



Ein cyf/Our ref P/LG/7303/16

Mark Reckless AM  
Chair - Climate Change, Environment  
and Rural Affairs Committee  
National Assembly for Wales

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November 2016

Dear Mark,

Thank you for your letter of 26 October regarding the consideration of the use of snares by the Climate Change, Environment and Rural Affairs Committee.

My officials are meeting with stakeholders on 16 November to discuss the 'Code of best practice on the use of snares in fox control'. The aim of the meeting will be to gather evidence on snare operational standards since the code was published and identify any further steps which can be undertaken to increase compliance with the Code improving animal welfare standards. I will be happy to provide an update to the Committee on any outcomes arising from these discussions.

The Welsh Government has no legislation in place on the manufacture and sale of snares. However, the following legislation governs the use of snares in Wales.

### **Wildlife and Countryside Act 1981**

The use of snares in Wales is regulated by section 11 of the Wildlife and Countryside Act 1981. It is illegal to set in position any self-locking snare which is intended to cause bodily injury to or kill any wild animal, set in position any trap or snare calculated to cause bodily injury to or kill any wild animal included in Schedule 6 of this Act and to set in position any snare and fail to check it at least once every 24 hours.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

## **Animal Welfare Act 2006**

The Animal Welfare Act 2006 makes it an offence for a person to cause unnecessary suffering to an animal under their control. This applies to an animal in a snare. The 2006 Act makes provision for the issuing of codes of practice for the welfare needs of animals. Failure to comply with such a code is not an offence in itself. However, failure to comply with a relevant provision of a code of practice may be relied upon by a court as tending to establish liability. The 'Welsh Government Code of Best Practice on the use of snares in fox control' is a statutory code issued under Section 14 of the Animal Welfare Act 2006.

## **Deer Act 1991**

The Deer Act 1991 prohibits the use of snares and traps to capture, kill or cause bodily harm to deer.

## **Wild Mammals Protection Act 1996**

Section 1 of the Wild Mammals Protection Act 1996 prohibits violent acts with intent to inflict unnecessary suffering on wild mammals.

Wildlife legislation has been considered as part of the analysis in the Law Commission report on wildlife law reform. The Law Commission has recommended the operation and inspection of snares may benefit in the future from additional regulations.

It is my view the published Code of Practice provides clear guidance on the operation and inspection of snares. I would be prepared to consider taking further steps once there has been a formal review of the code which I will consider together with the Law Commission findings on snares.

A handwritten signature in black ink, appearing to read 'Lesley Griffiths', written in a cursive style.

**Lesley Griffiths AC/AM**

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig  
Cabinet Secretary for Environment and Rural Affairs