Legal win offers hope of new era for beavers and farmers

Friday 22 October, 2021

Trees for Life's successful court challenge to the Scottish Government's beaver killing policy offers hope for a new era that benefits nature, climate action and farmers, says the rewilding charity.

As Scotland prepares to host the UN's COP26 climate summit in 10 days time, today's ruling by Lady Carmichael confirms that all previous licensed killings of beavers authorised by the Scottish Government's nature agency NatureScot have been unlawful and have been revoked, and that all official beaver culling must halt until NatureScot has rebuilt its approach.

The ruling confirms that from now on NatureScot must set out openly and fully the reasons why it believes any future licence to kill beavers should be granted.

"With Scotland hosting what could be the most important summit on climate breakdown in our lifetimes, this result offers a better future for Scotland's beavers. The Scottish Government must take this ruling seriously, and it means that from here on in there can be no more rubber-stamping of licensed killing of beavers," said Alan McDonnell, Trees for Life Conservation Manager.

"This is an important victory for accountability and transparency, which will benefit everyone including conservationists and farmers."

Lady Carmichael's ruling applies to all European protected species in the UK, and so has wide-ranging implications for wildlife.

Now that beavers cannot be killed under license without a full explanation of the reasons, NatureScot needs to rethink its approach to beaver management. Trees for Life says the killing of beavers should only ever a last resort, and is calling for beavers to be relocated to areas of Scotland where they have been missing for centuries, instead of being shot.

"By moving rather than shooting beavers, we can help them get to work boosting biodiversity, tackling climate breakdown and creating wildlife tourism opportunities,' said Alan McDonnell.

"The Scottish Government has been blocking relocation of beavers to areas of Scotland where they belong but are missing, but today's ruling creates hope that this will change so that farmers will no longer be put in a position where they have no choice but to shoot much-loved animals."

Beavers create wetlands that benefit other wildlife, soak up carbon dioxide, purify water and reduce flooding, but the animals sometimes need managing if they cause damage to farmland.

Since the Government legally protected beavers in 2019, its nature agency NatureScot has allowed over 200 beavers to be killed under license – despite laws under which beavers are a protected species which should not be killed unless there is no satisfactory alternative.

The Government's refusal to allow beavers to be relocated to new areas of Scotland, even though NatureScot has identified over 100,000 hectares of habitat, had left Tayside farmers whose crops are damaged by beavers with little option but to apply for a culling licence. Today'sruling means that from now on, more suitable management alternatives can be considered.

NatureScot's failure to make the licensed killing of beavers a last resort was challenged by Trees for Life's judicial review heard by the Court of Session in June. The charity's crowdfunder for the case was supported by more than 1,500 people and raised over £60,000.

In 2020, Trees for Life's petition to the Scottish Parliament – calling for the Scottish Government to relocate rather than shoot beavers – was signed by almost 17,000 people in what was the most successful petition to the Parliament in over a decade.

Trees for Life says NatureScot must now ensure beaver management is farmer-friendly and within the law. The Government should ensure practical and financial support for farmers – including a beaver relocation service, and access to timely and efficient advice and resources.

Adam Eagle, Chief Executive Officer of legal specialist rewilding charity The Lifescape Project, which spearheaded the litigation with Trees for Life, said: "This judgment means that all licences for killing

Media:



Related Sectors:

Charities & non-profits :: Environment & Nature :: Farming & Animals ::

Related Keywords:

Beavers :: Wildlife :: Rewilding :: Conservation :: Scotland :: Nature ::

Scan Me:

beavers which had been in force are unlawful and killing must stop today. It also means that all killing to date has been illegal.

“This decision is wonderful news for Scotland’s biodiversity. But why it took a legal challenge to ensure NatureScot follow its legal obligations to protect beavers, remains a worrying question.”

Trees for Life is dedicated to rewilding the Scottish Highlands. See treesforlife.org.uk.

To read Lady Carmichael’s ruling
see www.scotcourts.gov.uk/docs/default-source/cos-general-docs/2021csoh108.pdf?sfvrsn=9ea84440_1
.

Company Contact:

Trees for Life

T. 07753 488146
E. richardbunting@gmail.com
W. https://www.treesforlife.org.uk

View Online

Additional Assets:

Newsroom: Visit our Newsroom for all the latest stories:
https://www.treesforlife.pressat.co.uk