

P-05-852 Introduce a "Licence to manage land for game bird shooting" to end raptor persecution.

Y Pwyllgor Deisebau | 11 Rhagfyr 2018
Petitions Committee | 11 December 2018

Research Briefing:

Petition number: P-05-852

Petition title: Introduce a "Licence to manage land for game bird shooting" in an attempt to end raptor persecution.

Text of petition: We call upon the Welsh Government to introduce a licensing scheme for game bird shooting. In order to prevent the persecution of raptors which is commonly associated with this activity.

The RSPB Birdcrime reports show an exceptionally high number of raptor persecution events are by gamekeepers, however despite this knowledge, very few persecution events are successfully prosecuted due to difficulties in gaining sufficient evidence to charge any specific individual. Even in Scotland, where vicarious liability exists, prosecutions are rare. Because of this, we believe the next most appropriate course of action is to introduce a licensing scheme. This licence should be a "Licence to operate a game bird shoot".

The licence should as a minimum:

1. Apply to a geographic area defined in the application licence.
2. Be required for an estate to carry out any activity related to game bird shooting including, but not necessary be limited to:
 - a. Activities related to the rearing of gamebirds.
 - b. Activities related to the legal control of predators (estates must hold an operator's licence before they can be permitted to apply for general or specific licences associated with "pest control activities").
 - c. To allow members of the shoot to partake in gamebird shooting outside of the closed season.

d. To allow the shoot to sell shoot days to the public.

In the event of a persecution event, occurring on or near to an estates land, the appropriate authority will be able to suspend the estates ability to carry out any or all of the activities listed under point 2 for a period of time.

Serious or repeat persecution events should result in the estates operating licence being revoked.

Background

In the UK, birds of prey, also known as raptors are a protected species and therefore any criminal offences committed against these species are covered by the [Wildlife and Countryside Act 1981](#).

Raptor persecution includes poisoning, shooting, trapping, habitat destruction and nest destruction/disturbance.

Incidences of raptor persecution

The [Wildlife Incident Investigation Scheme \(WIIS\)](#) investigates and provides analysis services for wildlife, companion animals and honey bees suspected of being poisoned by pesticides. In Wales the scheme is run by the [Welsh Government](#). In correspondence to the Committee ([23 November 2018](#)) the Welsh Government states that:

WIIS figures from the previous five years show an average of 2 confirmed cases per year of deliberate abuse of pesticides leading to the death of birds of prey.

However, the [latest WIIS results](#) show 15 overall incidences of raptor persecution in 2018 to date.

The RSPB's annual [Birdcrime report](#) for 2017, shows three [confirmed incidences](#) of raptor persecution in Wales:

Among the victims in Wales was a peregrine falcon, red kite and buzzard. The peregrine falcon suffered poisoning via pigeon bait, whilst the buzzard and red kite were shot.

Confirmed incidences are “where circumstances indicate that an illegal act has taken place. These incidents are typically substantiated by evidence such as post-mortem or toxicological analysis, or reliable eyewitness evidence”. The three confirmed incidences were out of 15 incidents in Wales reported to RSPB in 2017.

The Welsh Government states in its correspondence to the Committee that it works “closely with the four Welsh Police Forces, NRW [Natural Resources Wales] and other enforcement bodies through the Wales Wildlife and Rural Crime Group”:

The Group identifies regional wildlife and rural crime priorities as well as ensuring Welsh interests are represented at [UK Priority Delivery Groups](#) including the [Raptor Persecution Delivery Group](#).

Welsh Government action

The Minister for Environment, Hannah Blythyn AM, wrote to the Committee on [23 November](#), setting out her response to the petition. It states that in 2017 the Welsh Government funded ‘A Review of the Prevention and Investigation of Wildlife Crime in Wales’ undertaken by the [National Wildlife Crime Unit](#). The report is not publicly available at time of writing, however the Welsh Government says that it:

included 21 recommendations which are currently being considered by the Wales Wildlife and Rural Crime Group.

[...]

highlighted the success of both the secondment of police officers to NRW and the setting up of dedicated rural crime teams within the Welsh forces.

Hannah Blythyn says in the letter to the Committee that she will:

...continue to support NRW in their commitment to work collaboratively with Welsh Police Forces to encourage compliance with, and enforce, wildlife and environmental legislation in Wales. This includes the continued funding of seconded police officers who are essential to the delivery of this work.

She goes on to say that the ‘rural crime team’ model has been extended to include both [North Wales](#) and [Dyfed Powys Police Forces](#), with “South Wales and Gwent Forces ... also considering setting up similar teams”.

She concludes by saying that the “review highlighted best practice and looked at knowledge gaps and problems in taking prosecutions forward”, however licensing was not included in these:

The licensing of gamebird shooting / gamekeepers was not identified as an issue and was therefore not listed in the recommendations. In carrying out investigations jointly with the police, my officials have not had issues identifying local landowners or those with game interests and as such do not see any benefit in introducing a licensing regime which would be time consuming and costly to implement with no obvious benefit over and above existing protocols of dealing with raptor persecution incidents.

National Assembly for Wales action

The Assembly’s Petitions Committee is currently considering petition [P-05-816 Say 'NO' to pheasant shooting on Welsh public land](#). This petition calls on NRW to stop leasing out public land for commercial shooting operations, the petition states that these operations:

... negatively impacts on conservation, biodiversity and animal welfare. Shooting also pollutes the land with toxic lead shot which is responsible for poisoning and killing many animals.

The petition was first considered on [5 June 2018](#), and the Committee has written to NRW and the Cabinet Secretary for Environment, Planning and Rural Affairs, Lesley Griffiths AM, for more information.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.