



14.06.23

Dear Minister

The Association of Deer Management Groups welcomes the opportunity for stakeholder engagement and we always insist that deer welfare is at the forefront of any changes to deer management legislation. We therefore have reservations about elements of the proposed changes to Secondary Legislation in your letter of 17.05.23.

**The use of light intensifying, heat sensitive or other special sighting devices to shoot deer at night. (Recommendation 7)**

The recommendation that light intensifying and heat sensitive devices for the night shooting of deer be permitted raises significant issues and is problematic.

Firstly, with regards to 'light intensifying devices', NatureScot Research Report 1311 (Simpson, 2022) states:

*'Originally two infra-red night vision devices were also to be tested...it was deemed at this point that these were not fit for purpose for deer culling at night, under typical conditions.'*

It is therefore unclear, why the use of light intensifying devices has still been included in the wording of the recommendations and ADMG would suggest that this wording is removed for the purposes of clarity.

Secondly, where research has proceeded in regard to the use of heat sensitive devices (thermal imaging devices), the same report states that:

*'The inability to see vegetation in line of sight and a suitable backstop are major issues which do not occur with daytime culling. The former may result in a deflected bullet either missing a deer or more seriously wounding a deer which may then escape follow up in the dark.'*

*'The inability to see a back stop is a serious safety risk and will prevent any shot being taken.'*

*'Determining the species and sex is an issue when shooting deer at night with a spotlight. In the case of thermal imaging sights this proved to be more difficult to achieve. Consequently, there are issues here relating to animal welfare such as the culling of deer out of season and especially in September when there would be a high risk of leaving dependent young.'*

All of the above issues should be important considerations when the decision is being made on how to proceed with the use of image intensifying rifle sights. Given that Scottish Government has rightly decided not to currently extend the female season for deer based on welfare issues it is surprising to see that the same welfare concerns are not considered when it comes to the use of image intensifying sights. The ability to 'determine the species of deer present was 3/5' and 'more difficult' than with a spotlight. ADMG would seriously question whether this is sufficient to prevent welfare problems including the orphaning of calves and the shooting of heavily pregnant hinds.

ADMG opposed the original Deer Working Group recommendation if it was proven that welfare and safety were a concern. Although the current Research Report 1311 states that there was *'a lack of any evidence to suggest a negative impacts on animal welfare standards'*, we do not believe the report completely dispels the doubts that we had in 2020 and our concerns regarding the sexing of deer and public safety remain. If Scottish Government are to proceed with this recommendation despite the welfare and safety concerns ADMG would strongly recommend that the Fit and Competent 'test' for the Night Shooting Authorisation reflects the increase in welfare risk at certain times of the year, that reference to this is included in future training for DSC Level 1 and Best Practice Guidance is in place for the use of this technology prior to any implementation.

**Amend the minimum bullet weight so as to make non lead ammunition more accessible (Recommendation 4).**

The proposed adjustment to approved ammunition regulation for deer would be welcome in view of the steadily increasing take-up of non-lead ammunition on food safety and environmental grounds as the present restrictions have acted as a constraint on the conversion process, particularly at some calibres. ADMG is satisfied with the findings of the NatureScot Research Report 1312 (Lamont et al, 2022) and welcomes the recommendation of not less than 80 grains and a muzzle energy of not less than 1,750 foot pounds.

However, more generally ADMG is aware that some of our members have concerns about the efficacy of non-lead ammunition and have raised welfare concerns. Equally many ADMG members have stated that it is increasingly necessary with non-lead ammunition to ensure that bullet placement is 'into the shoulder' and not behind the shoulder to ensure the effective, humane dispatch of deer, this can lead to far greater carcass damage which can lead to problems for venison sales. We are also aware of a possible heightened risk of bullet ricochet with non-lead ammunition and therefore potential health and safety issues when using it.

**Remove the close seasons for male deer to lengthen the time during which wild male deer can be taken or killed across the year. (Recommendation 8)**

ADMG welcomes the decision not to extend the season for female deer on welfare grounds but we do have apprehensions about the removal of the male seasons. Many deer managers will continue to stick to the same traditional seasons and choose not to shoot deer further into the winter when red deer stags in particular are in a naturally depleted condition post rut, leading to welfare concerns about disturbance due to culling as referred to in Best Practice Guidance on welfare culling. We feel therefore that this change has negative welfare implications in line with best practice while being unlikely to greatly increase the cull of deer in Scotland. It is also likely to be a divisive issue within some Deer Management Groups and undermine effective landscape scale collaboration. We have already seen that where authorizations for out of season shooting are used without information sharing and consideration of neighbours, collaborative deer management can break down. The removal of the season for male deer could therefore be detrimental to effective deer management in some circumstances.

The advantage of the current requirement to have an authorization to shoot deer out of season means that there are checks and balances as to who is culling deer and a valuable record of out of season culls. To obtain an authorization it is currently necessary to be on the Fit and Competent Persons register and be aware therefore of Best Practice Guidance. Removing this necessity will result in a lowered awareness of who is shooting deer and when, deer welfare could therefore be compromised. ADMG feels strongly that any downgrading of the use and status of the Fit and

Competent provision will be a significant retrograde step, and indeed is surprising when the general trend in respect of deer management and other upland land use is for increased regulatory intervention.

In conclusion ADMG believes that these three amendments to secondary legislation show an inconsistent approach to deer welfare. We are very aware that Scottish Government would like to see a reduction in deer numbers across Scotland, however, it is unlikely that these changes will make a significant difference other than to reduce the all-important priority for deer welfare. We would welcome an opportunity to engage further on these proposed changes to Secondary Legislation.

Yours sincerely

Tom Turnbull

Chair, The Association of Deer Management Groups