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Dear Finlay

Thank you for inviting me to give evidence to the Rural Affairs and Natural Environment Committee on rough shooting in the context of the Hunting with Dogs (Scotland) Bill on the 30 November 2022.

During that evidence session Rachel Hamilton asked me – “*what evidence the Scottish Government has that rough shooting is connected to welfare issues for rabbits...*” and I said I would write to the member with further information in that regard.

I brought the committee’s attention to the following exchange between Ms Hamilton and DS Telford:

“Detective Sergeant Telford: In relation to the enforcement of hare coursing offences, the addition of rabbits would aid police investigations.

Rachael Hamilton: Is that based on evidence?

Detective Sergeant Telford: Yes, I would say that it is.”

As for my part, I have said consistently that this Bill is about preventing dogs being used to chase and kill wild mammals.

If rabbits were to be excluded from the definition of wild mammal used in the Bill it would mean that anyone who wished to do so could use a dog or pack of dogs to chase and kill them.

As the committee has heard from stakeholders throughout this Bill, including OneKind, the Scottish SPCA and the Scottish Animal Welfare Commission, rabbits are sentient creatures and like the hare (which are included in the definition of wild mammal used in the Protection of Wild Mammals (Scotland) Act 2002) they are capable of experiencing distress when being chased from cover by dogs, as they are capable of experiencing pain if killed by a dog.

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I understand that in rough shooting it is generally not the intention that rabbits should be chased or killed by the dogs being used to flush them and I accept that it is not a *routine* occurrence for this to happen at a rough shoot.

However, that does not detract from the fact that under the 2002 Act anyone can choose to allow their dog to chase and kill a rabbit.

It is for that reason that rabbits have been included in the definition of wild mammal.

Were I to remove the two-dog limit for rabbits in relation to rough shooting, the risk would be that others would exploit this exemption. For example, a person or persons with guns could take any number of dogs out with them and allow them to operate as a pack while claiming their intention was solely to shoot rabbits.

I think that this poses an unacceptable risk, as it would open serious loopholes within the Bill.

However, for people who currently participate in rough shooting, and who use dogs only to flush rabbits and retrieve them when they have been shot, the fact that rabbits can no longer be chased and killed by dogs should not require them to change their behaviour.

Yours sincerely,



Màiri McAllan