Trees for Life launches court challenge to Scottish Government's 'licence to kill' beaver policy

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Trees for Life is to challenge the Scottish Government's nature agency NatureScot in court over its failure to make the killing of Scotland's wild beavers a genuine last resort when the species needs to be managed.

The Highlands-based rewilding charity has launched a £40,000 crowdfunding appeal to cover the costs of a judicial review aiming to protect the endangered species.

Trees for Life says that winning the legal challenge would help secure a better future for beavers, which can be key allies in tackling the nature and climate emergencies.

"This is a matter of law, not of opinion. There's a strong legal case that NatureScot is breaking the law by failing to make killing of beavers a last resort when they have unwanted impacts on agricultural land," said Steve Micklewright, Trees for Life's Chief Executive.

"It's clear from our correspondence with NatureScot that it is unwilling to change approach and properly consider moving beavers as an alternative to killing. So we're having to launch a judicial review to secure the future of Scotland's habitat-creating, biodiversity-boosting, flood-preventing beavers, and prevent more needless loss of life."

Although the Scottish Government declared beavers a legally protected species in May 2019, in the following months its nature agency NatureScot authorised the killing of 87 wild beavers – a fifth of the Scottish population. Trees for Life considers that NatureScot is failing in its duty to protect beavers and is breaking the law by issuing lethal control licenses without exploring all other options.

Beavers are superb ecosystem architects, with their dams creating nature-rich wetlands, but sometimes have unwanted local impacts on agricultural land which need managing. Where this happens, laws governing protected species require any intervention to have the least possible impact on their conservation.

NatureScot has identified over 100,000 hectares of suitable habitat for beavers. Yet the Scottish Government says beavers cannot be relocated to new areas within Scotland – significantly limiting the options for Tayside farmers whose crops are damaged by beavers.

"The Scottish Government's policy is making a mockery of beavers' protected species status. By respecting the law and allowing relocation of beavers to suitable areas of Scotland, the Government could achieve a big nature-friendly, climate-friendly, farmer-friendly win," said Alan McDonnell, Trees for Life's Conservation Manager.

"It would simultaneously prevent damage to farmers' fields, ensure farmers are less often put in the unpleasant position of having to shoot beavers, allow more areas to benefit from beavers' positive impacts on ecosystems, and help secure the future of a much-loved species which most people want to see properly protected."

A judicial review ruling in Trees for Life's favour will ensure lethal control is a genuine last resort. Conservation charities and others will be able to identify – with proper community engagement – suitable sites around Scotland to which beavers could be moved and be safe and welcome.

"There are several options available to NatureScot where it sees a need to mitigate beavers' impacts on farming – but instead of adopting these, it has chosen killing beavers as its go-to solution. This approach is beyond their authority and ultimately illegal," said lawyer Adam Eagle, Chief Executive Officer of The Lifescape Project, a legally specialist rewilding charity spearheading the litigation alongside Trees for Life.

Trees for Life is dedicated to rewilding the Scottish Highlands. For more details on the charity's Protect Beavers In Scotland crowdfunding appeal, see treesforlife.org.uk.

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* The Scottish Government announced that beavers could remain in Scotland in 2016. In May 2019, it recognised beavers as a European Protected Species – since when, those wanting to kill beavers or remove their dams or lodges must obtain a licence from NatureScot.

* For more details about The Lifescape Project, visit https://lifescapeproject.org.

* The video about Trees for Life's Protect Beavers In Scotland crowdfunding appeal can be seen at https://youtu.be/4LGi5-O3LTY.

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