



LEAGUE
AGAINST CRUEL SPORTS

TRAPS

An information leaflet on traps.

WHY IS THE LEAGUE AGAINST CRUEL SPORTS INTERESTED IN THIS?

The League Against Cruel Sports campaigns to end cruelty to animals in the name of 'sport', which includes the use of traps. We encourage reports of all traps being used to protect sporting interests such as on commercial shooting estates. We also receive reports of illegal traps, or those believed to have been set illegally wherever they are found.

In all parts of the UK, landowners or those who have the landowner's permission, legally set traps to catch a range of animals and birds to protect their commercial interests.

There are different laws associated with Larsen and multicatch traps in Scotland. Using our Animal Crimewatch confidential reporting system, you can report information that can help us to end this type of cruelty.

This leaflet has been produced to provide some useful information and guidance in relation to the complex issue of setting traps.



**ANIMAL
CRIMEWATCH**



WHAT TYPE OF TRAPS ARE TYPICALLY REPORTED TO US?

CAGE TRAPS

The use of traps to catch wild birds and mammals are authorised under the conditions of a General Licence

Larsen Trap

This is a cage trap designed to catch wild corvids, (Crows, Jackdaws and Magpies) sometimes called a corvid trap.

The trap will have a live decoy /calling bird to encourage others into the trap.

They can be wooden framed or smaller metal framed with chicken wire.



Larsen Mate Trap (also known as Clam Trap, Butterfly Trap and Elgeeko Trap)

Known as a Larson Mate Trap, these can be used in Scotland under General Licence. Bait is placed at the bottom of the spring loaded trap and a false perch keeps the cage trap open. When a bird lands on the perch, the perch collapses and the cage snaps shut around the bird. In Scotland these cages (if found set) must have an ID tag relating to the person who set the trap. It must have a 'stop' mechanism, so when fully closed there must be a gap to help prevent bird's wings from being caught and damaged. The trap should also be anchored to the ground.





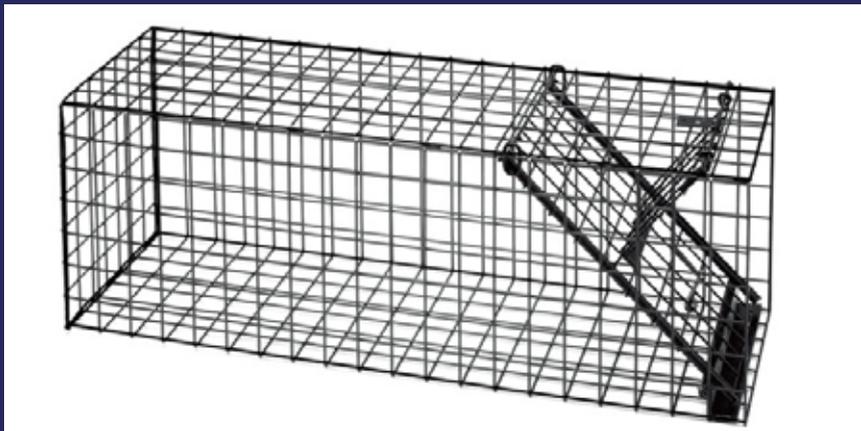
Ladder Trap

These are a larger multi-catch cage traps designed to catch multiple birds in a short period of time. Often these traps will be baited to encourage birds in and conditions of the General Licence must be adhered to.

Any of the listed birds caught may be killed as long as this is done quickly and humanely. 'Humane' means taking all reasonable precautions to ensure any killing of birds under this licence is carried out by a single, swift action.

Mammal cage traps

These come in various sizes and are used to catch feral cats, foxes, mink or grey squirrels. They are metal cage traps, with bait inside to tempt the animal in, and a non-return door to contain the animal. The animals are caught unharmed. Pest species must be humanely killed and non-target species released unharmed. Failing to check a trap regularly could be an offence under the Animal Welfare Act 2006.



CONDITIONS OF THE GENERAL LICENCE

The use of cage traps are legal but can only be used under the terms and conditions of a **Natural England General Licence**. No actual Licence is needed, provided the conditions are followed. If these conditions are breached, the Animal Welfare Act 2006 may apply.

KEY POINTS OF A GENERAL LICENCE

Decoy birds must be provided with:

Adequate food - sufficient, palatable food, which is of a type suitable for the decoy species to sustain the decoy bird(s) between checks by the operator. Dried pet food can meet these criteria. If carrion is used for Corvid species (such as magpies and carrion crows) this should be fresh and include sufficient meat on the carcass to meet the needs of the bird. Food provision will not be considered 'adequate' if the decoy bird(s) cannot readily access it, if other birds or mammals could deprive the bird of its food or there it is insufficient in terms of quality and quantity.

Water at all times - sufficient quantity must always be available to decoy birds and must be changed regularly to ensure that it remains clean and drinkable.

During the winter the water needs to be kept ice-free during day-light hours. If this is not possible, the conditions are not suitable for using a decoy bird in a trap. Suitable receptacles to hold water include 500ml plastic drinks bottles (with the bottom half of one side cut away) turned upside down and attached to the side of the trap. Although bowls of water can be placed on the ground to permit Corvids to dunk their food, it is likely the water will become dirty or spilt in the confined space of a trap.

Water must be presented in a way accessible to birds.

Appropriate shelter - decoy birds are to be provided with shelter that provides effective protection from rain and direct sunlight under the prevailing and anticipated weather conditions. For this reason, transparent perspex is not considered suitable. What is appropriate will be influenced by the location of the trap and its exposure to the elements. As such, it may be necessary to take advantage of natural cover to provide additional protection. The shelter provided must be sufficient for the total number of decoy birds present in any trap.

Suitable perch - must not cause injury or discomfort to the feet of the decoy bird(s) and must be of sufficient length to accommodate the total number of decoy birds present in any trap. The perch must be located within the sheltered area of the trap.

Traps must be physically inspected when in use at least once every day at intervals of no more than 24 hours.

Physically inspected - means being close enough to be able to handle the trap to check: if any animal has been trapped; it is not damaged; there is sufficient clean water; the food does not need to be replenished, and the health of any decoy birds is satisfactory. It is not sufficient to simply view the trap from a distance, even if you are using a pair of binoculars or similar.



SPRING TRAPS

All Spring traps must be approved The Spring Traps Approval (England) Order 2018 (or equivalent in Scotland, Wales or Northern Ireland) which provides a schedule of each trap and approved use. In all parts of the UK, landowners or those who have the landowner's permission, legally set traps to catch foxes, birds and other species. There are different laws associated with traps in Scotland.

Doc Trap

These are approved under General Licence



DOC 200



DOC 150

Tully Trap

These are approved under General Licence



Tully Trap

Goodnature A24 Trap

These are approved under General Licence



Goodnature A24 Trap

Fenn Trap

This is a spring trap (usually Mk4 or Mk6) and are still in use



MK4



MK6

As of the 1 April 2020, Fenn traps can no longer legally be used to trap a stoat.



A stoat caught in a Fenn trap

The difference in size between stoat and weasel



Weasel



Stoat

The distinguishing feature is the stoat has a black tipped tail.

Pole Trap

These have been illegal since 1904. They are usually found as a Fenn trap or Gin trap baited and fixed to the top of a pole designed to catch and kill birds of prey.



Gin Trap

These have been illegal since 1958. Sometimes called a leghold trap.

These traps have a large claw with a serrated tooth edge.



WHERE ARE THEY LIKELY TO BE FOUND?

Whenever you are out and about in the countryside, especially around shooting estates, where 'game' birds are being reared you may see one of these traps.

Codes of practice suggests the traps should not be in sight of public footpaths, so can be off the beaten track.

LOCATION, LOCATION, LOCATION

Often describing where the incident took place can be difficult. We would ask you to download and use the free app called **what3words** which can easily pinpoint your location. This app is also used by some police forces and will help them as well if you report the incident.



WHAT3WORDS



WHAT'S THE LAW?

Section 5 of the Wildlife and Countryside Act 1981 makes it illegal to:

Sect 5(1)(a) set in position any trap which is calculated to cause bodily injury to any wild bird coming into contact with it.

Sect 5(1)(d) use as a decoy, for the purpose of killing or taking any wild bird, any sound recording or any live bird or other animal whatever which is tethered, or which is secured by means of braces or other similar appliances, or which is blind, maimed or injured.

Section 8 of the Wildlife and Countryside Act 1981

Sect 8(1) provides that if any person keeps or confines any bird whatever in any cage or receptacle which is not sufficient in height, length or breadth to permit the bird to stretch its wings freely, he shall be guilty of an offence and be liable to a special penalty.

Section 11 of the Wildlife and Countryside Act 1981

Sect 11 provides that if any person uses a decoy, for the purpose of killing or taking any wild animal, any live mammal or bird whatever, except as permitted under the general licence, they shall be guilty of an offence. It is also illegal to sell decoy birds.



SPRING TRAPS

As of 01/04/2020 it became illegal to set a Fenn Trap to target stoats.

The Spring Traps Approval (England) Order 2018

The Spring Traps Approval (Scotland) Amendment Order 2018

The Spring Traps Approval (Wales) Order 2019

The Spring Traps Approval Order (Northern Ireland) 2019

Under s.8 of the Pests Act 1954

(note – England & Wales only)

This prevents the use of spring traps:

- 1.** To use or knowingly permit the use of a spring trap (other than approved ones)
- 2.** To sell or offer to sell a spring trap (other than approved ones)
- 3.** Have any spring trap in his possession for a purpose which is unlawful.

Wildlife and Countryside Act 1981, (England, Wales and Scotland)

Wildlife (Northern Ireland) order 1985.

It is illegal to: **Section 11** Set in position and trap calculated to cause bodily injury to any wild animal in **schedule 6**. It is also illegal if any person ' Intentionally (or recklessly) kills, injures or takes any wild animal included in **Schedule 5** he shall be guilty of an offence'

Protection of Animals Act 1911
Section 10 Where spring traps are used for the purpose of catching, or which are so placed as to be likely to catch, any hare or rabbit they should be inspected at reasonable intervals of time and at least once every day between sunrise and sunset. **(there are no Spring Traps approved for control of hares)**



SHOULD I RELEASE ANIMALS FOUND IN A TRAP?

The use of Cage Traps and Spring Traps are mostly used lawfully and this leaflet will help you understand the complex legislation surrounding these.

Live Corvid (Cage) traps **Section 4 (4) Theft Act 1968** defines property to include wild animals or birds if they have been reduced into the possession of a person.

This would mean you would potentially be liable to allegations of theft if you release the decoy bird or birds that have been caught in the trap.

The traps would also be deemed to be property and therefore you would potentially be liable to allegations of theft if you removed them or damaged them beyond repair. Damaging the traps would also potentially leave you open to prosecution for criminal damage.

Courts have accepted that damage caused to protect life, prevent injury etc. is a valid defence. If the Crown Prosecution Service (CPS) were asked to consider a charge of Criminal Damage they would need to be satisfied it was in the public interest to prosecute someone who had committed an act to save a suffering animal.

Guidance says the important thing to prove or disprove is the state of mind of the person doing the damage. If they honestly believe they had a lawful excuse and the court believes them, they will be acquitted. It does not matter if the excuse is, in fact, correct; it is the offender's belief that matters.

The police and CPS would also have this very much in mind when considering an allegation.

If it was necessary to cause damage to release an animal caught in a trap because it was suffering unnecessarily, there could well be a lawful excuse for causing the minimum amount of damage necessary to release the animal and take it to a vet.

Recent cases make it clear that owners of traps and snares are using hidden cameras to protect their property and making reports to police when they believe crimes have taken place.

SCOTLAND

The laws on traps in Scotland, are different to England & Wales. In Scotland, accreditation and training of all trap users are a legal requirement.

As of 01/04/2020 Scottish Natural Heritage (SNH) Licensing will be taking over Trap Registration from Police Scotland.

From this date, you will need to register with the SNH in order to use Larsen Traps and multicatch crow traps under General Licences.

This registration now supersedes the previous registration process with Police Scotland.

Police Scotland trap registration codes will no longer be valid after 01/04/2021.

Registrations are now issued to individual people rather than properties (estates).



WHAT CAN I DO?

If the trap is believed to be illegal and it is safe for you to do so:

- Take sufficient photographs of the cage and bird(s) in the cage
- Focus on the elements you believe make the trap illegal
- Good practice would be to also take a video and narrate the footage
- Identify the exact location (OS Map Ref/Lat Long or What3words)
- Call 101 and report to the police (make a note of their incident number)
- Contact our Animal Crimewatch Service to report it with your photos.

If you believe there are animal welfare issues, and it is safe for you to do so:

- Take the same steps as above
- Request advice from the police controller
- Consider the legal situation and take steps to protect yourself from allegations.

If the trap is legal but on a shooting estate and it is safe for you to do so:

- Take the same steps as above (No need to call 101 and report to the police)
- Report the details to our Animal Crimewatch Service. Please call:
0300 444 1234

Contact Animal Crimewatch to report your concerns.

<https://www.league.org.uk/forms/animal-crimewatch-report>



**ANIMAL
CRIMEWATCH**

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League Against Cruel Sports is a registered charity in England and Wales (no.1095234) and Scotland (no.SC045533)



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