

## COUNTRYSIDE ALLIANCE BRIEFING NOTE

### SNARES

#### GENERAL BRIEF

JANUARY 2023

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#### Key points

- **The use of snares is an important tool in wildlife management, which benefits conservation and a range of economic activities from shooting and agriculture to forestry and eco-tourism.**
- **There is often no practical and effective replacement for snaring at crucial times of the year, particularly during spring and summer.**
- **Well-designed snares, used properly, are a humane and effective form of fox control. They are a restraining, rather than killing, device.**
- **It has been illegal to use self-locking snares throughout the UK since 1981 and there is already extensive legislation in place relating to the use of free-running snares.**
- **Defra commissioned research, published in 2012, identified how snaring could be improved through snare design and operating practices.**
- **An initial Code of Practice for Snaring in England was published in 2005. Following this research, the Countryside Alliance, with other sector groups including the NFU, the Country Land and Business Association, the British Association for Shooting and Conservation and the Game & Wildlife Conservation Trust, called for Defra to publish or endorse a revised edition. This was accomplished as a sector initiative in 2016.**

#### Importance of Snaring

The use of snares is an important tool in wildlife management, deployed by gamekeepers, farmers and land managers as an effective way of catching foxes. Modern snares are a restraining, rather than killing, device and research has shown that well-designed snares are humane and effective.

Without snares, foxes would be an increased threat to vulnerable populations of wildlife, biodiversity and habitat conservation. They would also cause significantly greater damage to a diverse range of economic activities including shooting, agriculture, forestry and eco-tourism, which all rely on a managed countryside. It is necessary for landowners/occupiers to control pest species such as foxes which, if uncontrolled, would cause significant damage. The Game and Wildlife Conservation Trust (GWCT) has highlighted that:

*“Foxes kill young lambs, piglets reared outdoors, and free range and domestic poultry. Foxes also prey on vulnerable wild ground-nesting birds like black grouse, partridge,*

*lapwing, curlew and stone curlew, and brown hare. Several of these are species of conservation concern, others are game species; some are both...*

*“There are several methods to control foxes but none of them are effective in all circumstances. One method widely used for foxes is snaring. Snares are particularly effective for foxes in places and at times of the year when rifle shooting is not possible because of dense cover but when fox control may be critical for wild prey.”* ([GWCT, Recommendations on Fox Snares](#))

To protect species that are particularly vulnerable to fox predation, such as lambs and ground-nesting birds, fox control is essential during the spring and summer breeding season. However, in spring and summer shooting often becomes impractical because of the growth of vegetation cover and arable crops. Flushing-out foxes from underground with the use of a dog is only permitted to protect gamebirds or wild birds kept or preserved for the purpose of being shot, and not livestock or other wild birds including many rare or endangered species. Shooting is also not always safe in certain places such as near livestock, in the vicinity of urban areas, or close to public footpaths and other rights of way.

Many important conservation projects have and continue to use them to help control foxes. These include the ten-year study to recover Langholm Moor, which was funded by Buccleuch Estates, Scottish Natural Heritage, the Game & Wildlife Conservation Trust, the RSPB and Natural England.

The importance of legal snaring has been recognised by successive governments. The following statement was made by Barry Gardiner MP, then Parliamentary Under Secretary of State for Defra, on 28 November 2006:

*“The Government consider that, where there is a need for wildlife management, the proper use of snares is one of a range of control methods. Used according to best practice, snares can be an effective and practical means of wildlife management and are needed where other forms of pest control are ineffective or impractical. In these circumstances, snares restrain rather than kill and may prove to be more humane than other methods. If snares were to be banned entirely it may encourage the use of more dangerous and illegal alternatives such as poisons”* (28 Nov 2006: Column 495W, PQ 104525).

Subsequently the then Defra Minister, Thérèse Coffey, wrote in her ministerial foreword to the 2016 Code of best practice on the use of snares for fox control in England:

*“At crucial times of the year – particularly spring and summer – vegetative cover renders other measures very impractical, making the unique effectiveness of modern snares invaluable. When practised to a high standard, and with adherence to the law, snaring can provide land and wildlife managers with an effective means to restrain target animals before they can be humanely managed.”*

Snares can occasionally trap non-target species, which makes compliance with legislation and use of best practice essential. The vast majority of operators do comply with best practice and unintended captures are limited, but extensive research has been undertaken to improve the design of snares to prevent injury and capture of non-target species.

## Humaneness of Snaring

Self-locking snares, which are designed to kill an animal caught in them, have been illegal in the UK since 1981. Free-running snares, which are a cable restraint designed only to hold an animal until it can be humanely despatched, can be used legally on account of their effectiveness and humaneness. Animals held in these snares are protected from unnecessary suffering under the [Animal Welfare Act 2006](#), and the [Wildlife and Countryside Act 1981](#) also imposes a legal obligation to check a set snare at least once a day at intervals of no more than 24 hours.

Snares are a unique method of control as they catch only when the animal is completely unaware of their presence. According to research from the GWCT:

*“Foxes are highly ‘neophobic’ - they have a tendency to avoid anything new. A fox which detects a snare will avoid it. It may not be unduly alarmed, but it is unlikely ever to be caught in that particular snare set... Foxes that have ‘spotted’ a snare can still be caught in another snare which has not been detected. Indeed it’s possible to catch foxes in snares several times over, as we have found when catching foxes for radio-tagging...*

*“The action of a snare is not as alien to a fox as one might imagine: being snagged by brambles is probably an everyday experience. The fox just backs off, then carries on. We have watched a fox do exactly this when a snare drew up round its nose. It was clearly not alarmed, and was properly caught the next day after the snare was re-set a metre further along the run” ([GWCT, Fox Snares, 2012](#)).*

This evidence formed part of the Defra commissioned research which reported in 2012. It identified how snaring can be improved through operating practices and snare design. Snares now take account of the research that was carried out by the GWCT which identified how the use of snares can be improved through snare design and operating practices. GWCT research led to the development of the new [DBsnare](#), which is compliant with the national codes of practice. One of its main features is the use of a break away clip that has been designed to release badgers, hares and deer but still hold foxes. There are also two swivels, one at the anchor and one half way along which allow the fox to twist and spin without kinking the wire. The sophisticated loop closure, known as a Relax-a-lock, moves along the wire smoothly when the fox runs through and results in an instant catch. Once the fox is caught, the Relax-a-lock grips tightly enough to hold snug around the neck but will give once the fox relaxes, ensuring it remains unharmed until humanely despatched.

The DBsnare has been trialled by professional gamekeepers to a total of 120,000 hours of snares being set, more than any other fox trap in the world. Code-compliant snares are also available from other suppliers.

## Existing Legislation and Regulations

There is already extensive legislation relating to the use of snares which is designed to balance genuine welfare concerns with the need for wildlife management.

It has been illegal to use self-locking snares in all parts of the UK since the introduction of the [Wildlife and Countryside Act 1981](#) and the [Wildlife Order \(Northern Ireland\) 1985](#). Land managers are permitted to use free-running snares on account of their effectiveness and humaneness, providing the relevant legislation, and best practice, is followed.

In England and Wales the following legislation applies to the use of snares:

- The [Wildlife and Countryside Act 1981](#) prohibits the use of any trap or snare calculated to cause bodily injury to any wild animal and places an obligation on those who use snares to check them daily, allowing any non-target species to be released unharmed. Defra's 2012 research found that 84% of snare users were already making every effort to avoid the capture of non-target species, and with increasing awareness amongst snare users, that is a figure that one can realistically expect to have improved since the research was carried out.
- The [Deer Act 1991](#) prohibits the use of snares to capture any species of deer.
- The [Animal Welfare Act 2006](#) contains protection for animals subject to human control to help prevent unnecessary suffering and would apply to any animal held in a snare.
- [The Humane Trapping Standards Regulations 2019](#) prohibit the use of snares to trap badgers, beavers, pine marten, otters and stoats; these provisions also apply in Scotland.

In Scotland the following legislation applies:

- The [Wildlife and Countryside Act 1981](#) replicated the provisions that apply in England and Wales, and was subsequently amended by the [Nature Conservation \(Scotland\) Act 2004, Schedule 6](#) in an attempt to tighten the original language (for instance adding 'or otherwise uses' to the prohibition on setting a self-locking snare), and also empowers Scottish Ministers to prohibit the use of further types of snare.
- The [Deer \(Scotland\) Act 1996](#) prohibits the use of snares to capture deer.
- [The Snares \(Scotland\) Order 2010](#) requires snares to be free-running, checked at least once every 24 hours, include an effective safety stop and be effectively anchored to prevent dragging; they must also not be placed where captured animals are likely to be suspended or drown.
- The [Wildlife and Natural Environment \(Scotland\) Act 2011](#) introduces new requirements relating to training and registration for those setting snares, tagging snares with identification numbers and keeping records of snares set. To obtain a tag number from Police Scotland, operators must also pass a one-day course run by an approved body. The Act also replicates the provisions of The Snares (Scotland) Order 2010 as noted above, and requires the Scottish Government to undertake a review of snaring by 31 December 2016 and every five years thereafter. The most recent review concluded in December 2021.

The Code of best practice on the use of snares for fox control in England is widely promulgated by sporting associations and by those institutions, such as land-based training colleges, which are involved in the education and training of land managers. It was updated to take account of the 2012 Defra funded research from the initial 2005 edition.

Following the UK's withdrawal from the European Union in 2019, the Government re-implemented in UK regulations the Agreement on International Humane Trapping Standards (AIHTS), an international agreement between the EU, Canada and Russia, through [The Humane Trapping Standards Regulations 2019](#). The Agreement is designed to establish international standards of humane trapping, improve communication and cooperation between the parties for the implementation and development of those standards. Although fox trapping is not subject to AIHTS, both the GWCT and Defra research has indicated that a Code of Practice compliant snare, operated according to best practice, passed AIHTS requirements for humanness, and GWCT research indicated such a snare would surpass the requirements in relation to non-target species.

A complete ban on the use of snares, requiring new legislation, is unnecessary and would not be in the interests of land managers, wildlife, or achieving the Government's biodiversity goals.

## Codes of Practice

In 2005 Defra published an initial [Code of Practice on the use of snares in fox and rabbit control](#) which was based on the Report from the Independent Working Group on Snares (IWGS). The Code made those using snares aware of their responsibilities under the law and provided advice on good practice.

In 2008 Defra commissioned the Food and Environment Research Agency (FERA) and the Game and Wildlife Conservation Trust (GWCT) to undertake a study into [Determining the Extent of Use and Humaneness of Snares in England and Wales](#) which was published in March 2012. The Final Report made recommendations for amendments to the Code to help improve target specificity and improve animal welfare standards. The Coalition Government did not implement the recommendations of the 2012 Final Report, despite calls from a wide range of stakeholders, including the Countryside Alliance, to include them in a revised Code of Practice.

Scotland's code of practice, [Snaring in Scotland: A practitioners' guide](#), is in its fourth edition and dates from December 2012. Endorsed by the Scottish Government and a range of sector bodies including the Scottish Countryside Alliance and the GWCT, it details the legislative requirements and provides guidance for the setting of fox and rabbit snares, including a diagram of a code-compliant fox snare.

In September 2015, the Welsh Government published a new [Code of Best Practice on the Use of Snares in Fox Control](#) based on the recommendations provided in the 2012 Final Report, which the Countryside Alliance welcomed. The new Code will help improve animal welfare standards in Wales and reduce the inadvertent capture of non-target species and domestic animals, whilst allowing snaring to continue as an essential method for controlling foxes to protect livestock and wildlife. In announcing the Code, Rebecca Evans AM (Labour), the Deputy Minister for Farming and Food at Welsh Assembly, said:

*"I hope this action will help improve snare operator practice by providing clear and practicable advice and how to comply with the law. This will in turn ensure improved standards in animal welfare and reduce the impact on non-target species"* (Welsh Government, Animal Welfare at the Heart of new Snares Code, 25 Sept 2015).

The problems foxes can cause to wildlife and endangered species as well as gamekeepers, farmers and land managers, and the means available to control them, do not differ between England and Wales. As such, sector bodies including the Countryside Alliance encouraged Defra to publish or endorse a revised Code for England as soon as possible, using the example of the Code produced in Wales. This was achieved in 2016.

The resulting [Code of best practice on the use of snares for fox control in England](#) was founded on a more solid research base, and its publication provided an opportunity to publicise it among farmers, who since 2005 had been found to set almost as many snares for fox control as gamekeepers but had not been targeted in previous promotion. The GWCT [said of the updated Code](#),

*"We know that by following it, practitioners can largely eliminate the dismal outcomes that have made the use of snares so controversial."*

## The Countryside Alliance calls for:

- The continued recognition, and use, of snares as a vital tool of wildlife management according to the law and best practice.
- Continued compliance with the codes of best practice in England and Wales by all users.
- Continued research into the use and effectiveness of snaring so that policy can continue to be based on scientific evidence and principle.

**For more information contact:**

**David Bean**  
**Parliament & Government Relations Manager**  
[David-Bean@countryside-alliance.org](mailto:David-Bean@countryside-alliance.org)  
0207 840 9260

**James Legge**  
**Director of Public Affairs**  
[James-Legge@countryside-alliance.org](mailto:James-Legge@countryside-alliance.org)  
0207 840 9250