



Economy, Trade and Rural Affairs Committee
Welsh Parliament
Cardiff, CF99 1SN

10 November 2022

Via email only: SeneddEconomy@Senedd.Wales

Dear Committee Members,

Re: Consultation on Agriculture (Wales) Bill

Wild Moors welcomes the opportunity to respond to the Welsh Assembly's Economy, Trade and Rural Affairs Committee's consultation on the [Agriculture \(Wales\) Bill](#), in particular the proposed ban on the use of snares.

Wild Moors is a campaigning organisation which seeks to unlock an area of Britain's uplands the size of Greater London from grouse shooting for nature regeneration by 2030. As a campaigning organisation we reflect the views of a broad range of people wishing to see the nation's treasured upland landscapes looked after in a way which delivers a wide range of benefits for nature, the climate and people.

Whilst Wild Moors recognises snares are used across the Welsh countryside, our remit is reform of upland areas maintained as grouse moors, and there are significant concerns surrounding the use of snares and other environmentally-damaging practices for the purpose of maintaining and increasing the number of red grouse available for sports shooting. It is believed there may be as many as five grouse moors currently operating in Wales.

We remain confident that the Welsh Government's proposed ban on the use of snares is proportionate and necessary for safeguarding wildlife from harm in these areas and ensuring that Wales' rich natural heritage is protected and enhanced for the benefit of future generations. Wild Moors looks forward to working with the Welsh Government to ensure that this is the case.

Yours sincerely,



Luke Steele, LLM
Executive Director
Wild Moors

Introduction

Wild Moors is supportive of the Welsh Government's proposal to ban the use of snares. We recognise a complete ban on snares is the right action to take to address the harm the contraptions can cause, not least the serious impact of snares on wild animal welfare and the risks they pose to vulnerable species such as badgers and hares.

The current situation

Before examining the issue in any depth it is important to note that snares are predominantly used to aid the capture and killing of wildlife, such as foxes, on game bird shooting estates. This is because the wild animals interfere with shooting operations by preying on the game birds reared for sports shooting. Whilst it is unknown how many animals are killed in snares in Wales because there are no reporting requirements, one grouse moor in Powys has previously stated that it killed over 200 foxes and many other animals in one year as part of its efforts to maintain the land for game bird shooting¹.

The cruel and indiscriminate nature of snares is widely recognised. Animals which are caught naturally panic and suffer when trying to free themselves from being caught in the wire nooses. Field trials performed by the Department for Environment, Food & Rural Affairs (Defra) show that snares cause prolonged suffering and injuries to captured animals, including breathing difficulties, bruising, cuts and even death². Defra's research also shows that 75 percent of animals caught in snares are non-target species such as badgers and hares³, even when these contraptions are set lawfully. For reasons such as these, Minister for Rural Affairs Lesley Griffiths AM/MS has acknowledged that "These devices [snares] catch animals indiscriminately, causing a great deal of suffering, and they are not compatible with the high animal welfare standards we strive for here in Wales. A complete ban is the only way forward."

Shooting industry organisations have been keen to draw comparisons between the current legislative landscape in Scotland and Wales in order to argue that snares can be used

¹ <https://www.independent.co.uk/voices/country-matters-green-shoots-on-glorious-twelfth-1459627.html>

² DEFRA. (2008). Determining the extent of use and humaneness of snares in England and Wales. [Online]. Available at: <http://sciencesearch.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=14689> [Accessed 09/11/2022]

³ UK Parliament. (2012). Data used in compiling 'Determining the extent of use and humaneness of snares in England and Wales' study. [Online]. Available at: <http://data.parliament.uk/DepositedPapers/files/DEP2012-0577/Document.pdf> [Accessed 09/11/2022]

humanely, but we remain convinced that any use of snares is detrimental to wildlife. We recognise that where Scotland has introduced legislative restrictions on snaring, such as the use of modified designs, mandatory ID tags and training for snare operators⁴, these measures have failed to effectively protect wild animal welfare. The Welsh Government can avoid these pitfalls by proceeding with its intention to introduce a complete ban.

Enforcement of the proposed ban

Snares are primarily used as a tool to aid the catching and killing of wildlife which may interfere with grouse shooting operations. Whilst the legislation in its current form would introduce a blanket ban on the use of snares by making it a crime, there are concerns voiced in academic studies on wildlife crime more broadly that unlawful practices could be continuing on land used for game bird shooting as a consequence of ineffective enforcement or penalties. There are several ways the proposed legislation on snaring could be improved to ensure it is robust. These include:

- Prohibiting the possession, use or presence of snares on land to ensure legislation can be enforced using a simple test of presence or absence.
- Making it the responsibility of any landowner and land agent to ensure that their employees are following the ban and introduce penalties for those who run shooting operations which are not compliant.
- Ensuring that the penalties imposed by the legislation are an effective deterrent to those who may be considering continuing to use or allow the use of snares on their land following it being made illegal.
- Making provisions for the effective enforcement of the ban on snares, including the right for any law enforcement official to inspect any land holding, property or vehicle without notice where there is reason to suspect that snares continue to be illegally used or possessed.

There is a significant sense of unease from Wild Moors that should the legislation not be amended to take these factors into account then there is a risk that the question of loopholes may arise at a later stage, potentially undermining enforcement action.

Other areas of work

For the rich natural heritage of the Welsh uplands to be fully protected and restored, we feel that the Welsh Government should build on its commitment to a complete ban on snares by addressing many of the other practices being performed by grouse moors which are detrimental to nature, the climate and people. These include:

⁴ <https://www.legislation.gov.uk/asp/2011/6/contents/enacted>

- Fragile peatland ecosystems continue to be damaged by the use of heather burning by grouse moors in Wales to cultivate younger, more nutritious vegetation for game birds to eat. This is despite consensus that burning releases climate altering gases into the atmosphere, contributes to flooding, pollutes catchment water and makes it more difficult to restore peatlands back to their healthy state.
- Bird of prey persecution has taken place in areas of Wales which are managed for grouse shooting. In the popular moorlands around Ruabon Mountain, near Wrexham, three satellite-tagged hen harriers, being studied as part of an important conservation programme, have vanished under suspicious circumstances and a raven has been found dead having eaten poisoned bait.

The environmental benefits of addressing these grouse moor management practices is also strong, not only in terms of unlocking a broad range of public goods which can be provided by a healthy upland ecosystem - including carbon storage, flood mitigation, clean water and enhancing biodiversity - but also in terms of meeting the Welsh Government's commitments to restore peatland and halt the decline in biodiversity. It is clear that there is no pathway to reach carbon net-zero in Wales until these matters are addressed.

Conclusion

Wild Moors believes that a legislative approach to outlaw snaring is the best way forward to safeguard wild animals from harm; an approach which prohibits the use, possession and presences of snares. This is in line with the position of the Minister for Rural Affairs Lesley Griffiths AM/MS who has identified "a complete ban on snares is the only way forward."

The progress made by the Welsh Government to include provisions for a complete ban in the Agriculture (Wales) Bill overcomes the risk of wild animals continuing to suffer in these contraptions if measures short of a ban, such as those currently in place in Scotland, are introduced. While acknowledging the existing efforts of the Welsh government in this area, Wild Moors believes that a much greater emphasis on landowners and land agents who may allow the continued use of snares and stronger penalties for this wildlife crime will help ensure the legislation is an effective deterrent and enable robust prosecution.

Wild Moors also strongly encourages the Welsh Government to continue to build on this significant step towards grouse moor reform by addressing the other harmful practices performed by shooting estates in the nation's uplands - including burning on peatlands and bird of prey persecution - to ensure these treasured landscapes can be protected and restored for the benefit of future generations.