



Law Society
of Scotland

Consultation Response

Consultation on controls on the import and export of
hunting trophies

January 2020



Introduction

The Law Society of Scotland is the professional body for over 12,000 Scottish solicitors. With our overarching objective of leading legal excellence, we strive to excel and to be a world-class professional body, understanding and serving the needs of our members and the public. We set and uphold standards to ensure the provision of excellent legal services and ensure the public can have confidence in Scotland's solicitor profession.

We have a statutory duty to work in the public interest, a duty which we are strongly committed to achieving through our work to promote a strong, varied and effective solicitor profession working in the interests of the public and protecting and promoting the rule of law. We seek to influence the creation of a fairer and more just society through our active engagement with the Scottish and United Kingdom Governments, Parliaments, wider stakeholders and our membership.

Our Environmental Law and Rural Affairs Sub-committees welcome the opportunity to consider and respond to the Department of Environment, Food and Rural Affairs' consultation: *Consultation on controls on the import and export of hunting trophies*¹. We do not seek to respond to the consultation questions but have the following comments to put forward for consideration.

General remarks

We note the potential for unintended consequences to arise as a result of any change to the policy and legislative approach in relation to hunting trophies. It is important that these potential impacts are fully consulted upon and considered when deciding the approach to be taken. There is the potential for consequences to impact in Scotland, particularly in rural and remote areas. Such consequences could include environmental, ecological, economic, and social impacts. For example, we note the potential for there to be an impact upon those travelling to the UK for shooting purposes, and subsequent impacts in terms of the environment and economy, in the event that individuals cannot export hunting trophies or requirements are significantly tightened.

This issue is one of many that affect wildlife management, several of which are already subject to separate review; for example in Scotland, the Poustie Report on Wildlife Crime² (only part of which is dealt with by the legislation currently before the Scottish Parliament concerning wildlife penalties), the Werritty Report on Grouse Moor Management³, and the forthcoming Deer Review⁴. We consider that there is a need for a

¹ <https://consult.defra.gov.uk/wildlife-management/trophy-hunting-consultation/>

² <https://www.gov.scot/binaries/content/documents/govscot/publications/progress-report/2015/11/wildlife-crime-penalties-review-group-report/documents/00489228-pdf/00489228-pdf/govscot%3Adocument/00489228.pdf>

³ <https://www.gov.scot/publications/grouse-moor-management-group-report-scottish-government/>

more holistic approach to be taken to wildlife law issues, bringing greater coherence and consistency to the law and with a proper debate on the aims of wildlife management and the balance to be sought between commercial exploitation, animal welfare and biodiversity conservation. In the context of hunting, consideration also requires to be given to the timing of hunting with regard to animals that may be seasonal breeders, and the stage of maturity of the animals concerned.

It is important that there is clarity and certainty in the law in order that individuals and businesses can guide their conduct appropriately. Any changes to the policy and legislative framework on this matter would merit an appropriate awareness-raising campaign so as to make individuals and businesses aware of the revised requirements.

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⁴ <https://www.gov.scot/groups/deer-working-group/>