

RSPB Gamebird Shooting Review: regulation of gamebird shooting

Background

Since 2013, RSPB Council has supported a policy of licensing of driven-grouse shooting. The RSPB's **Sustainable Shooting Principles**, endorsed by RSPB Council in July 2020, indicate that we support the regulation of all gamebird shooting in the UK.

Principle 1: Regulation and enforcement

“Gamebird shooting must be regulated, with effective enforcement measures put in place by statutory authorities to ensure that shooting operates within the law, and those not complying with the law must lose their permission to shoot.”

The Scottish Natural Heritage (now NatureScot) commissioned report 942: ‘A Review of Game Bird Law and Licensing in Selected European Countries’ (published in 2017)

<https://www.nature.scot/naturescot-commissioned-report-942-review-game-bird-law-and-licensing-selected-european-countries> demonstrated that in most similar countries to the UK, gamebird shooting is regulated, albeit according to different models appropriate to that country.

RSPB Scotland has been considering models for licensing gamebird shooting for Scotland in pursuance of RSPB Council policy approved in 2013 of licensing of “driven” grouse shooting. We gave evidence on the subject in the Scottish Parliament in 2018 following the submission of a petition to the Scottish Parliament calling for statutory licensing of gamebird hunting by the Scottish Raptor Study Group, which RSPB Scotland supported following agreement by RSPB Scotland Committee. <https://www.parliament.scot/GettingInvolved/Petitions/PE01615>.

This process and the publication of the damning report into the fate of satellite-tagged golden eagles in Scotland <https://www.nature.scot/naturescot-commissioned-report-982-analyses-fates-satellite-tracked-golden-eagles-scotland> led to the publication of the independent Grouse Moor Review Group Report (the “Werritty Review”) <https://www.gov.scot/groups/grouse-moor-management-group/> published in December 2019. This review recommended the licensing of grouse shooting, as well as increased regulation of some associated land-management practices, including vegetation burning (“muirburn”), the culling of mountain hares, and the use of medicated grit. We await the formal Scottish Government response to the “Werritty Review”, expected November 2020. The Animal and Wildlife (Penalties, Protections and Powers) (Scotland) Act 2020 brought in legal protection for mountain hares and a licensing scheme administered by NatureScot for the future management of this species.

What might licensing of gamebird shooting look like in practice?

Whilst the regulation of gamebird hunting is a matter for the devolved administrations across the UK, and it is for these governments to put in place appropriate legal measures, we have developed our own thinking on what we consider should be the essential components of an effective licensing scheme for the shooting of red grouse.

- A range of options for non-compliance should be available. These should range from formal notice through to sanctions. These should include provision for fines and ultimately licence suspension or revocation with contingent loss of all shooting rights. This should be administered on a civil burden of proof. The licensing system should work alongside, but separate from, the existing criminal sanctions relating to wildlife crimes.
- The system must be capable of governing grouse shooting in its intensive “driven” form, which is associated with certain illegal practices and with unsustainable impacts on the wider environment. We suggest that the licensing scheme should be administered by the relevant statutory nature conservation agency, as the agencies with a responsibility for most areas of the relevant natural resources.
- Licensing should include controls at the shoot level, identifying a named responsible individual, who can then be held accountable within the licence terms and a designated area of land. Should expert legal opinion indicate that only a comprehensive game shooting system is legally viable, covering systems of management beyond just “driven” grouse, a lighter touch might be applied to lower intensity shooting systems.
- There should be a statutory code of practice, subject to periodic review, setting out the standards required to deliver the public interest in the sustainable management of land; of gamebird populations; of protected areas; and other protected species (of all taxa); of other natural resources including peatlands; and of responsible access rights. Equally, some land management operations, for example burning of vegetation or mountain hare control may be separately and individually licensed as proposed by the “Werritty Review”, and as now enacted in Scotland for mountain hare control.
- Shoot management plans should define the management areas and identify and safeguard key public interest considerations, and be approved by the licensing authority.
- There must be transparent planning and reporting made available as public information. The reporting system must include the provision for annual bag reporting to the relevant statutory nature conservation agency of quarry species and species killed within lawful predator control under general licence, in turn to inform hunting quotas and sustainable harvesting. Pre-season grouse counts should also form part of the reporting process.
- The licensing system must be effectively enforced by the licensing authority and other relevant public agencies. Licensing should include a requirement for reasonable access for monitoring purposes.
- The licensing system should be cost neutral to the public purse and levied licensing fees should cover the cost of administration.
- Licensing should be administered online to reduce costs and the administrative burden on game managers, as well as to facilitate access to depersonalised data.
- Ultimately, and if self-regulation in relation to meeting sustainable environmental standards does not improve for the rear and release of gamebirds (pheasants and red-legged partridges) similar licensing provisions to those for red grouse could also apply in those circumstances as well.