



Organisation Details

Name of organisation

The Association of Deer Management Groups

Information about your organisation.

The Association of Deer Management Groups is an organisation established in January 1992 to represent its member Deer Management Groups, currently around 50 in number and covering 3 million hectares of the Highlands. ADMG supports voluntary collaborative deer management on a landscape scale, working closely with NatureScot. ADMG is committed to safeguarding the welfare of deer and their habitat through sustainable management practices and protecting employment and rural communities where deer management is a major economic land management activity.

Within these clusters of management, our members undertake a wide variety of integrated land management objectives and for the last decade, have been instrumental in delivering nature positive landscape scale Deer Management Plans, incorporating many of the actions outlined in the Scottish Biodiversity Strategy action plan, including the restoration of peatlands and native woodland restoration, woodland expansion as well as collectively bringing the red deer population across the upland range below 10 deer per km². The running of Groups is currently undertaken in a voluntary capacity, largely at private cost and provides an effective mechanism for a collaborative approach to the management of deer and land as acknowledged in a recent Government report by the James Hutton Institute.

The Deer Management Sector is in a strong position to contribute to key Scottish Government strategies and associated targets and the sustainable management of deer will be integral to delivering the level of environmental enhancement necessary to deliver Scotland's Biodiversity Strategy and others. Under leadership from ADMG, and through the support of the Common Ground Forum, our members have been taking ownership of the current situation and we seek to reinforce to the Government that Deer Management, underpinned by a buoyant venison market, is part of the solution to delivering environmental policy, not the problem.

Part 1 – Targets for improving biodiversity

1. Are Statutory nature targets needed in Scotland?

ADMG is supportive of the concept of having statutory targets for nature and improving biodiversity. There are four key considerations:

- **Clear expectations and practical implementation.** Nature restoration is complex but targets should be SMART, be practical to implement and based on robust data. Targets should be

regularly monitored and evaluated, without an additional burden to deer managers. They also need to take into account nature itself adapting to a changing climate.

- **Stakeholder Involvement.** Land managers will be a key delivery partner. Targets should be developed with land managers, should be empowering and should not threaten employment in remote rural areas. A just transition is vital to delivering targets.
- **Investment in Nature.** The effective delivery of targets cannot rely on regulation alone. Significant, coordinated incentives will be required to support delivery of nature-positive outcomes. Incentives also need to be flexible to reflect the timescales involved in nature restoration.
- **Targets for Deer Management.** Deer management will have a role in underpinning nature recovery but must be considered proportionately alongside other key threats to biodiversity such as invasive species and the impact of other herbivores, including livestock. Rigorous targets that relate to deer management alone could risk disincentivizing the voluntary collaboration of deer managers who currently manage deer on a landscape scale. In the Highlands much work has been undertaken to deliver collaborative deer management through a close working relationship with NatureScot, statutory Nature targets must not threaten this.

2. Are you satisfied with the proposed topics for nature targets set out in the bill?

ADMG supports the list of proposed topics for nature targets. For all topics, targets will require to be flexible, evidence based and involve stakeholders at the earliest opportunity. The potential for nature recovery will vary according to geographical location, topography, soil, weather and many other variables, therefore, targets must be practically achievable, reflect timescales involved and where possible an ecosystem approach taken. A review of protected sites in unfavourable condition would also be helpful to confirm that the original designation criteria are still relevant. In many cases, habitats or species still deemed to be in unfavourable condition require multiple management actions to be undertaken and it will be important to ensure that the appropriate incentives are provided in an integrated way (forestry, agriculture and nature).

It should not be lost when discussing Nature Targets that considerable work has already been undertaken by deer managers across the highlands, be that tree planting, natural regeneration or peatland restoration. When these are coupled with landscape scale deer management delivered by the private sector, many gains have already been made that are not reflected within this Bill.

Condition and extent of habitats: Many ecosystems comprise a mosaic of different habitats that support a range of species. Some habitats may be more vulnerable than others to the effects of overgrazing, under-grazing, climate change and invasive species. Whilst the current system of designated sites provides detailed information on specific habitats and features, taking a landscape scale, ecosystem approach may be more practical and enable resources to be targeted to specific areas.

Threatened species: Local stakeholder involvement and a holistic approach will be required to tackle all contributory factors of species decline.

Environmental conditions: Creating suitable environmental conditions for restoration or regeneration to happen is a complex process and it will be vital that scientific advice is sought and a proactive, collaborative and flexible approach to achieving these targets is used. It will also be important for land managers that outcomes are measurable so that success can be recognised. It is likely that multiple management interventions will be required which will require to be properly resourced. In many cases, simply reducing deer numbers alone will unlikely be enough to restore ecosystem health without complementary management actions also being undertaken.

3. Do you have a view on the framework established in the Bill for how nature targets will be governed, including how targets will be set, monitored, reviewed and reported on?

We believe that the framework looks sensible as long as a regard is taken of independent scientific advice on targets which remain flexible and have the ability to be amended. We would also strongly recommend that stakeholders are involved in the decision making process and that feedback on progress is provided/reported on a regular basis to help inform future management actions.

4. Is there anything else you would like to say about part one of the Bill on nature targets?

ADMG supports the ambitious aims to improve biodiversity across Scotland and agrees that action is required to halt Biodiversity loss by 2030 and to ensure Biodiversity recovery by 2045. ADMG also recognises that collaboration is key to effective landscape scale action and that many nature-positive management actions related to targets will fall to our members to deliver. As such, our members are critical delivery partners for Scottish Government's targets and ADMG would encourage the Scottish Government and its Agencies to develop an integrated approach across all policy areas which enable and empower our members to continue to deliver Nature Positive outcomes, providing adequate and effective support whilst limiting unnecessary bureaucracy and legislative burdens.

Nature restoration is a complex activity. Whilst the Bill would appear to be placing a high emphasis on deer management as the route to achieving nature restoration targets, multiple factors and actions will be required to be undertaken, particularly in landscape scale restoration to achieve success. All other challenges must be taken into consideration including, other herbivores, invasive non-native species, climate change etc. There is also the potential for complex natural interactions to occur producing unexpected results so targets must be adaptable and flexible.

Targets for deer management. Whilst specific targets for deer management (as set out in the form of densities outlined in the Biodiversity Strategy) may help to guide a general direction of travel, a move towards regulatory imposition of these targets particularly around priority woodland risks being too prescriptive. All herbivores have an impact on their environment (both positive and negative) and native deer are an important part of the natural ecosystem. It is important that deer management at a local level (property and landscape scale) reflects local conditions and circumstances, in order to foster a truly collaborative approach and enable socio-economic as well as environmental outcomes to be delivered.

Stakeholder engagement will be vital at all levels from organizations to individual practitioners/land managers. Stakeholders don't want to feel that change is being imposed on them, but that it is being done with them. Any targets relating to deer management at landscape scale must take into account

the impacts on rural businesses and jobs and ensure just transition. A motivated and engaged deer management sector is vital to achieving government targets.

Incentives to support nature restoration. The greatest barrier to change currently and the key to successful delivery of targets will be in the availability and uptake of incentives to support delivery of nature-positive outcomes. Beneficial projects for nature and climate are being perceived as being unattractive by land managers due to inadequate, inflexible or bureaucratic funding processes resulting in a high level of application fatigue. Sources of funding e.g Nature Restoration Fund are highly competitive and many potentially nature positive projects are being turned down. In relation to peatland restoration, long-term, multi-year funding and increased contractor capacity will be essential to meeting targets.

Future support for target delivery must consider the following:

- Better joined up working between Agencies – agreement between agricultural and conservation objectives on stocking densities for example.
- Clear definition of future relationship with Rural Land Use Partnerships.
- Faster feedback between “evidence” from NatureScot and agreeing remedial actions.
- Simplified, cost-efficient funding application processes with multi-year funding application approaches (now adopted for peatland).
- Greater flexibility in timescales for implementation and delivery (particularly in marginal habitats i.e., woodland scrub).
- Funding levels should be cost neutral for landowners, particularly in inaccessible, remote areas and where the presence of notifiable diseases requires immediate remedial action to be undertaken under a Statutory Plants Health Notice.
- Less risk-averse culture within the grant giving agencies with greater flexibility in “scoring” applications and more discretion available at officer level.
- Less prescriptive nature of scheme conditions (which in the past has outweighed the perceived benefit).
- More support for worthwhile smaller schemes which currently do not meet the qualifying grant criteria.
- Greater flexibility in measuring success – e.g measuring woodland regeneration.
- A more objective approach to so-called “alien/non-native” and “invasive” species.

Part 2 – Power to modify or restate environmental impact assessment (EIA) legislation and Habitats Regulations.

5. Do you support the Scottish Government being granted powers to modify EIA legislation and Habitat Regulations?

ADMG is broadly supportive of the powers to modify Habitat Regulations as this is likely to have implications for Deer Management Groups undertaking collaborative actions for designated habitats and species. Whilst ADMG would support a review, it is vital that stakeholders are involved and consulted on any modifications and a consideration given to just transition where appropriate.

6. Do you agree with the purposes set out in the Bill for which powers to amend those regimes may be used?

It is important that any changes to legislation take into consideration the implications for rural livelihoods. Stakeholder engagement through this process will be vital to ensuring community buy-in.

7. Is there anything else you would like to say about Part 2 of the Bill on powers to modify EIA legislation and Habitats Regulations?

No

Part 3 -National Parks

8. Do you agree with the proposed changes to the aims of the National Parks in the Bill?

ADMG would promote a change to the aims of the National Parks if greater emphasis were placed on the sustainability of rural employment and community needs. Support and advice, coupled with the incentives to deliver deer management targets must be considered at all times by the National Parks.

For sustainable deer management to be possible within National Parks, an engaged and motivated deer sector is vital.

Do you agree with the new duties around the implementation of National Park Plans that are set out in the Bill?

None of the proposed changes would appear to affect collaboration, sustainable deer management or deer welfare and as such we are happy with the proposals on National Parks. However, stakeholder engagement and clarity around the implementation of park plans must be transparent and clear.

9. Do you support provisions in the Bill enabling the Scottish Government to make regulations for the issuing of fixed penalty notices for breaches of National Park byelaws?

None of the proposed changes would appear to affect collaboration, sustainable deer management or deer welfare and as such we are happy with the proposals on National Parks. We would be supportive of this.

10. Is there anything else you would like to say about Part 3 of the Bill on National Parks?

None of the proposed changes would appear to affect collaboration, sustainable deer management or deer welfare and as such we are happy with the proposals on National Parks. However, rural livelihoods and a sustainable deer sector will be vital to deliver park plans. Careful and considered engagement with practitioners should always be a priority.

Part 4 - Deer management

11. Do you agree with the proposed changes in the Bill to the statutory aims and purposes of deer management?

Effective deer management, along with the control of invasive species and the appropriate management of other herbivores in the landscape (including sheep) will underpin future nature restoration and enhancement activities. Effective deer management also comes at considerable cost which is currently borne by private interests. Securing a truly sustainable future for deer management should therefore be considered a key public interest in itself.

ADMG argues that securing sustainable deer management should be a priority action both for the government and the deer management sector. We need to build capacity within the deer management community, ensuring that we have enough highly skilled deer managers to maintain reduced deer populations, that we have the capacity to deal with carcasses, and all of this being underpinned by a strong, economically resilient venison sector which would help support and drive effective deer management in the long term. Through the continued creation of better habitat we are likely to need more deer managers in the future not less, and supporting the development of a stronger, resilient and sustainable deer management sector must be seen as a critical investment by the government that will help deliver long term outcomes.

Given the fundamental importance of sustainable deer management, ADMG is therefore concerned at the change in wording in Part 1 of the Act (Section 10 of the Bill) which diminishes the previous aim of SNH which was to “further the sustainable management of deer in Scotland” (currently in the Act), to revised wording “to promote the sustainable management of deer”. Given the important role of sustainable deer management in achieving nature restoration and climate targets, **ADMG would like to see this change in the Bill removed and the current wording in the Act retained** to reflect the importance of its role and the need for explicit responsibility on the government to secure it.

ADMG would also like consideration given that a buoyant and engaged deer sector is vital to delivering targets. Deer management is undertaken at a loss in many circumstances and as such greater consideration must be given to support mechanisms. Incentives were one of the four work streams of the Strategic Deer Board. Whilst regulation, legislation and operational delivery are all being progressed, the sector is hearing very little around incentives. The Scottish Government needs to be able to demonstrate and provide a just transition in supporting fragile rural economies to adapt; not only securing jobs in deer management, but ensuring that deer managers have the skills, training and support to provide effective deer management in the future.

We welcome the duty of SNH to take account of the interest of owners and occupiers of land when SNH exercises its deer functions. Those who manage land and specifically the deer management community will be key stakeholders in the delivery of many of the government’s rural strategies. Given that so much of the detail of the Bill will be determined through the Deer Code and other secondary legislation, it is absolutely vital that land managers and deer management practitioners are involved in the development of these. Furthermore, the Finding the Common Ground project has identified that support for those currently employed in deer management has been significantly lacking with many feeling that their livelihoods are threatened by the potential changes proposed in the Bill,

including targets leading to significant deer reductions. We would urge the Scottish Government to better understand the views of deer managers, who hear about a just transition but feel that their concerns are not being taken seriously enough.

With regards to the addition of the word “environment” to Part 1, subsection 2a of the Act - ADMG notes that in the example used of SNH formulating deer management policy taking into account the cumulative impact of deer across Scotland at regional and national scales, this would require SNH to have the means and resources to gather robust evidence on habitats, deer populations, densities and culls at these scales also. Currently, the highlands and deer management groups are the only areas where this information is consistently gathered.

12. Do you have any comments on Section 11 of the Bill regarding NatureScot representation on advisory panels?

Depending upon the purpose of the panel, it would appear that NatureScot’s independence might be questioned on a deer panel, particularly on a matter in which they will likely have been involved for a considerable time. NatureScot will still have the ability to provide specific, specialist advice to an appointed panel but it would seem that the role of the panel would be to bring independence to the matter or issue that they have been appointed for.

13. Do you agree with the proposed changes in Section 12 which changes how frequently NatureScot reviews compliance with the code of practice for deer management?

ADMG welcomes the inclusion of “and the circumstances in which it will intervene in the management or control of deer” to Section 5A of the Act.

Under Section 5A (5), before drawing up, replacing or revising the code, SNH must consult practitioners who have an interest in the Code. Given that the code will be a key piece of guidance to our stakeholders in setting out clearly the grounds for intervention, ADMG considers that it is imperative that relevant stakeholders are fully involved in the drafting of the code at all stages and that SNH works closely with those potentially directly impacted by 6ZA and 6ZB. 80% of the cull is undertaken by the private sector and they should have input into the drafting of a new code. If possible ADMG would like to see the wording of this strengthened to ensure full engagement with relevant stakeholders at all stages of development of the Bill, prior to it going to the Minister for approval.

Many of the topics covered within this Bill rely on an up to date code of practice and without it practitioners will remain unclear on the parameters under which they are working. It should be a matter of urgency for NatureScot that a revised code is drafted as soon as possible. It is disappointing that a draft of the code was not worked through with stakeholders and presented alongside the draft Bill, given that so much of the detail of the practical application of 6ZA and 6ZB will sit within the code. Without this information, it makes it difficult to gauge the practical implications for, and potential scope of the impact on our members.

ADMG will endeavour to support its members through a considerable period of change ahead, however, greater clarity is needed from the Scottish Government and many aspects of the Natural

Environment (Scotland) Bill currently lack the details required to provide reassurance to our members. **ADMG therefore would like to see a commitment from the Government that stakeholders will be integral to developing the necessary detail required in the development of the Code and any further secondary legislation.**

It is vital that the Scottish Government understands the amount of work that is already undertaken by the private sector in delivering sustainable deer management. This should not be undermined by a code that is restrictive or lacks collaboration with the sector. Landscape scale collaboration is the only way to deliver effective deer management in the Highlands, this is currently undertaken voluntarily at costs to deer managers the value of this is delivering Scottish Government targets should not be forgotten when considering this Bill.

14. Do you Support the new ground for intervention by NatureScot for the purpose of nature restoration, as set out in the Bill?

The inclusion of the new paragraphs 6ZB, sets out a broad range of potential circumstances where SNH may intervene for the purposes of nature restoration. ADMG considered the use of regulation for the purpose of nature restoration in the Managing Deer for Climate and Nature Consultation in 2024 and although the original proposal for a Deer Management Nature Restoration Order has been dropped, our concerns about the lack of clarity around the practicalities of regulating for restoration remain regarding the risks with the introduction of the new section 6ZB.

As an organisation, we have considered the new grounds for intervention against our core principles.

Impact on Deer Welfare

We would expect that any increase in culling activity associated with both 6ZA and 6ZB would uphold the highest standards of deer welfare throughout and that deer welfare should not be compromised. Best Practice Guidance should be followed at all times.

Impact on Collaboration

Landscape scale collaboration is vital to enabling effective deer management. Our member Deer Management Groups undertake this across 3 million hectares of the highlands. They voluntarily collect information in the form of deer counts, culls and Habitat Impact Assessments in order to agree and adapt cull targets, and work closely with NatureScot in sharing this information. Triggers for intervention as per 6ZA relating to damage are recognized and widely understood as impacts are quantifiable and can be evidenced.

Where 6ZB is unclear, is in understanding how SNH will satisfy themselves on the ground to be met that deer or steps taken or not taken for the purposes of deer management are, or are likely to, prevent or reduce the effectiveness of work, a project or a natural process. Where the work, project or a natural process is happening on a specific property, the deer management conditions required to be met will likely already have been established and being undertaken. It is therefore the lack of clarity around what the grounds of intervention might mean for neighbouring properties and those in the wider landscape that is concerning.

The pre-emptive nature of the trigger means that damage does not have to have happened - just that there is the threat that wider deer densities may be detrimental to someone else's objectives. On the one hand, if the actions of a property threaten to undermine the effectiveness of a Deer Management Group delivering a Deer Management Plan and working collaboratively with NatureScot to achieve outcomes - then ADMG would be supportive of this kind of use of regulation to benefit and support wider collaborative efforts.

On the other hand, if members of a Deer Management Group cannot be reassured about what 6ZB might mean for them and uncertainty leads to a lurking prospect of regulation being used, there is a risk this could threaten the very nature of collaboration and result in an erosion of trust particularly between NatureScot and Deer Management Groups. The Scottish Government simply does not have the resources to replicate or reinstate Deer Management Group structures should these cease to exist in their current form out of fear from greater regulation. The Scottish Government should seek to provide more effective support to the collaborative landscape structures that exist rather than seeking to regulate further on a single species issue – when clearly, according to the State of Nature report, multiple management actions may be required to restore or enhance key habitats over a realistic range of timescales to tackle the key drivers of biodiversity loss.

As stated elsewhere, working with deer managers to develop the Code to provide clarity will be essential.

Impact on Furthering Sustainable Deer Management

Described as “proactive” rather than reactive and in the absence of any detail about how, where and on what scale they would be used (to be developed through the code under section 5A), ADMG has significant concern that 6ZB could be used in effect to replace incentives and the principle of public goods for public money, with a potentially ambiguous legislative tool to deliver the public interest instead.

Securing a truly sustainable deer management sector for the future will be critical to the Scottish Government achieving many of its rural policy objectives. Any legislation (or threat of regulatory action) that results in the loss of deer management jobs or which impacts on the socio-economic activities that currently support deer management (80% of which is currently carried out by the private sector in a voluntary capacity) will be completely counter-productive.

Support for those currently employed in deer management has been significantly lacking with many feeling that their livelihoods are threatened by the prospect of heavy handed regulation resulting in significant deer reductions. ADMG believes that not enough work has been undertaken by the Scottish Government to better understand the views of deer managers who hear about a ‘just transition’ but feel that their concerns are not being taken seriously enough which has been a prevailing theme arising from the Common Ground Forum. The Scottish Government must demonstrate what Just Transition means in practice, in supporting fragile rural economies to adapt; not only securing jobs in deer management, but ensuring that deer managers have the skills, training and support to provide effective deer management in the future.

Consideration will also have to be given to the timescales involved in restoration, particularly in the Highlands. Deer management is undertaken at a loss to most private practitioners. The timeframes required to enable restoration will mean that costs will increase. If through regulation deer numbers

are reduced and need to remain low for a period of time, then thought must be given to how deer management jobs might be supported in the medium to long term. Attention should also be given to how a loss of income from culls or venison for a sustained period can be offset by Scottish Government if targets are to be achieved.

ADMG fully supports a policy of habitat improvement and have been actively encouraging landowners to mitigate against biodiversity loss and to help contribute to net zero targets by enhancing their land through peatland restoration, tree planting and woodland restoration. Also through the deer management planning process developed since 2014, and the SNH assessments – all of which has been happening in a voluntary process through deer management plans covering 3m ha of the uplands. During this time deer numbers have reduced across the upland open red deer range, largely through privately funded management. Outside the highlands deer numbers are unknown as are total culls and greater emphasis should be given to gathering lowland deer data.

15. Do you agree with modifications set out in the Bill for the operation of deer management plans, control agreements and control schemes?

Section 6a Deer Management Plans

ADMG notes that notice can only be served on an individual owner/occupier. It might be useful to consider whether it needs to be explicit in the Bill that a plan submitted as collaborative landscape scale plan that delivers the required collective measures would be acceptable. Consideration also needs to be given to how this will work in practice in the lowlands against multiple, fragmented ownerships.

Section 7 Control Agreements

ADMG would consider that the use of Section 7 Agreements to date (as relates to damage) has been broadly successful and has broadly fostered a collaborative approach to delivering deer management outcomes.

Changes to the Act as outlined in the Bill, mean that provided SNH are satisfied that grounds for 6ZA or 6ZB apply, then SNH may form a view as to what measures should be taken without any consultation with owners and occupiers, and are only required to give notice of the Section 7 Agreement once they have formed a view of the measures required. ADMG notes that SNH would only be required to consult with owners and occupiers under 4(c) after the agreement has been drafted. Furthermore, subsection (3) of section 7 of the 1996 Act provides an additional ground for intervention where SNH may consider that it is necessary for deer to be completely excluded from an area.

In the interests of supporting collaborative deer management, **ADMG would like to see the requirement for SNH to consult with owners and occupiers prior to the drafting of a Section 7 Agreement reinstated.** ADMG considers that because the grounds for regulation under 6ZA and 6ZB are so broad, there must be a period of consultation prior to a Section 7 agreement being drawn up

which requires SNH to set out the evidence they are using to support their view that a Section 7 is required.

Failure to do could risk an erosion of trust between DMGs and NatureScot on the grounds that the information that is currently being willingly supplied to NatureScot on a voluntary basis and at private cost by individual owners and occupiers within a Deer Management Group in the spirit of collaboration, could at some point be used to provide the basis of a Section 7 Agreement which the Group is unaware of until the point of notice. Individuals and owners within a Group would only have the opportunity to comment once the regulatory notice has been served and a draft agreement put in front of them. It should also be noted that there is no explicit mention made that SNH should be required to consult with owners/occupiers in their annual review of any Agreement under 7(7).

Section 8 Control Schemes

ADMG has significant reservations as to whether there is enough provision in the Section 7 process as set out in the Bill to allow for genuine concerns that may be raised by owners/occupiers about the evidence being provided by NatureScot to support how they have formed their view and the required measures in the agreement (pre-determined by SNH) to be properly considered. It is unclear whether a simple failure to agree would be regarded as non-compliance – i.e. a trigger for Section 8. It is also unclear whether an owner could be compelled to erect fencing at their own cost as part of the measures requested in a S7 or S8 to exclude deer.

Section 10 Emergency Measures

ADMG notes that this now includes damage to the natural heritage and environment as triggers for emergency measures, previously it applied to damage to woodland or to agricultural production.

ADMG agrees that NatureScot should have the ability to act quickly in relation to assessing damage and taking appropriate action where required, in emergency situations. The Deer Working Group recommendations summarised that the trigger for using an amended Section 10 for natural heritage purposes should not include a ‘higher density’ threshold but should be based on evidence of damage and that judgement would be required as to whether the damage is sufficient to warrant the use of these powers.

If the use of Section 10 is considered to be necessary to prevent damage (directly or indirectly) to the public interest, it should be discretionary as to whether costs should be recoverable.

17. Do you agree with the proposed changes to investigatory powers for NatureScot as set out in

We understand the proposed changes to the investigatory powers for NatureScot, however ADMG would like clarification as to why the notice period required by NatureScot has been reduced from 14 calendar days to 5 working days. Whilst we accept that this will be for emergency powers there is not reasoning provided within the bill.

18. Do you have a view on proposals in the Bill to the authorisations issued by NatureScot for:

The culling of deer during the closed seasons.

ADMG supports the current provision for the seasons to be determined in secondary legislation. ADMG supports the principle that individuals may be authorised to cull deer during the closed season (by being registered as Fit and Competent to do so) but would insist on the current closed season for females during times of highest calf dependency to be strictly retained. There must also be a mechanism of capturing cull returns that include information on Out of Season shooting at a property level - without data at a property level collaborative management will be inhibited.

The current seasons for female deer are intended to prevent the orphaning of young calves and the shooting of female deer that are heavily pregnant. The General and Out of Season Authorisations currently do not allow the killing of female deer over 1 year old between 1st April and 31st August. ADMG would insist that female deer are afforded the highest level of protection during the close season. ADMG would support that a separate authorisation from NatureScot be required for any out of season shooting (to be granted only under exceptional circumstances).

The culling of deer at night

ADMG supports this provision as per the conditions associated with it in the Act where NatureScot may authorise an occupier of agricultural land or of woodland or any person nominated in writing by such an occupier, to shoot at night, any species of deer for the purpose of crop protection if such a person is considered fit and competent.

Under the new Draft Bill a night shooting authorisation could be for “any land” provided it meets the test for 6ZA or 6ZB. ADMG recognises that this could lead to more deer being culled at night, including on the open range. Given that it can sometimes be difficult to tell the sex or age of a deer in a night scope and also to ensure a visible safe backstop for a rifle shot, ADMG has significant concerns that the widespread use of night sights to undertake night shooting may also pose risks to human safety, deer welfare and the safety of other animals due to the danger of mis-identification.

ADMG notes in the Deer Working Group report, that “the need for night shooting to be authorised ensures that the locations of night shooting are known by SNH and Police Scotland”. ADMG agrees with this principle. It is imperative that each individual night shooting application is carefully considered by NatureScot before issue. As per out of season authorisations, there must also be a mechanism of capturing cull returns that include information on night shooting at a property level, as well as a condition of the authorisation being that neighbouring properties should be consulted/informed.

ADMG supports the principle that individuals may be authorised to cull deer at night (by being registered as Fit and Competent to do so) but would propose that additional qualifications are recognised in evidencing an individual's competence and that a review of standards is undertaken to ensure that the relevant qualifications meet the standards of competency required and include the necessary assessment of the enhanced skills and knowledge required to undertake activities such as

night shooting. Whilst the use of any 'sight of any type including light-intensifying, heat-sensitive or other special sighting device for night shooting' is now allowed under the Firearms Order (effective from 3 November 2023), under the new proposals this would still require a person to be "competent" in order to undertake the activity at night i.e. night shooting. ADMG would strongly support a review of the standards to ensure that the skills and knowledge required to safely use these types of scopes is also specifically included. There is an acknowledged risk to non-quarry animals and indeed potentially to humans and safeguards are required commensurate with that higher risk level. Funding should be put in place to incentivise deer managers to achieve these qualifications.

The use of vehicles to drive deer.

Whilst ADMG notes that authorisations are required for this activity for the purposes of culling - the grounds for authorising this activity should be strictly limited on welfare grounds and in these cases, Best Practice Guidance should be provided.

19. Do you support a new offence of shooting a deer with a shotgun, along with a corresponding ability for NatureScot to authorise the activity in appropriate circumstances?

The circumstances where the use of a shotgun might be deemed necessary are more likely to be associated with individual persons controlling deer in situations where a high-powered rifle is not safe for example those regularly called out to deal with injured deer that required to be dispatched (i.e a DVC) or those controlling deer, in areas of high public use or in built-up areas. ADMG supports this new offence and the ability for NatureScot to authorise individuals to use shotguns for specific activities.

20. Do you have any comments on Section 28 and 30 of the Bill in regards to the register of authorised persons and requirement to be fit and competent for certain authorisations?

Currently NatureScot holds limited information on the landholdings which control deer and statutory cull returns are requested only from properties currently on a limited database held by NatureScot. Where properties are controlling deer out of season or at night under Authorisation, NatureScot will have a record both of those properties (to ensure a cull return) and of the individuals carrying out this control (to ensure they are deemed Fit & Competent to carry out the activity). The anomaly to this has always been that NatureScot previously had no data on anyone operating under a General Authorisation to shoot deer out of season and in any case, the use of this authorisation has subsequently already been reduced with the removal of the close season for male deer.

If the current system of individual authorisations is replaced with just a register of those deemed Fit & Competent - ADMG is concerned that valuable information may be lost on where these activities are taking place and the number of deer culled under these specific activities. An individual registered on the Fit & Competent database could be undertaking these activities on multiple properties without NatureScot's knowledge and with no means by which NatureScot could request a cull return -unless those individuals are requested to provide information about the properties on which they shoot. Night shooting should still require to be authorised at a property level to prevent illegal poaching and to safeguard deer welfare and food safety.

With regards to a register of authorised persons, ADMG has long since supported and championed a deer management community which has voluntarily embraced the uptake of qualifications and continual professional development, and which has been maintaining standards through industry-standard [Wild Deer Best Practice Guidance](#) since its first full publication in 2008. ADMG is therefore supportive of such a register and of minimum standards of competence, provided that it does not act as a barrier to new entrants or accompanied guests. Having a requirement for a register and minimum standards of competence will be a useful mechanism to capture any future changes in standards required to safeguard public safety, food safety and deer welfare.

Regarding the requirement to be fit and competent for certain authorisations, ADMG is supportive but would strongly recommend a regular review of the current standards to ensure that they incorporate technological advances such as the use of night vision/thermal scopes for night shooting which may require an enhanced level of training not currently covered by some qualifications.

Funding should be put in place to incentivise deer managers to achieve the necessary qualifications. This will help ensure that there are suitably qualified deer managers that will be fundamental for deer management on the intended improved habitat created by Scottish Government policy.

21. Do you agree that a new offence should be created for a person failing to report the taking or killing of stray farmed deer?

ADMG does not see this as an issue at present and is therefore happy with provisions in the Act which would mirror the general approach taken with stray livestock.

22. Do you agree with provisions which remove the need for venison dealers licenses?

A strong, resilient venison industry that provides a greater return to producers will be a key factor in furthering and securing sustainable deer management for the future which in itself will be a critical factor in the successful delivery of the Scottish Government's policies on biodiversity and climate change. ADMG would therefore ask that wording in the Bill reflects a commitment from the Scottish Government to support the venison sector. This could be captured in Part 1 of the Act (under Section 10) to retain wording to "further" sustainable deer management.

Whilst recognizing that the current system of venison dealer's licences doesn't work, ADMG would like to see wording in the Bill that requires a competent system of gathering information relating to carcass traceability to be in place before venison dealers licences are removed.

In line with Scottish Venison Association, we are also supportive of measures that will help development of markets for venison and those which will support the expansion of infrastructure and capacity in the venison supply chain at all scales ie from major processors handling carcasses in significant volumes to smaller operators processing small numbers of carcasses for local markets.

23. Is there anything you would like to say about Part 4 of the Bill on deer management?

It is critical that the Bill deliberately enables and secures sustainable deer management for the future: deer management is only going to become more important- not less. Accepting that defining the public interest in primary legislation is not practical and that concepts such as restoration or enhancement can be highly subjective, the role of the code will be critical to ensure we are supporting and empowering the deer management community to help deliver policy outcomes.

ADMG seeks reassurance for its members that with the prospect of new legislation that has the scope and potential to be broad, all-encompassing and hard-hitting, that it will be used precisely, transparently, responsibly and with discretion, without stifling or paralysing existing deer management efforts and undermining the progress that has been made over the last decade.

Change must be done with the deer management community not to it. Any attempt to use new regulatory powers in a sweeping or disproportionate way will seriously undermine the voluntary principle and the current relationship with the regulator NatureScot. An erosion of trust, cooperation and support, would set Deer Management Groups (DMGs) back years and would ultimately cost the Scottish Government dearly to rebuild, which under current financial constraints, it simply cannot afford to do.

Across the breadth of the land ownership objectives that are represented across our DMGs, there is clear consensus that deer management must be properly resourced moving forward (ADMG, Environment LINK, Scottish Venison and Scottish Land & Estates joint letter to Minister and the Rural Affairs & Islands Committee April 2025). Incentives to support deer management infrastructure (e.g. community larders), investment in the venison sector to strengthen demand and supply chains, the need for a Just Transition approach where fragile rural jobs may be threatened through significantly reduced deer numbers and support to develop standards and skills in the sector are all essential.

ADMG looks forward to working with the Scottish Government and NatureScot to strengthen and support an empowered and properly resourced deer management community.

General/aspects not in the Bill

- 1. Are there any areas not addressed by the Bill that you believe should be included? If so, what are they?**