki’s body was thought to be at the point of entry initially, but it transpired that the bullet passed most of the way through the cat’s body and lodged in the shoulder opposite the entry wound. The owner reported that:

*I never found out who shot my beloved cat. I don’t think I could print what I would do to them if I ever did. I do know however, that after that day a mistrust crept its way through most of us in the village. In mine and my family’s minds, everyone was potentially the culprit. Had we had the choice, we would have gladly kept Suki indoors for the rest of her life. Our village was a quiet, upper class residential neighbourhood, and we no longer felt safe there. The gun shot through the safety net we had held in each other and for me, changed how I saw the neighbours all around me.*
Suki was severely injured yet managed to survive and recover fully.

Case Study 2, Stranraer, 2006

This case involved a cat, Clemmie, shot by the next door neighbour. Unusually, because the owner was nearby when the cat was shot, she was able to identify the attacker and call the police.

After her neighbour was arrested, the owner was called at 3am to let her know that the attacker had been released and to call the police if there was any further trouble, and in case her neighbour had other weapons on the property.

I had my disabled and elderly parents with me at the time and it was all very distressing indeed... Next morning I took the cat back to the vets, to be put on a drip, sedated and continue her observation. On my return from the vet’s, this delightful neighbour taunted me with ‘pussy cat, pussy cat’ calls.

The attacker moved house afterwards. Even though the owner had heard the gunshot and the neighbour had stored weapons and ammunition next to his window, the case never progressed to court.

Clemmie suffered extensive injuries and clung to life for a few hours, but despite the best efforts of the vets, began to fit as a result of her injuries. The owner had to take the very sad decision to euthanize the cat to prevent her suffering any further.

Case Study 3, Glasgow, 2014

This case involved a cat, Mia, who disappeared for a day and was then found in her owner’s front garden.

As it was the weekend, the cat had to be taken to the emergency veterinary practice, and operated on. Her spleen and parts of her intestine were removed. Mia was fortunate enough to recover from the attack.

She is an outdoor cat and my initial reaction was to keep her as a house cat going forward because I had no idea who was to blame for the shooting.

All three of these cases illustrate that it can be extremely difficult to prosecute attackers, even in the rare instances where the attacker can be identified and further highlight the need for air gun licensing and restrictions imposed on where air guns can be used.

**Previous convictions for wildlife or animal welfare offences**

The proposed air gun legislation uses the 1978 Firearms Act as a basis for ruling which applications should and shouldn’t be granted a licence. However, this affords leeway in whether or not a conviction for wildlife crime should be considered a reason to refuse a licence.
We believe that the proposed legislation should be amended in line with the regulations around General Licences. These state that:

4. You may not use this licence if you were convicted of a wildlife crime on or after 1st January 2008 unless, in respect of that offence, you were either dismissed with an admonition, you are a rehabilitated person (for the purposes of the Rehabilitation of Offenders Act 1974 and your conviction is spent) or a court discharged you absolutely.

Any person not able to use the General Licence can still apply to Scottish Natural Heritage for an individual licence.

... “wildlife crime” means any offence under the Wildlife & Countryside Act 1981, the Conservation (Natural Habitats &c.) Regulations 1994, the Protection of Badgers Act 1992, the Protection of Wild Mammals (Scotland) Act 2002, the Animal Health & Welfare (Scotland) Act 2006 and the Protection of Animals (Scotland) Act 1912 (all as amended)

Given that nearly all parties represented in the Scottish Parliament are concerned about wildlife crime, we believe it would be consistent with the current direction of policy for the Air Weapons and Licensing Bill to be amended to bring it in line with the existing General Licences regime.

**Appropriateness of shooting animals with an air gun for sport**

The League Against Cruel Sports does not believe that animals should be harmed for entertainment, and we are not alone. A YouGov poll conducted in 2011 found that two-thirds of people in the UK find shooting live animals for sport totally unacceptable, and less than a quarter find it acceptable.

Much of the literature produced by the shooting industry suggests that animals are always killed cleanly by air guns, but this is unlikely given that the targeted animals are relatively small, highly agile and likely to be encountered in or near cover. The potential for animals to be injured or maimed and left to die a slow, lingering death is high.

**Shooting of live animals by young people**

Whether for pest control or for sporting purposes, humanely killing an animal with an air gun requires a considerable degree of skill. It is particularly inappropriate to allow people under the age of 18 to attempt to shoot live animals for any purpose.
Academic studies (Ceylan et al:2002 and Abad et al: 2009)\(^v\) have shown that young people are particularly likely both to be the victims and perpetrators of accidental shootings with air guns. Air guns can cause terrible injuries to people, and Abad et al particularly highlight the prevalence of eye injuries to young people caused by air guns. Allowing young people to stalk live animals, which move in space and time, has greater potential to cause accidental injuries to humans than shooting static targets at a club.

We therefore believe the legislation should be amended so that under 18s cannot shoot live animals.

**Recommendations:**

Firstly, we recommend that the committee take cognisance of the number of air gun attacks on animals and the considerable distress and pain that these cause to both the animals and their owners. Although this Bill was largely introduced because of injuries and deaths to humans, air gun licensing could have a very significant positive impact on animal welfare.

**Specific recommendations:**

The requirement that shooting only take place in large areas of private land or shooting clubs remain within the Bill.

The Bill be amended so that people with previous convictions for wildlife and animal welfare offences are not considered suitable to hold airgun licences

That sporting use on live animals be removed as a legitimate purpose to hold a licence

That a lower age limit of 18 be placed on the suitability of applications to use air guns on live animals.

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\(^1\) SSPCA Press Release, “Full Support for Airgun Licensing Plans”, 14\(^{th}\) December 2012

\(^2\) Figures given for both years where separate data not available

\(^3\) http://www.scotland.police.uk/whats-happening/news/2014/may/228569/

\(^4\) http://www.scottishspca.org/wildlife/730_shot-swans-make-good-recovery