

10th June 2023



Dear Minister,

The Scottish Countryside Alliance would like to thank you for the opportunity to comment on the subjects within this consultation process relating to the minimum legal bullet weight for deer, night vision equipment and deer seasons.

As a membership organisation, we represent many rural aspects, including local economies, transport, infrastructure, local businesses, rural services and have an interest in any other matter affecting rural Scotland. Many of our members are responsible for the control of deer numbers both professionally and recreationally. Our response is in line with the highest standards of deer welfare.

The use of light intensifying, heat sensitive or other special sighting devices to shoot deer at night (recommendation 7).

Deer welfare is, quite rightly, at the forefront of any consideration when controlling populations. The shooter must attain a clear and humane shot, with confidence. Any variation in kit, outside of what is regularly used and practiced with, is a potential factor for a decrease in the likelihood of achieving this purpose.

Shooting using a standard daytime scope or other device will allow for the clear visibility of a target, a must when taking a shot. Scopes or devices that may be used at night, deliver a reduced overall field of vision, and often will not show obstructions as well as during daylight hours. Bullet deflection, even by a couple of centimetres, may result in a poor shot and the wounding of an animal. Ricochet, resulting in the significant deflection of a bullet, may pose a risk to other animals nearby, and the public in general.

Non-lead bullet manufacturers have made significant improvements to modern projectiles, but these are still much more prone to ricochet than a bullet with a lead core. Shooting at night, with a reduced field of vision through a night vision scope (or similar) would also increase the chances of this unless the operator was well-practiced in shooting and the operating of their equipment and had significant knowledge of the terrain. It is vital, and a part of best practice, that a suitable backstop is available to catch the bullet when pulling the trigger. This may prove much more difficult to assess at night and through a piece of equipment that offers the shooter far less information.

Other detail that may be missed or misinterpreted is the sexing of the deer. It may be more difficult to identify male from female and could heighten the risk of leaving dependent young.

The SCA would welcome the widened use of the already established Fit and Competent Register. To be registered you have to be able to show that you are trained over and above minimum level (DSC1), which is regarded as the first qualification level when deer stalking. Fit and Competent stalkers must either have passed the DSC level 2 or have the level 1 qualification and the endorsement of 2 other highly competent shooters.

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This would then ensure that a higher level of competence and experience was attained before shooting at night with night vision equipment. Both deer welfare and public safety concerns would be better addressed by utilising this framework.

Guidance should also be in place and included within the Deer Best Practice Guides, which is freely available to anyone who may be controlling deer.

An addition in relation to shooting at night would also be welcomed as part of the current DSC level 1 course, but would not automatically allow a successful candidate to operate at night with this equipment. This would only act as an introduction to shooting at night.

Some night vision scopes are also suitable to be used in the daytime as standard scopes are. These have a very clear field of view, as with any other standard scope. It is generally very onerous and time-consuming having to swap scopes around for shooting during daylight and nighttime hours, so it is important that it is made clear that a night vision scope that has the full ability to operate effectively during the day, is permitted. This would enable those who conduct pest control (foxes and rabbits) at night to be able to control deer during the day without having to change scopes or buy separate rifles. It would also enable shooters to become more proficient with an individual piece of equipment. Those who are not sufficiently trained or registered to shoot at night would have to adhere to the current standard of only shooting deer up to 1 hour after sunset.

In summary, the SCA would support the introduction of night vision equipment to cull deer, but consideration should only be given to those who have reached an acceptable level of experience and / or training and are registered on the Fit and Competent Register with NatureScot.

To amend the minimum bullet weight so as to make non-lead ammunition more accessible (recommendation 4)

The SCA welcome the fact that the transfer to non-lead ammunition is well under way and there are plenty of options now on the market for most calibres of rifle.

You will be aware that the UK's most popular calibre (.243) has been the focus of some difficulties when stabilising a 100-grain bullet, which is currently the minimum legal bullet weight permitted to shoot larger deer species in Scotland. The .243 is also not able to fire heavier bullets owing to it being a small to mid-range calibre. This means that very few manufacturers were able to produce a legal bullet that would be stable enough to be accurate and to have the intended effect at the terminus of its flight.

The SCA understands that we must progress to ammunition that will not be the cause of any contamination when a carcass may enter the food chain. There remains a concern over the reduction of bullet weight when shooting larger species, such as red deer, and in particular stags. A smaller bullet will not carry the weight and power on impact that a larger bullet will, and so may create a welfare concern when aiming in the area of the heart and lungs of the deer, the typical and best practice kill shot.

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There is no doubt that it will cause sufficient damage to ensure death but, a larger bullet would be more effective.

Many stalkers will ensure a swift dispatch by aiming at the shoulder, which should cause effective and sufficient damage to vital organs too, but this has a number of drawbacks. A deflection off the shoulder (bone) by a lighter bullet is more likely, and with a non-lead bullet this is much more common than with the lead predecessor. This could ensure that the deer was killed but, may also render much of the carcass inedible if the bullet passes through the gut after deflecting, contaminating the carcass from the inside. A separate concern is that a lighter bullet may be more prone to exiting the deer at a different angle to entry, risking the injuring of other deer in the immediate vicinity behind the target deer and potentially not being caught by the intended backstop. On a positive note, the non-lead alternative is usually more likely to penetrate thick bone if hit squarely.

These are possibilities but we also understand that many more deer need to be culled over the coming years and, unless the most popular calibre of rifle is available for full use, this task will be made much greater. It is also understood that English and Welsh deer managers have had much success using the proposed 80-grain bullet, as this is the minimum bullet weight permitted. Therefore, the SCA would support the NatureScot recommendation of a projectile of not less than 80 grains and a muzzle energy of not less than 1,750 foot pounds for use on larger deer species in Scotland.

To remove close seasons for male deer to lengthen the time during which wild male deer can be taken or killed across the year (recommendation 8)

The SCA welcomes ScotGov's decision not to extend the current season for female deer in Scotland. Whilst deer culls need to be increased in some areas, it is vital that this is done with a collaborative approach, involving the many networks of deer management groups across Scotland. The subject of deer culling is complex and is more involved than just shooting more deer. Many herds range over numerous estates and not all landowners share data or even cull deer at all. Herds differ greatly in size and structure and current seasons are adhered to for very good reasons.

Following the rut, red deer will have lost much of their body weight and condition and so should not be shot. They must be allowed to recuperate and build to their natural weight once more. Also, if shot whilst in a poor condition, the venison will not be in a favorable state and could even be rejected by a gamedealer. An unnecessary waste.

The "open" season on the likes of red stags would lead to other welfare concerns, such as displacement. Red deer herd in specific areas, whether for food or for shelter. Constantly

being chased will inevitably promote the displacement of the herd, forcing them away from good feeding areas and areas of necessary shelter from extreme weather. This would cause grave welfare issues.

If male deer weren't allowed to be left undisturbed it would pave the way to an increase in road traffic collisions as deer were pushed from places they were used to. They would likely seek sanctuary in other areas, resulting in the crossing of roads at unfamiliar sites for both deer and motorists. Areas that saw little deer activity would see an increase in deer damage as the herds sought out new ground. This would in no way be in line with the overriding factor of welfare.

As it stands, most areas have a very well organised network of deer managers, and the management of deer is carefully conducted on a landscape basis. This would be much less effective should there be a continuous "open" season on male deer and the health of the herd would suffer as a result.

Out of season culling is widely utilised and works well. There is a reporting factor built in to allow NatureScot to assess the necessity of a licence grant and those utilising the out of season licence are sufficiently trained deer managers.

It is widely accepted that female deer numbers need to be reduced in order to reduce overall deer numbers in Scotland. The introduction of a year-round season for male deer will not serve this purpose and will only serve to introduce welfare issues for deer, something that ScotGov rightly seeks to ensure in all other wildlife management legislation.

In summary, The SCA welcomes the decision not to extend the female deer season and firmly opposes the fully open male deer season proposal in Scotland.

Yours sincerely,



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