

Protecting Scotland's mountain hares

Briefing note, September 2016

1 Summary

The mountain hare is one of Scotland's iconic wild animals. Native to the Highlands, the sight of a mountain hare bounding across the snowy mountains in its white winter coat is a spectacular image of the wild Scotland that we and visitors to our country love. Yet they are widely persecuted, with one study estimating that 25,000 were killed in one year, which is thought to be between 5% and 14% of the population. As well having a potentially significant impact on their population, there are serious welfare concerns because of the scale and nature of the killing. OneKind is calling for greater protections to be introduced urgently for this iconic native species.

2 The mountain hare

The mountain hare is indigenous to the Highlands and can be found throughout this region and the uplands of Scotland. Their natural habitat is sub-alpine scrub but they also thrive on grouse moors, because they benefit from the abundance of young heather created by burning and the intensive killing of predators such as foxes and weasels. The mountain hare is an important part of the upland ecosystem, shaping their habitat through grazing and providing a range of predator species, including golden eagles and wildcats, with an important food source. The conservation of Scotland's mountain hare is widely recognized as a priority. They are:

- i. Listed on Annex V of the EU Habitats Directive (1992) which requires EU member states to maintain them in favorable conservation status.
- ii. A priority species for conservation action under the UK Biodiversity Action Plan
- iii. On the Scottish Biodiversity List, which means that they are considered by Scottish Ministers to be of principal importance for biodiversity conservation.
- iv. Protected by a closed season under the Wildlife and Natural Environment (Scotland) Act 2011, which makes it an offence to kill a Mountain Hare in the closed season (1 March to 31 July) without a license from SNH.

3 The mountain hare population

Mountain hare in Scotland are poorly studied but all the signs are that population is in long-term decline, as a result of habitat loss, climate change and crucially, persecution. Because of the lack of research in this area, population estimates are out of date, and the impact of these drivers of decline are poorly understood. The Scottish Government recognised this recently, making a welcome investment in a major research project that will conclude in late 2017.

The last population estimate was made in 1995, when 350,000 were thought to exist. This number is widely disputed, but most agree that the current population could be anything from 175,000 to 500,000. The population fluctuates year-on-year, making it hard to identify a long-term trend, but the British

Trust for Ornithology (BTO) has monitored mountain hare as part of the annual Breeding Bird Survey since 1996¹. Their data, albeit for a limited sample size, suggests an overall decline of 34% between 1996 and 2014. Scottish Government's own advisor on conservation, SNH, have said that this, alongside data from both the Gamebag Census and Dr Adam Watson, a renowned authority on Highland ecology, suggest a long-term population decline across moorland².

This overall trend is supported by observations on the ground. The Mammal Society note that there are some western Scottish moors they are now rare where they were previously abundant³. Dr Adam Watson estimates that spring abundance of adults has been reduced by between five to a hundred-fold on most grouse moors.

4 Persecution

Mountain hare are persecuted on a large scale in spite of the many legal provisions that state that they are a priority conservation species. As this persecution is not licensed and is carried out with no regulatory oversight it is impossible to know how many are killed. The only estimate is that 25,000 were killed in 2006/7, which is thought to be between 5-14% of the total population⁴. However, this is based on voluntary returns from land managers and owners and the data is now ten years old. Mountain hare killing is secretive and carried out in remote locations, but occasionally members of the public stumble upon a hunt or evidence of killing. Examples include:

- [Lammermuir hills, 2014](#) – RSPB Scotland received evidence that between 1500 and 1700 mountain hares were shot by landowners across the Lammermuirs in the spring.
- [Balmoral, 2016](#) - Two culls involving Balmoral and neighbouring estates were witnessed, one of which was said to have killed 500 hares.
- [Lecht mountain pass, 2016](#) - A birdwatcher encountered a mountain hare cull. Images show a group of 20 armed gamekeepers equipped with more than a dozen high-tech off-road vehicles and hundreds of dead hares.

4.1 Commercial mountain hare hunting

Mountain hare hunting is increasingly commercialised, with many estates offering dedicated mountain hare packages or mixed bag packages that include mountain hare. These attract hunters from around the world, usually offering bags of 8-10 animals per gun for walk-up hunts and up to 200 for a driven hunt party⁵.

4.2 Culling to protect red grouse shoots

¹ BTO, JNCC & RSPB (2015) [The Breeding Bird Survey 2015](#)

² Herald Scotland (2014) [Grouse moor owners driving mountain hares to the brink](#)

³ Mammal Society (2016) [Mountain hare species guide](#)

⁴ Kinrade, V., Ewald, J., at al. (2008) [The distribution of Mountain Hare \(*Lepus timidus*\) in Scotland \(2006/07\)](#). Scottish Natural Heritage Commissioned Report No.278 (ROAME No. R07AC308)

⁵ www.balavil-estate.com

Most mountain hare killing is conducted as part of localised culls on shooting estates⁶. Estate managers believe that this can help control louping ill, a virus that affects red grouse and is transmitted by ticks that are carried by the hare and other mammals. This belief is supported by the Game and Wildlife Conservation Trust and Scottish Land and Estates, amongst others.

Whilst there is no doubt mountain hare carry ticks, there is no clear evidence that their control could be part of an effective red grouse management regime. Indeed, its scientific basis is so tenuous that SNH's scientific experts advise that "There is no clear evidence that mountain hare culls serve to increase red grouse densities"⁷. Similarly, the most recent scientific review of the effectiveness of mountain hare culling as a management technique for louping ill concluded that "there is no compelling evidence base to suggest culling mountain hares might increase red grouse densities"⁸.

5 Managing the impact of ending mountain hare killing

Proponents of mountain hare culling have argued that ending mountain hare killing would result in their numbers multiplying, which in turn would result in increased grazing 'pressure'. They also argue that managed grouse moors provide an excellent habitat for mountain hare, and that those concerned with their conservation should emulate their management regime⁹.

Mountain hare thrive on managed grouse moors, but this is because their predators are eradicated and the management involves burning and/or cutting of vegetation to provide young heather, a preferred food for grouse and mountain hare. This is, in effect, an artificial ecosystem that coincidentally favors the mountain hare. If ending the killing of mountain hares does result in increased grazing pressure, this could be offset by reducing predator control and the burning of upland vegetation. This would also have wider positive impacts on biodiversity, animal welfare and climate change.

A final concern is that mountain hare could cause the failure of tree-planting schemes. There are ample non-lethal measures that can be taken to protect newly planted and young trees from mountain hare damage. Guidance is available on these measures from Forest Research, part of the Forestry Commission¹⁰.

6 Mountain hare welfare

We are concerned that the persecution of mountain hares is causing serious and extensive suffering. As the killing is unregulated and often secretive it is impossible to scientifically assess the welfare impacts, but there is enough evidence to conclude that the persecution of mountain hares may be causing serious and, given the numbers of individuals involved, extensive suffering. Shooting any small mammal

⁶ Patton, V., Smith, A.A., Newey, S., Iason, G.R., Thirgood, S.J. & Raynor, R. (2010) Distribution of mountain hares (*Lepus timidus*) in Scotland: results from a questionnaire survey. Mammal Review, In Press

⁷ Werritty, A., Pakeman, R.J., Shedden, C., Smith, A., and Wilson, J.D. (2015). [A Review of Sustainable Moorland Management. Report to the Scientific Advisory Committee of Scottish Natural Heritage](#). SNH, Battleby.

⁸ Harrison, A., Newey, S., et al (2010) [Culling wildlife hosts to control disease: mountain hares, red grouse and louping ill virus](#). Journal of Applied Ecology, 47: 926–930

⁹ Ishootmag (2015) [The hot hare debate](#)

¹⁰ Forest Research (2014) [Protection of trees from mammal damage](#)

in the wild is challenging and there is an inevitable risk of injury rather than making a clean kill. This is exacerbated in the case of mountain hare by a number of factors, including the very large number of individual mountain hares that are shot in a single hunt, and the mixed abilities of hunters that participate in commercial hunts. Finally, snaring mountain hares is known to cause injury and distress, sometimes for prolonged periods.

7 Recommendations

In spite of the recognition of the importance of mountain hare conservation in multiple pieces of legislation, very little has been done to protect them to date. The only significant response by the Scottish Government has been the call for 'voluntary restraint' on large-scale culls of mountain hares. This appeared in a joint statement in 2014¹¹ by SNH, Scottish Land & Estates (SLE) and the Game and Wildlife Conservation Trust (GWCT). The statement recognises the legal requirement on Government to maintain the population in 'Favourable Conservation Status', but it also notes that the impact of killing the hares is poorly understood. It supports shooting mountain hare for blood sport, and culling in certain circumstances such as protecting young trees.

Following evidence of large-scale culls taking place within the Cairngorms in early 2016, Cairngorms National Park echoed this statement, calling for "better data" and asking moorland managers to ensure any culls do not threaten the conservation status of mountain hares."¹²

The evidence suggests that 'voluntary restraint' is failing to halt large-scale culls or hunts, and is therefore failing to protect either the welfare or population numbers of mountain hares. Given the paucity of data on the baseline population and the impact killing has, there is also no evidence that the conservation status of mountain hares is being protected.

OneKind are therefore calling for the Scottish Government to announce its intention to protect the mountain hare by listing the species on Schedule 2 of the Conservation (Natural Habitats, &c.) Regulations 1994. This would protect the mountain hare from deliberate killing and trapping. Recognising that this process would require consultation and will not deliver immediate protection we call upon the Scottish Government to:

- i. Introduce a three-year moratorium on all mountain hare killing, as recommended by ten Scottish conservation organisations, including the RSPB and the Scottish Wildlife Trust.
- ii. Clarify that snaring of mountain hares is illegal given they are indiscriminate traps that do not comply with Section 41 (3) of the Conservation (Natural Habitats, &c.) Regulations 1994.
- iii. End all culling and driven hunting of mountain hares within Scotland's National Parks using a Nature Conservation Order. NCOs may make illegal specified activities in specified areas and are provided for under Regulations 19 and 20 of the Conservation (Natural Habitats, &c.) Regulations external site 1994 (as amended) for Natura sites.

¹¹ SNH (2014) [SNH-GWCT-SLE position on large-scale culls of mountain hares to reduce louping ill](#)

¹² Cairngorms National Park (2016) [Statement: Mountain Hare Cull](#)