

Rural Affairs and Islands Committee

28th Meeting, 2023 (Session 6), Wednesday, 8 November

Wildlife Management and Muirburn (Scotland) Bill

Introduction

1. This paper supports the Committee's evidence taking on the Scottish Government's proposals to amend the Wildlife Management and Muirburn (Scotland) Bill to ban snaring and to extend the Scottish SPCA's investigatory powers.
2. The Committee took evidence on the Bill over May and June (further information relating to the initial evidence gathering is provided later in this paper). Following the [Scottish Government's consultation on the above amendments to the Bill](#), which ran between 22 August and 3 October, the Committee agreed to take additional evidence before reaching a view on the general principles and reporting to the Parliament.
3. At last week's meeting, the Committee held an evidence session with the Minister for Energy and the Environment on the issues set out above. [The official report of proceedings will be published on the Committee's web pages.](#)
4. The Committee will take evidence from two stakeholder panels at this meeting, the first focusing on the proposed ban on the use of snares and the second on the proposed extension of the Scottish SPCA's investigatory powers.
5. The Committee has received [correspondence relating to these proposed amendments and this has been published on the Committee's web pages.](#)

The Bill

6. The [Wildlife Management and Muirburn \(Scotland\) Bill](#) was introduced on 21 March 2023 and referred to this Committee for Stage 1 scrutiny. The deadline for Stage 1 is 1 December 2023.
7. The policy memorandum states the purpose of the bill is "to address raptor persecution and ensure that the management of grouse moors and related activities are undertaken in an environmentally sustainable and welfare conscious manner".

8. The Bill contains three parts. Part 1 relates to wildlife management and how wild animals may be captured and killed; namely—
- **Bans the use, possession and purchase of glue traps (sections 1-3).** The policy memorandum refers to the Scottish Government seeking an exemption from the UK Internal Market Act 2020 to allow the Scottish Government to ban the sale of glue traps in Scotland and states that, if an exemption is allowed, relevant amendments would be laid at Stages 2 or 3;
 - **Introduces a licensing system for the use of certain wildlife traps (sections 4-5).** The policy memorandum refers to the on-going review of the impacts of snaring on land management and animal welfare and states that “in order to allow sufficient time for analysis of the ... wider review to be completed, the Scottish Government intends to introduce provisions on snaring at Stage 2”.
 - **Introduces a licensing system for land on which certain birds (currently only proposed to include red grouse) may be killed or taken (sections 6-7);** and
 - **Extends the investigatory powers of inspectors under the Animal Health and Welfare (Scotland) Act 2006 (section 8).** The policy memorandum refers to the review of Scottish SPCA powers that has been undertaken by the Scottish SPCA taskforce and states that “if a decision is made to extend the powers of the Scottish SPCA to investigate wildlife crime then the Scottish Government will bring forward further provisions by amendment at Stage 2”.
9. Part 2 (sections 9-19) extends the existing muirburn licensing system to require a licence all year round, with different licence conditions depending on whether this is carried out in muirburn season (1 October to 15 April), outwith muirburn season or on peatland.
10. Part 3 (sections 20-28) relates to enforcement, as well as miscellaneous and general provisions.
11. The Bill seeks to implement the recommendations made by the independent [Grouse Moor Management Review Group which reported](#) in November 2019. The [Scottish Government consulted](#) on the Bill’s provisions between 26 October and 8 December 2022 and an [analysis of responses to the Scottish Government’s consultation](#) was published on 3 April 2023.

Written evidence

12. The Committee issued a call for views which ran between 31 March and 5 May 2023. Nearly 5,700 responses were received; 100 of these were from organisations or businesses, the remainder from individuals.

13. A [summary of all responses has been produced by SPICe and PACT](#) (the participation and communities team). The [responses from organisations or businesses](#) have been published in full.

Oral evidence

14. The Committee has taken the following evidence on the Bill—

31 May	Official report for the evidence from the Scottish Government bill team
14 June	Official report for the evidence from members of the Grouse Moor Management Review Group; and then the roundtable focusing on sections 1-3 (glue traps); sections 4-5 (wildlife traps) and section 8 (SSPCA powers)
19 June	Fact finding visit to Roxburghe Estate
21 June	Official report for the roundtable focusing on sections 6-7 (grouse moor licensing); then Roundtable focusing on sections 9-19 (muirburn licensing)
28 June	Official report for the evidence from the Minister for Energy and the Environment
1 Nov	Evidence from the Minister for Energy and the Environment on the proposed ban on the use of snares and extension of Scottish SPCA powers

**Rural Affairs and Islands Committee clerks
November 2023**