

RSPB Scotland submission of 16 May 2022

PE1859/CC - Retain falconer's rights to practice upland falconry in Scotland

We are not opposed to falconry provided this activity is carried out legally and sustainably.

In response to the Petitions Committee question, we note that based upon the most up to date and available evidence, the mountain hare *Lepidus timidus* population is considered in **unfavourable conservation status** in the JNCC official report to the European Union Commission on the Directives on the Conservation of Natural Habitats and of Wild Fauna and Flora 92/43/EEC <https://jncc.gov.uk/jncc-assets/Art17/S1334-SC-Habitats-Directive-Art17-2019.pdf>. In addition, a study by J. Wilson and A. Watson published in the authoritative Journal of Applied Ecology <https://besjournals.onlinelibrary.wiley.com/doi/full/10.1111/1365-2664.13235> also recorded significant mountain hare population declines in large areas of upland Scotland. This study using long term data sets found that on land managed for grouse shooting and contiguous alpine land there was a long- term mountain hare population decline of 4.6% per annum between 1954-1999, and from that date a 30.7% population decline from until 2017 (and with the particular advent of large-scale population reduction culls of mountain hares on grouse moors ostensibly for the purpose of disease control in red grouse). The study also found that the population density index for mountain hares had fallen to <1% of initial levels after 2008. The mountain hare is a keystone species of the uplands, important in its own right, but also as a grazer of upland habitats, and as an important prey species for wildcats, golden eagles and some other raptors. The recorded mountain hare population declines may therefore also have consequences for sensitive upland habitats and other dependent species. It is also known that in the fringes between the uplands and lowlands mountain hare populations are declining in the context of climate change and competition with brown hares *Lepus europaeus* <https://ptes.org/climate-change-places-the-future-of-peak-district-mountain-hares-at-risk/> .

In these circumstances we consider that hunting for sport by falconry and other means, and therefore additional mortality, is undesirable in the

present circumstances. On this basis, we also support Scottish Government's recent decision to give the mountain hare additional protection from 1 March 2021 in the Animals and Wildlife (Penalties, Protections and Powers) Act 2021.

Under the above legislation, NatureScot now has the powers to issue licences for protection of public health, crops and timber which we believe to be appropriate exceptions. If the law were to be changed, then falconers wishing to hunt mountain hares for sport would also need to apply for a licence. In our view, and whilst we think that a change in the law is inappropriate at the present time (given the poor conservation status of mountain hares), we consider that such licences should only be issued for falconry hunting where there is robust evidence - to the satisfaction of NatureScot - that the mountain hares population in the relevant geographical area is in healthy conservation status. This approach would necessarily involve thorough population counts to an agreed monitoring standard as well as bag quotas and returns to help inform future population monitoring.

We hope this information is helpful to the work of the Petitions Committee. Please do not hesitate to contact us if we can be of further assistance in this matter.