



A review of the current use of spring traps in England

A report submitted to the Department for Environment, Food & Rural Affairs

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Front cover photograph: Stoat caught in a Fenn-type trap set on a Scottish grouse moor. The stoat was caught by one hind leg and left hanging over a gully. How long it took to die is unknown. Photo: B. Thain.

Introduction

On 22 December 2025 the Government published its *Animal Welfare Strategy for England* (<https://www.gov.uk/government/publications/animal-welfare-strategy-for-england/animal-welfare-strategy-for-england>). A key aim was to *ensure that wild animals are treated with respect, as other animals are*. The Government recognised *that some legislation has not kept pace with the latest evidence, risking the standards of welfare experienced by wild animals*.

As part of its strategy, the Government instigated a review of the traps used to control wildlife outdoors, i.e., older spring traps, mole traps and live capture traps used to catch corvids, but excluded traditional baited snap traps that are primarily used indoors to catch mice and rats.

However, it is difficult to understand why baited snap traps were excluded from the Government's review since they are used to catch the same species that are caught in spring traps set outdoors. Furthermore, snap traps are regularly used outdoors, purportedly to catch mice and rats, but frequently catch birds, and even larger species such as cats and foxes by their feet. The unregulated use of baited snap traps is probably one of the greatest animal welfare issues affecting wild mammals in terms of the number of animals caught in traps that have not been tested to determine whether captured animals are rendered irreversibly unconscious within an acceptable time period.

Rats feature prominently in this review because they are one of the main species caught in spring traps that are used outdoors. In compiling this report, some of the examples (and photographs) I have used are from Scotland because the access provided by the Land Reform (Scotland) Act 2003 makes it easier to undertake comprehensive surveys of trap use. However, trapping practices are common throughout Britain, i.e., the data from Scotland are representative of how shooting estates are managed in England.

To illustrate the advice given to gamekeepers and shoot managers, I quote from shooting organisations, especially the Game & Wildlife Conservation Trust (GWCT), because they claim to be the leading organisation offering training courses on trapping techniques for gamekeepers, land managers and others, and have *been researching and developing game and wildlife management techniques ... for over 90 years* (<https://www.gwct.org.uk/>). So the advice they provide is likely to have a major influence on trapping practices in the UK.

Finally, at various places I refer to 'Fenn-like' traps because it was not always possible for surveyors to determine whether a trap they found in the field was a Fenn trap or a copycat version.



Historical perspective

The first, and most extensive, review of cruelty to wild mammals in the UK was undertaken by the Scott Henderson Committee, which reported in 1951. In the introductory sections of their report the Committee made a number of what could best be described as extraordinary statements explaining how they came to their conclusions.

These include:

The increase in public concern about animals has been due to some extent to a growing feeling that all forms of suffering should be reduced as much as possible, but we think that is also due to a growing unfamiliarity of men with animals. ... It is now unusual for the majority of the inhabitants of towns to have any direct contact with animals other than domestic pets. The countryman, on the other hand, is in constant contact with animals. He not only breeds them to provide food for both himself and those who live in the towns but he also has continually to take measures to protect his crops and stocks against the depredations of wild animals. He has, therefore, a better appreciation of the way in which they live than the town dweller and is better able to see the question of cruelty in its true perspective. ...

We wish to emphasise that the majority of people in this country do not appear to us to understand the way in which wild animals live and consequently cannot appreciate fully the reasons for certain practices which they regard as cruel or view the question of cruelty in its proper light (Scott Henderson, 1951).

Even 75 years ago, this was not the universal opinion on animal cruelty and, in compiling their report, the Scott Henderson Committee relied on anecdotes from *countrymen* rather than an objective cross-section of society. It is, to say the least, unfortunate that, despite the limitations in the 'evidence' that underpins the Scott Henderson report, many of the Committee's conclusions about the welfare issues associated with the use of spring traps persist today. So, for instance, the Committee

stated that *We have no evidence that [mole] trapping causes unnecessary suffering, except that one organisation mentioned that they had been given to understand that the spring of the ordinary type of mole-trap was too weak to kill instantly.* Regardless of the comment by this unnamed organisation, the traps used to catch moles were exempted under the Small Ground Vermin Traps Order 1958. The mole traps that were in use then are still in widespread use today.

For stoats and weasels, the Scott Henderson Committee recommended that *In view of their positive contribution to agriculture, and especially the contribution they make to the control of rabbits, the indiscriminate destruction of stoats and weasels, either deliberately or in traps set to catch rabbits, is to be deprecated. These animals should not be regarded as "vermin".* Yet the Scott Henderson Committee made no recommendation to end the use of spring (or other traps) to catch stoats and weasels, and they continue to be widely trapped on game-shooting estates.

The only significant recommendation made by the Scott Henderson Committee about the use of spring traps was that gin traps should be made illegal; this recommendation came into effect in England and Wales on 31 July 1958 (but later in Northern Ireland and Scotland). The Committee also recommended that *It should be made illegal for any spring trap to be used, the design of which has not been approved by the Minister of Agriculture and Fisheries and the Secretary of State for Scotland, and those Ministers should approve only spring traps which will catch and kill wild animals without causing them unnecessary suffering* (Scott Henderson, 1951).

Following this recommendation, the Pests Act 1954 only permitted the use of approved spring traps in England and Wales. However, despite the Scott Henderson Committee's recommendation, none of the traps that were approved over the subsequent 60 years were actually tested to determine whether they *catch and kill wild animals without causing them unnecessary suffering.*

The Humane Traps Advisory Committee was established in 1954 and tasked with approving any traps that were considered to kill humanely but were as efficient as gin traps. Of the 270 traps submitted for approval, many *were of weird and strange construction* (Lloyd, 1963). Of the traps examined by the National Institute of Agricultural Engineering (Bateman, 1979), those which incorporated the frame and gin-type spring were studied most closely because the design appealed the most to trappers (Lloyd, 1963). The Fenn, Fuller, Imbra, Juby, Lloyd and Sawyer traps were ultimately included in the Spring Traps Approval Order 1957 (<https://www.legislation.gov.uk/title/the%20spring%20traps%20approval>).

The six approved traps had a pair of vertically striking arms, ostensibly arranged to apply a lethal blow to an animal's head or neck and to grip it (Bateman, 1971; 1979). However, the relative importance of impact momentum and clamping force of the approved traps was not evaluated: impact momentum is likely to cause physical damage to the nervous system, blood vessels and organs, whereas clamping force prevents an animal from escaping, potentially causing asphyxiation or occlusion of blood vessels. It may increase damage if the animal struggles in the trap (Baker *et al.*, 2012). The relative importance of these measures varies with the species caught, the size of the individual, and by which part of the body it is caught in the trap.

Fenn traps were developed through a series of models. The Fenn Mk I, II and III traps were authorised by the original Spring Traps Approval Order 1957, although there were structural problems with the Fenn Mk I and Mk II (Bateman, 1971). The Fenn Mk III resolved concerns about robustness (Bateman, 1971) but not humaneness. The Fenn Mk IV was approved for use in England by the Spring Traps Approval (Variation) Order 1970 and rapidly became the most popular spring trap used to catch rats, stoats and weasels. It was claimed that *in 90 per cent of captures they achieve a fast and painless kill. Where this is not so, it is usually because they*

have not been set sufficiently finely (Bateman, 1979), although it is unclear how this might affect whether or not the trap kills an animal humanely.

This assertion is contrary to the findings of the original tests of the traps that were chosen to replace gin traps, which included Fenn traps. These tests recognised that *The capture and holding of animals by less vulnerable parts of the body than the chest, head, or neck, is often due to hind-leg strikes. As there seems to be no simple method of ensuring that the animal is always in the most favourable position to obtain a clean kill, this inherent fault in humane trap design is recognized and a small number of live captures is accepted* (Lloyd, 1963).

Fenn traps are triggered by a treadle plate that activates two striking (clamping) bars that rotate upwards to catch an animal laterally. Depending on how far it is into the trap, an animal is likely to suffer muscle damage and possibly vertebral fractures, but being clamped laterally is unlikely to cause a quick death (Warburton *et al.*, 2008). So the degree of suffering experienced by animals caught in Fenn traps is likely to be highly variable (Figure 1).



Figure 1. Stoat caught in front of the hind legs, and left hanging in a Fenn-type trap. How long it took to die is unknown. Photo: B. Thain.

Half-a-century later, Fenn and similar traps are still extensively used on game-shooting estates, even though this limitation with body-grip traps is still widely acknowledged. The GWCT, for instance, said that *A generic limitation with Fenn traps and other 'body-grip' traps ... is that they kill by striking and crushing the body of the animal. The most humane death would result from a strike to the head sufficient to fracture the skull, causing instant irreversible loss of consciousness. This rarely happens in body-grip traps, in which the best outcome is that the body is gripped in the chest or neck, with brain death following as a consequence* (<https://www.gwct.org.uk/game/research/predation-control/tunnel-traps/towards-better-tunnel-traps/>).

The situation only started to improve when Fenn traps spectacularly failed to meet the humaneness standards for stoats specified by New Zealand's National Animal Welfare Advisory Committee (see below).

The International Organisation for Standardization (ISO) attempted to devise agreed standards for humane trapping, but eventually the standards were confined to methods of trap testing (Jotham & Phillips, 1994; International Organization for Standardization, 1999), thereby avoiding difficult moral judgements (Harrop, 2000). However, the ISO standards provided the basis for the National Animal Welfare Advisory Committee (NAWAC) to develop their standards for 'killing' traps in New Zealand (National Animal Welfare Advisory Committee, 2005).

In 2004 the European Commission proposed an EU trapping directive which would set new standards for the approval and use of traps for wildlife management in Europe (Talling & Inglis, 2009). The European Commission later withdrew its proposal.

In 1998, negotiations between Canada, the European Community and the Russian Federation resulted in the Agreement on International Humane Trapping Standards (AIHTS). In the UK, the AIHTS standards only apply to stoats. The specified time

limit to unconsciousness for stoats is 45 seconds, which is a lot more exacting than the standards set by New Zealand's National Animal Welfare Advisory Committee (2005). The deadline to become compliant with AIHTS was the end of July 2016. However, the UK argued that they needed extra time to facilitate the changes because, they claimed, there were no satisfactory substitutes for Fenn traps. This was, to say the least, surprising, since New Zealand's Department of Conservation (DOC) had developed their traps in the early 2000s, and the Spring Traps Approval (Variation) (England) Order 2007 had approved the DOC 150, 200, and 250 traps to catch stoats in the UK some ten years earlier.

While the AIHTS standards came into effect on 28 March 2019 by way of the Humane Trapping Standards Regulations 2019, implementation for stoats was delayed for yet another year to allow time for non-compliant stoat traps to be phased out (<https://www.gov.uk/government/news/humane-trapping-standards-march-2019-update>). So it was not until 1 April 2020 that stoats could only be caught in those traps specified in the Spring Traps Approval (England) Order 2018 and a new General Licence GL14. This was some 13 years after DOC traps had already been approved for use in the UK.

The most recent review of the wildlife laws in Britain (primarily England and Wales), undertaken by The Law Commission, proposed no changes to the spring trap regulations (The Law Commission, 2012).

Summary

The development of laws, both British and international, that deal with the welfare of wild animals caught in spring traps could, at best, be described as slow and inconsistent, with many missed opportunities to improve the welfare of animals caught in spring traps. The Government's *Animal Welfare Strategy for England* provides a long overdue opportunity to address the many welfare issues associated with wild animals caught in spring traps.

Do 'pests' and 'vermin' feel pain?

One of the more striking anomalies in British animal welfare legislation is the difference in welfare standards applied to wild and captive animals. The Government's *Animal Welfare Strategy for England* recognised that some legislation has not kept pace with the latest evidence, risking the standards of welfare experienced by wild animals. As a consequence, a key aim of the Government's review is to ensure that wild animals are treated with respect, as other animals are.

It is now generally accepted that all non-human vertebrates (and some invertebrates) are sentient and capable of experiencing pain and distress, and it is a legal and moral obligation to avoid or minimise suffering of all sentient species. This includes species that have previously been described as 'pests' or 'vermin' and/or cause economic losses (e.g., Littin *et al.*, 2004; Webster *et al.*, 2010; Baker *et al.*, 2022).

In fact, not only are species that continue to be vilified as 'pests' or 'vermin' no less capable of experiencing pain and distress than other animals, but they may actually experience more overall pain or distress as a consequence of the way they are killed (Littin, 2010). Yet the terms 'pest' or 'vermin' are still widely used to justify the low welfare standards, and the pain and distress, to which many species are widely subjected.

Furthermore, when discussing trapping standards, utility is often used as a reason to override issues such as animal welfare, conservation, or selectivity. That attitude has persisted for the 75 years since the Scott Henderson Committee submitted its report. For instance, the Spring Traps Approval (England) Order 2018 still states that *so far as is practicable without unreasonably compromising its use for killing or taking target species, the trap must be used in a manner that minimises the likelihood of its killing, taking or injuring non-target species*. While the GWCT said that *Morally, a commitment to raise humaneness standards in wildlife management is unarguable, provided it doesn't render management*

ineffectual or prohibitively expensive (<https://www.gwct.org.uk/advisory/faqs/aihts/>). However, there should be no caveats: *capture methods that result in very poor welfare should be banned in all circumstances* (Broom, 1999).

There are also remarkable paradoxes in the way society treats different types of animal. The Scott Henderson Committee noted that virtually no evidence was submitted to the Committee about the methods used to kill rats, *even though some of the methods used to destroy rats are undoubtedly extremely cruel* (Scott Henderson, 1951). That remains the position today: wild rats and mice are subjected to more cruelty in pest control than other species (Mason & Littin, 2003).

However, this is only part of the paradox. Norway rats have been the standard laboratory animal used to develop many of the medical procedures and drugs which underpin modern medicine; 145,955 Norway rats were used in British laboratories in 2024 (<https://humanereseearch.org.uk/the-facts/>). They are of such fundamental importance to science that Norway rats were one of the first species to have their entire genome sequenced. Welfare standards for Norway rats kept in laboratories are extremely high: there are strict regulations on how they can be kept, and there are specified slaughter techniques to ensure that the time to irreversible unconsciousness (TIU) is minimal. This includes compulsory training before personnel are allowed to kill laboratory rats (the Animals (Scientific Procedures) Act 1986, as amended 2012; (<https://www.gov.uk/government/publications/animal-s-scientific-procedures-act-1986-amendment-regulations>)). Similar high welfare standards apply to the approximately 200,000 Norway rats kept as pets in Britain.

So it is illogical, if not absurd, that the same species is subjected to widely different welfare standards, ranging from virtually non-existent for wild rats caught in spring traps (Figure 2) to some of the highest animal welfare standards in Britain for laboratory rats.



Figure 2. Norway rat that died struggling to escape from a Springer trap set on a Scottish grouse moor. How long it took to die is unknown, but the time is likely to have been considerable. Photo: B. Thain.

One way to end this incongruous position is to ensure that welfare standards are progressively improved for wild animals caught in spring traps. The first part of this process should be to determine whether intervention and killing are really necessary (Littin, 2010), how many animals need to be killed to achieve the desired goals (Warburton *et al.* 2012), and whether a species' economic impact justifies the use of spring traps. However, these fundamental issues are rarely considered. In addition, a proper scientific assessment of the impacts of trapping on mammal welfare is necessary to aid trap selection, improve trap performance, and develop acceptable trapping standards (Fogelsinger, 2017; Beausoleil *et al.*, 2022). This should be underpinned by a strict timetable to end the use of traps that do not meet

acceptable welfare standards. Traps *should be licensed for use only if scientific studies of their effects on the welfare of target and some non-target species have been carried out* (Broom, 1999).

While there have been numerous attempts to use models or expert opinion to rank the potential welfare/suffering associated with different types of trap (and other capture/killing methods), e.g., Littin *et al.* (2014), Sharp & Saunders (2011), De Ruyver *et al.* (2023) and Walther *et al.* (2024), these do not show whether or not a trap kills the target species humanely, especially under field conditions. To determine whether traps render animals irreversibly unconscious within an acceptable time period, they must be tested using live animals in large pens that, as far as possible, mimic field conditions. This is the only way to avoid many animals suffering unnecessarily when they are caught in traps that have not been properly tested (Proulx *et al.*, 2022). As I show in this report, it is also important to test traps using adult animals caught in Britain, and retest traps where the testing data were collected in another country.

Summary

The Government's *Animal Welfare Strategy for England* seeks to improve the welfare standards of wild animals caught in spring traps. Hitherto, large numbers of animals have been caught in spring traps that have never been tested but were simply assumed to be 'humane'. For the Government to achieve their objectives, all spring traps must be tested for all the species that they are permitted, or likely, to catch.

Time to irreversible unconsciousness

The welfare impact of a spring trap depends on the time from which the animal is caught (i.e., the beginning of the killing process) to the point where the animal is rendered irreversibly unconscious. Ideally, in welfare terms, a trapped animal would die without experiencing any pain or suffering, because it either dies, or becomes irreversibly unconscious, immediately (Talling & Inglis, 2009). However, it is difficult to achieve the ideal and, for many of the species currently caught in spring traps, there has been no attempt to establish TIU. For instance, both Duffus and Scissor traps have been in use for over 100 years and, while there are no data to show whether they kill moles humanely, post-mortem and observational studies (see below) suggest that this is not the case.

Similarly, Fenn Mk IV traps were approved for use in England by the Spring Traps Approval (Variation) Order 1970. However, even though *the Minister of Agriculture and Fisheries ... should approve only spring traps which will catch and kill wild animals without causing them unnecessary suffering* (Scott Henderson, 1951), assertions that Fenn traps kill stoats and other species humanely were not tested until the introduction of New Zealand's Animal Welfare Act 1999. Since Fenn traps were widely used in New Zealand, the 1999 Act required evidence that they killed stoats quickly and consistently, especially since anecdotal field evidence suggested that some stoats survived in Fenn traps for at least 24 hours (Warburton *et al.*, 2008).

So New Zealand's National Animal Welfare Advisory Committee (NAWAC) developed guidelines for testing traps; this required that captured animals were rendered irreversibly unconscious in less than three minutes on 70% of the time and in less than five minutes on 80% of the time. Traps performing to this level with 90% confidence were considered 'acceptable', although it must be stressed that 'acceptable' does not mean that they could be considered to be 'humane'.

To determine whether new Fenn Mk IV and Mk VI traps, and used Fenn Mk VI traps, met this standard, they were tested in pens to see whether they

rendered all ten stoats irreversibly unconscious within three minutes, with the caveat that testing had to be stopped as soon as three animals failed the test (National Animal Welfare Advisory Committee, 2005). With the exception of one stoat captured in a new Fenn Mk VI trap, all stoats remained conscious until euthanized after five minutes. In view of the unacceptable performance of Fenn Mk IV and Mk VI traps, only three stoats were used in each test (Warburton *et al.*, 2008). So, despite long-standing claims to the contrary (Figure 3), the Fenn MK IV and Mk VI traps failed to achieve even these extremely low standards for rendering stoats irreversibly unconscious.

It should also be remembered that male stoats in New Zealand are, on average, 12% smaller than British stoats, i.e., 324 grams versus 367 grams, and female stoats 14% smaller, i.e., 207 grams versus 242 grams, respectively (King, 2005; Harris & Yalden, 2008).



Figure 3. Stoat caught in Springer trap set on a Scottish grouse moor. Despite long-standing claims to the contrary, such traps failed to render stoats irreversibly unconscious within an acceptable time period, and time to death was protracted. Photo: B. Thain.

Yet despite performing so badly in tests using stoats that are significantly smaller than those found in Britain, the Fenn Mk IV and Mk VI traps and copycat designs continue to be widely used on game-shooting estates in Britain, ostensibly to catch rats and weasels. It is, however, impossible to set a Fenn or similar spring trap so that it does not catch stoats.

The advice from one shooting organisation is that it is unlikely that an offence would be committed if using non-compliant spring traps was not *calculated* (England and Wales) or *likely* (Scotland) to catch a stoat (<https://basc.org.uk/game-and-gamekeeping/trapping-of-pest-mammals/>).

However, the term *calculated* is treated as *likely* to by the Crown Prosecution Service and refers to the foreseeable likelihood of causing bodily injury (<https://www.cps.gov.uk/prosecution-guidance/wildlife-offences>). This advice also ignores the fundamental issue: since Fenn traps do not kill stoats humanely, it is even less likely that they will kill larger species such as grey squirrels or rats humanely (see below).

Unlike Fenn and similar traps, New Zealand's DOC 150, 200, and 250 traps have six parallel strike bars, powered by two coil springs. When set, the strike bars are in a vertical position and, when the trap is triggered, they rotate down through 90° to strike the animal across the dorsal surface. This is a significant improvement on Fenn traps that strike an animal laterally. Also, having six strike bars means that the trap has a much higher probability of striking an animal across the head and potentially across multiple sites along the body, depending on how far the animal had moved into the trap before it was triggered.

When tested, the DOC traps rendered all ten test stoats irreversibly unconscious within 3 minutes, with most unconscious in less than 20 seconds (Warburton *et al.*, 2008). However, this still leaves scope for improvement (see below), and DOC traps should not be viewed as a 'gold standard'. In particular, DOC traps only improve welfare standards if they are used in the tunnels specified by the manufacturer (<https://www.gwct.org.uk/game/research/predation-control/tunnel-traps/towards-better-tunnel-traps/>) (Figure 4).



Figure 4. Stoat caught in a DOC trap by one leg; it will have died a protracted death. The trap was not set in a tunnel designed by the manufacturer, and was not inspected for some time. Photo: Hunt Saboteurs Association.

In Britain, the approval of new spring traps (that are not exempt from approval) is usually based on killing tests on free-moving animals in captivity, and a trap is recommended for approval if, on at least 80% of 12 tests, the test species is rendered irreversibly unconscious within 5 minutes. According to the Animal & Plant Health Agency (13 June 2023), *The time thresholds used when assessing trap humaneness reflect those in the Agreement on International Humane Trapping Standards (AIHTS). For most species, successful trials are where irreversible unconsciousness occurs within 300 seconds (generally measured by observing corneal and palpebral reflexes), except the stoat for which the threshold is 45 seconds.* It seems perverse to have remarkably different welfare standards for stoats and other species caught in spring traps, since they are all sentient species, and the humaneness of a spring trap is the main criterion upon which approval decisions are made (Defra, 2010). Spring traps should require approval for all the species that they are permitted, or likely, to catch (Figure 5), and the same standards should apply to all species. Furthermore, only shorter thresholds for TIU will lead to improvements in the performance of spring traps (Talling & Inglis, 2009).



Figure 5. Young rabbit caught in a Fenn Mk IV trap. It is not permitted to catch rabbits in these traps.

The Agreement on International Humane Trapping Standards (AIHTS) has been the benchmark for humane restraining and killing traps used for the capture of a wide range of mammalian species for more than 20 years. Nonetheless, over this period, wildlife biologists, managers, and conservation groups have voiced a growing list of concerns about the ineffectiveness of AIHTS standards and test procedures (e.g., Proulx *et al.* 2020).

A key criticism of the AIHTS standards is that the time to loss of consciousness is far too long (Harrop, 1998). The Wild Animal Welfare Committee (WAWC) repeated this criticism, saying that *in order to be humane, any killing method must cause rapid, irreversible loss of consciousness in the target animal* and also noted that *Not only do most of the currently approved stoat traps not meet the stoat-specific 45-second TIU criterion, but it is possible and likely that many of these traps that were approved for other species before 2011 do not meet*

the UK's existing 5-minute criterion either, and yet will remain approved for these other species. Since we believe the current TIU criteria have no logical scientific foundation, we would wish to see the development and approval of traps where TIU was effectively reduced to zero in order to protect animal welfare (<https://www.wawcommittee.org/s/AIHTS-consultation-response-from-WAWC-29418.pdf>).

Summary

The TIU standards used to test spring traps that are currently in use in Britain, and any new traps, are far too long, and have no logical scientific foundation. All traps should be tested/retested to determine whether they achieve much shorter TIUs, with the overall aim of reducing TIU to zero for all approved traps. Failure to introduce more stringent testing standards will, as the Government said in its *Animal Welfare Strategy for England* ... *risk the standards of welfare experienced by wild animals.*

How often should spring traps be inspected?

The failure of spring traps to render an animal irreversibly unconscious quickly appears to be a relatively frequent event, as was first reported over 60 years ago (Lloyd, 1963). The Animal & Plant Health Agency (13 June 2023) advised that, for traps which may occasionally produce a foul strike and restrain or pin animals in their mechanism without providing quick and irreversible unconsciousness, *the Animal Welfare Act (2006) requires users of traps to ensure that animals do not endure prolonged suffering. This should include regularly checking traps and euthanizing any animals which continue to suffer.* They also state that best practice guidance is provided by the British Pest Control Association (BPCA). In their 2013 *Code of best practice – spring trapping*, the Association says that spring traps *should be checked at least once a day, or more often where legislation requires it* (<https://bpca.org.uk/pest-advice/documents-and-codes/codes-of-practice>). For some inexplicable reason, in the 2020 revision, this was changed to *spring traps should be checked at regular intervals based on legislative requirements and/or the risk assessment compiled by the technician in charge* (https://bpca.org.uk/write/MediaUploads/Documents/Codes%20of%20Best%20Practice/BPCA_Code_of_Best_Practice_for_Spring_Trapping_V2_August_2020.pdf).

The advice given by the GWCT is that ... *the Animal Welfare Act also applies to all captured animals, and here we get into uncharted territory. The prevailing view among veterinary experts seems to be that, if the trap is intended to hold alive, daily inspection is a reasonable minimum frequency. If the trap is intended to kill, there is much less agreement and, if people fail to check their traps daily, they are entering uncharted waters legally* (<https://www.gwct.org.uk/trapper/instructions/adding-traps/>). The general attitude of practitioners appears to be that, since spring traps are marketed as killing traps, there is no requirement, or necessity, to inspect them either daily or even regularly, even though this is at variance with the conditions set out in General Licence 38 that permits stoats to be trapped to conserve wild birds

(<https://www.gov.uk/government/publications/stoats-licence-to-trap-them-to-serve-wild-birds-gl38/licence-to-trap-stoats-to-serve-wild-birds-gl38>).

Section 8(c)(i) states that at *each inspection of traps, any dead stoat or other animal or bird caught must be removed immediately. Caught animals or birds that are injured, must be taken for veterinary treatment or dispatched in a quick and humane manner as appropriate.* So the expectation is that traps will be checked regularly to ensure that injured animals or birds can be dealt with appropriately.

However, the sheer number of spring traps being used on some sporting estates means that daily checking is problematic, if not impossible, and it seems to be common practice for gamekeepers not to inspect traps for extended periods. This is evidenced by the numerous documented cases of long-dead animals found in spring traps. As one example, a survey of spring trap use on Scottish grouse moors in 2018 and 2019 recorded significant numbers of decomposing and mummified bodies of both target and non-target species in spring traps. Clearly they had not been checked for some time. Of the 59 animals found in this survey, two (3.4%), a polecat-ferret (front cover) and a stoat (Figure 6), were caught by a foot or a leg and died hanging from the trap (Harris & Thain, 2020). It is impossible to determine how long they took to die. A cat found in Lancashire (Figure 7) that had been caught in a Fenn trap was hanging by three toes above a gully for some days but was still alive when found by members of the public. When they took it to a veterinarian, the wound had become infected and the toes had to be amputated.

Fenn-type traps remain legal to catch a range of species, even though they may be the same weight as stoats or significantly heavier (see Table 1). Since Fenn Mk IV and Fenn Mk VI traps do not kill stoats humanely, it is unlikely that the Fenn-type traps that are still used on shooting estates kill rats or other species humanely.

For instance, of 13 recently-killed rats recorded during the trapping study on Scottish grouse moors, seven had been stuck by one arm of the trap.



Figure 6. A polecat-ferret caught by two front legs in a Fenn-type trap on a Scottish grouse moor. How long it took to die is unknown. Photo: B. Thain.

Of these, four had been struck on the thorax, one behind the head, one on the pelvis, and one across the top of the hind legs. Six had been struck by both arms of the trap: one had been struck behind the head and on the tail, one on the back of head and in front of the back legs, one across the abdomen and the tail, one behind the head and across the pelvis, and one across the thorax and pelvis (Figure 8).



Figure 8. Rat struck by one arm of a Fenn trap, on the thorax. It is a large rat and it is unknown how quickly it died. The wire hoop is only 125 mm long, and the lack of effective excluders meant that any non-target species could have been caught in the trap. Photo: B. Thain.



Figure 7. Cat caught in a Fenn-type trap set in a wire hoop on a pole laid across a gully on a shooting estate in Lancashire. The cat was caught by three toes of its hind foot; it had been left hanging over the gully for some days before it was rescued by members of the public. By then the wound had become infected and a veterinary surgeon had to amputate the three toes.

So most rats had travelled some way into the trap before they were struck. As a general rule, bigger rats were more likely to be struck by both arms of the trap, but that did not necessarily mean that they had a quicker death. The typical pattern was for bigger rats to be struck behind the head/on the thorax by one arm of the trap, with the second arm striking them on the pelvis or tail (Figure 9). Some rats (not included in this sample) were caught just by a leg or the tail, in which case death could have taken hours or longer.



Figure 9. Norway rat caught by both arms of a Fenn-type trap set in a wire hoop with no effective excluders (the wire has been bent outwards to facilitate access by larger species) set on a pole across a stream on the North York Moors. It is a large rat and the wire hoop is only 125 mm long. It is not known how long the rat took to die. Photo: G. Shorrock (RSPB).

Data from mice caught in break-back traps highlight the welfare consequences of where an animal is caught by the trap. When struck in the head/neck region, 97% of the mice were irreversibly unconscious within 45 seconds, and 94% within 30 seconds; one mouse (3%) was struck on its nose and euthanized 120 seconds after the trap was triggered. When struck in the thoracic region, 82% of the mice were unconscious within 30 seconds, whereas 18% were still conscious after 120 seconds. All seven of the mice that were struck in the abdomen did not lose consciousness within 120 seconds, and three mice caught by a limb or tail were euthanized immediately (Geduhn *et al.*, 2022).

So there is every reason to believe that Fenn-type traps do not render a significant proportion of Norway rats irreversibly unconscious within an acceptable period of time.

The same welfare problems continue with other species, including stoats, so long as Fenn-type traps continue to be used in Britain (Figures 10 and 11).



Figure 10. Stoat caught across its thorax/abdomen in a rusty Fenn-type trap. It has long been known that Fenn traps do not kill stoats humanely, and it is not known how long it took this stoat to die. However, stoats will continue to be caught while it remains legal to use Fenn traps in England. Photo B. Thain.



Figure 11. Stoat caught by one foreleg in a Fenn trap set on a grouse moor in Scotland. The use of Fenn traps remains legal in England, despite their lack of selectivity and the considerable welfare problems they cause. Photo B. Thain.

The other issue with animals caught, but still alive, in Fenn traps is that their struggling is likely to attract predators (Figure 12). Rabbits caught in snares are frequently killed and eaten by predators (Harris, 2022); how often this happens to animals caught in Fenn traps is unknown.

The situation for moles appears to be little better. Only one of the three professional organisations for mole catchers (the Guild of British Molecatchers) requires its members to inspect their traps daily, and many moles are believed to die protracted deaths in traps from haemorrhage and associated issues (see below). So, each year, substantial numbers of animals die slow, and painful, deaths in spring traps.

Summary

It has long been recognised that spring traps often fail to kill a captured animal quickly. This can lead to considerable animal suffering. It is time to establish strict requirements for the frequency with which spring traps should be inspected, and any animals that are still alive should be humanely euthanized. To ensure that all traps can be checked each day, there should be a limit on the number of traps that can be set each day.



Figure 12. Grey squirrel caught in a Fenn trap in Gloucestershire. It is unknown how long it took to die in the trap and whether it was predated before or after it died. Photo: Hunt Saboteurs Association.

What affects trap performance?

A number of factors affect the ability of a spring trap to kill humanely. A significant problem is quality drift which, over time, has a major impact on trap performance. Traps of a particular brand may not be made to a consistent quality because, with time, the manufacturer may switch to cheaper materials, components or manufacturing methods to reduce costs, all of which are likely to affect trap performance, and hence their ability to kill humanely. Likewise, different brands of the same type of trap may look similar, but they are often made to different standards or with different materials, and so they perform differently (Baker *et al.*, 2012).

In this respect, a common problem is that, when new brands of a particular type of trap appear on the market, they are often made of cheaper materials or using cheaper manufacturing processes. This is to ensure that they are priced competitively, i.e., cheaper than existing brands. So, for instance, individual Scissor mole traps made by all manufacturers and individual Duffus mole traps of one brand showed a wide range of impact momentums (Baker *et al.*, 2012). The forces produced by mole traps of the same type produced by different manufacturers varied by up to three times (Baker *et al.*, 2012; 2016a). Unfortunately, comparing the impact momentums of different traps is not particularly informative, since such studies do not establish whether none, some, or all of these traps would kill a captured animal humanely.

Another common problem is that old traps become worn and perform less well. Trappers who regularly sprung and reset their traps knew that traps left permanently set could be weakened by metal fatigue (King, 2021). Based on the number of mummified corpses found in traps on Scottish grouse moors (Harris & Thain, 2020), leaving spring traps set for extended periods without being checked seems to be common practice (Figure 13).

Similarly, traps that have been set for some time, particularly those that are not set in closed tunnels, often become rusty, thereby impairing their function (Figure 14). Both Duffus and Scissor traps kill moles by crushing them. If a Scissor trap *is well set, and in good condition, death is usually rapid, but rarely*



Figure 13. Trap lines can be inspected so infrequently that some trapped animals are left in traps for so long that all that remains is fur and bones. Photo: B. Thain.

instantaneous. However, if the trap is old and rusty it may not crush the mole but simply hold it until it dies of exhaustion, shock or starvation (Gorman & Stone, 1990). Trials on captive stoats in New Zealand also highlighted the importance of cleaning trigger plates between captures because stoats would try to avoid the scent of a previous capture (Figure 15); this can result in it not being caught cleanly (Warburton *et al.*, 2008).

Summary

A wide range of factors, including manufacturing quality, the brand, how long a trap has been in use, whether the trap is set permanently or intermittently, and whether it is maintained, particularly if it is rusty or cleaned between captures, all affect trap performance, and hence whether or not an animal is likely to be killed humanely.



Figure 14. Rusty Fenn trap set on a log across a ditch on a Scottish grouse moor. The wire hoop is only 100 mm long, so it would be very easy for any non-target species to put its foot or head into the trap. Photo: B. Thain.



Figure 15. Rusty Fenn trap with the remains of previous captures that may cause animals to try to avoid the treadle plate, thereby increasing the risk that they will be caught by a limb, not the body. Photo: B. Thain.

How many animals die in spring traps in Britain?

The Countryside Alliance states that 14 million hectares (140,000 km²) of rural land are used for shooting, and active shoot management is undertaken on some 2 million hectares (20,000 km²), i.e., 12% of the UK's rural land (<https://www.countrysidealliance.org/resources/news/game-shooting-in-the-uk-under-threat-as-never-before>). However, there is an absence of accurate data on how many spring traps are used in England, and hence the number of animals that are killed each year, but the limited amount of information that is available suggests that it is likely to be in the tens or hundreds of thousands.

For instance, an estimated 120,000 to 260,000 animals were caught in spring traps, or snared, each year on Scottish grouse moors alone. This amounted to around 15 animals/km², the great majority of which were caught in spring traps; nearly half of these would have been non-target species (Harris & Thain, 2020).

Most stoats and weasels killed on game estates are taken in spring traps; in a sample of 25 kept estates in Great Britain, 71% of stoats and 94% of weasels were trapped, 26% and 5% respectively were shot (McDonald & Harris, 2002). In 2016, the estimated UK bag for stoats was 5000 (95% confidence intervals 3900-6400) and 2700 (95% confidence intervals 1900-3700) for weasels (Aebischer, 2019). The number specifically killed in England is not known. Populations of both species appear to be declining. In 2011, 89% of gamekeepers surveyed reported that they had stoats on their shoot; this declined to 84% in 2019. Comparable figures for weasels were 83% and 74% (<https://www.nationalgamekeepers.org.uk/files/a1c473ca-9613-4151-9bfd-2c1ed88abe2c.pdf>; <https://www.nationalgamekeepers.org.uk/articles/gamekeepers-and-wildlife-new-report>).

In the early 2020s it was estimated that, each year, the gamebird shooting industry used 376,000 tons of feed to rear pheasants for shooting (Harris, 2021). With this massive amount of food provided for pheasants, it is hardly surprising that shooting estates also have considerable problems with rats.

One shooting estate on the South Downs requires its four gamekeepers to kill a staggering 10,000 rats a year, although this *hardly puts a dent in the population in a "good" rat year*. It appears that most of these rats were trapped rather than poisoned (Morgan-Grenville & Norfolk, 2024).

The number of rats killed in spring traps on shooting estates may increase, possibly substantially, since, from 1 January 2025, the use of second-generation anticoagulant rodenticides was restricted to indoor and "around building" use only (<https://www.thinkwildlife.org/download/crru-uk-code-of-best-practice-2024/>). So it is likely that a substantial number of rats are caught in spring traps on shooting estates, and this number may increase over the next few years.

It is impossible to estimate the number, or diversity, of non-target species killed in spring traps set on shooting estates each year (Figure 16) but, based on data from Scottish grouse moors (Harris & Thain, 2020), it would be reasonable to assume that half the animals killed in spring traps each year will be non-target species.



Figure 16. Two common frogs in amplexus (mating) caught by their hind legs in a rusty Fenn trap set in a tunnel next to a spawning pond. It is unknown how long the frogs had been in the trap, but remarkably (perhaps because the trap was so rusty) they were uninjured and could be released. Photo: G. Shorrock (RSPB).



Figure 17. It is unknown how many moles are killed in spring traps in Britain, but a minimum estimate is that it is likely to number well into the tens of thousands. Photo: W. Osborn.

There is no quantified information on the number of moles killed in spring traps in Britain. According to their websites (accessed on 12 June 2026), the Association of Professional Mole Catchers had 81 members, the British Mole Catchers' Register had around 130 members, and the Guild of British Mole Catchers had approximately 150 members. It is unknown how many mole catchers were members of more than one organisation. However, since one professional mole catcher could catch 6000 moles in a year (<https://www.theguardian.com/world/2017/mar/08/mole-catchers-britain>), the annual catch of moles in Britain is likely to number well into the tens of thousands, and may be higher (Figure 17).

Summary

While there are no accurate estimates of the number of target and non-target species killed in spring traps in England each year, this is likely to be considerable, and the number of non-target species caught in spring traps is likely to be a significant conservation issue.

What constitutes a 'tunnel'?

The Spring Traps Approval (England) Order 2018 states that a trap must be used in accordance with the instructions (if any) provided by the manufacturer, and that so far as is practicable without unreasonably compromising its use for killing or taking target species, the trap must be used in a manner that minimises the likelihood of its killing, taking or injuring non-target species. When specifying which traps may be used under the Order, where there are no specific instructions on using a tunnel supplied by, or made to specifications supplied by, the manufacturer, the phrase commonly used is that *The trap must be set in a natural or artificial tunnel which is, in either case, suitable to the purpose.*

However, the term 'tunnel' has not been defined in the Spring Traps Approval Orders. The basic concept of a tunnel is that it is underground and/or dark (Onions, 1973). The intention is that a trap must be set in a tunnel that will minimise the risk that birds or larger mammals will be captured or maimed (Short & Reynolds, 2001; <https://www.gwct.org.uk/game/research/predation-control/tunnel-traps/>). Traditionally, materials such as bricks, rocks, stones, turf or wood were used to make the tunnels (Figure 18), but when a lot of spring traps were being set it was more practical to use 18 inch (450 mm) lengths of 6 inch (150 mm) diameter drainage pipes (Bateman, 1979). Nowadays, spring traps are often set in blind-ended custom-built wooden tunnels (Figures 19 and 20).



Figure 18. Spring trap set in a pile of rocks. Photo: B. Thain.



Figure 19. Purpose-made wooden tunnels used to set spring traps. Photo: B. Thain.



Figure 20. Spring trap set in a wooden tunnel positioned at the end of a wall. Photo: B. Thain.

The positioning of the trap in a tunnel is also important and determines the minimum length of each tunnel. The GWCT recommends that traps need to be kept far enough back from the entrance to avoid the risk of a non-target capture by *beak, claw or paw*. They suggest that the trap is positioned 150 mm from the entrance (Figure 21) and so, with a double-ended tunnel, the total length should be no less than 460 mm (18 inches) (but see Figures 22 and 23) (<https://www.gwct.org.uk/blogs/news/2020/february/all-change-to-lowland-trapping-from-april-2020/>), i.e., as was the originally practice (Bateman, 1979). However, the manufacturer actually recommends that the tunnel for Fenn traps should be even longer, i.e., 150 mm wide, 145 mm high and 550 mm long (<https://www.fenntraps.com/mk4-fenn-spring-trap.html>).



Figure 21. Fenn-type trap set at the entrance to a rock pile without an excluder where any non-target species could be caught by *beak, claw or paw*. Photo: B. Thain.



Figure 23. Fenn Mk IV trap set in Sussex in a double-ended wooded tunnel with no excluders. The trap was set close to the entrance to facilitate inspection, and posed a significant risk to non-target species. Photo: S. Wild.



Figure 22. Springer trap set at the entrance to a tunnel that only has 'token' excluders. The pile of feathers in the tunnel attests to the risk to birds. Photo: B. Thain.



Figure 24. Tully trap set in a short wire hoop on a log across a stream on a grouse moor in Lancashire. There are no restrictions to the entrance to the wire hoop. The safety catch is on, but once lifted it is hard to see how the way this trap has been set would fulfil the conditions for use in England. Photo: G. Shorrock (RSPB).

The GWCT said that a range of materials can be used to make the tunnels and, in the case of spring traps set on rails over ditches and watercourses, weldmesh can be used to reduce flow resistance in case traps and tunnels are submerged during a flood. As a result, when setting rail traps, the standard practice for gamekeepers is to bend a piece of weldmesh into a hoop and set a trap in it.

The GWCT recommend that 25 mm square weldmesh should be used for tunnel construction to help minimise the risk that birds, lambs or mountain hares might be caught by a leg from above (<https://www.gwct.org.uk/blogs/news/2020/february/all-change-to-upland-trapping-from-april-2020/>). However, since a wide variety of species use these rails to cross streams and culverts, and get caught in the spring traps (Figure 24), it is hard to see how

these wire hoops fulfil the requirement of ensuring that *the trap must be used in a manner that minimises the likelihood of its killing, taking or injuring non-target species*.

Other than when tunnel specifications are supplied by the manufacturers for some spring traps, the length of the tunnel is not specified in the legislation. So many of the wire hoops used by gamekeepers to cover rail traps are little longer than the trap itself (Figure 14), and so it is easy for a non-target animal to put its foot or head into the trap from outside the wire hoop.

DOC traps were first approved for use in England for trapping grey squirrels, rats, stoats, and weasels by the Spring Traps Approval (Variation) (England) Order 2007.

Changes in the Spring Traps Approval (England) Order 2012 allowed the housings (tunnels) for DOC traps to be *constructed to the design specified by the Department of Conservation* rather than being imported from New Zealand. For all the other types of trap, the Order continued to specify that, depending on the type of trap, they had to be *set within the housing provided by the manufacturer or that they must be set in a natural or artificial tunnel ... suitable for the purpose.*

The Spring Traps Approval (England) Order 2018 changed the rules regarding the use of DOC (and some other) traps. Where DOC traps were set in a closed-end trap configuration, the trap must be set in an artificial tunnel constructed to the design specified by the Department of Conservation, using materials suitable for the purpose. However, for rail traps, the tunnel is open at both ends. Where a DOC trap is used in a run-through trap configuration, the trap must be set in accordance with the manufacturer's instructions for the run-through configuration in a natural or artificial tunnel which is, in either case, suitable for the purpose. A number of organisations give clear guidance on how to construct tunnels for DOC (and other) traps, such as Science & Advice for Scottish Agriculture (SASA) (https://www.sasa.gov.uk/sites/default/files/UK%20DOC%20Trap%20instructions_1.pdf) (Figure 25).

In the UK, conditions are now less prescriptive and state that tunnels must be *suitable for the purpose* with respect to selectivity (i.e., exclusion of non-target species), convenience in operation and human safety. How this is done is left to the discretion of the operator, allowing some flexibility over materials, dimensions, and tunnel entrance size according to circumstances. There are statutory conditions for the maximum size of the internal baffle hole not to exceed either 51 or 68 mm, depending on whether there are one or two access points, and the entrance hole should be 65 x 80 mm, staggered from the hole in the internal baffle. Such large holes pose a significant risk to several protected species. Since many trap operators may have had little or no

training, it is unsurprising that there is significant confusion as to whether a tunnel is acceptable, appropriate, suitable, and/or legal.

According to the GWCT, the reason for this relaxation in requirements was that *The original highly prescriptive tunnel design - which deterred many operators from using DOC traps - has been relaxed, leaving operators the flexibility to choose materials, dimensions and designs to suit their specific circumstances.* Also, *The difference in requirements between run-through and single-entry tunnels emerged in Government testing and is thought to be related to the speed with which stoats move through the different tunnels. Single entry tunnels were tested with a bait in place, and this may produce a slower approach by the stoat* (<https://www.gwct.org.uk/media/1138659/hints-and-tips-for-using-doc-traps-in-the-uk-2024.pdf>). It is unclear whether the Government undertook any testing to assess the risk to non-target species.

Summary

Where there are no specifications from the manufacturer, the Government needs to set minimum lengths for both single- and double-ended tunnels, how far back the trap is to be set from the entrance, and specify the materials that can be used for tunnel construction.

The use of wire hoops to make 'tunnels' should be banned, and strict rules should be introduced to ensure that, where appropriate, traps are only set in tunnels that meet the manufacturer's specifications.



Figure 25. DOC trap set in a poorly restricted wire hoop on a plank across a stream on a grouse moor in Lancashire, 2021. The entrance holes are not offset from the baffles. It is very doubtful whether this trap would exclude birds and protected mammals.

Fitting excluders to tunnels

Currently, under the Spring Traps Approval (England) Order 2018, the placement and setting of spring traps in a suitable situation is left mainly to the trap operator. While it is a legal requirement for tunnels to be *suitable for purpose*, it is left to the trap operator (who may have little or no training) to decide what this actually means. The potential presence or absence of a protected mammal species in the area where trap use is intended, and may be at risk, is also something that may be very difficult for an operator to assess. This has led to a wide variance in how spring traps are set and significant confusion about what is acceptable, appropriate and legal. The advice provided by professional organisations adds to this confusion.

For instance, fitting a wire hoop over a rail trap poses a number of hazards to wildlife. An animal may put its foot through the wire hoop while trying to walk across it, and a larger animal may put a foot into the trap while trying to go through the wire hoop (Figure 7). An even greater hazard is that a diversity of birds and other non-target species will hop or walk along the rail and into the trap (<https://community.rspb.org.uk/ourwork/b/investigations/posts/rspb-concerns-over-rail-traps-and-ring-ouzel>).

In contrast, spring traps set in wooden tunnels, rock piles, etc., are less likely to catch birds, but are still likely to catch non-target mammals. The *Royal Society for the Protection of Birds* (RSPB) have recorded a diversity of smaller birds caught in rail traps. These include blackbirds, dippers, mistle thrushes, pied wagtails, ring ouzels, skylarks, song thrushes and starlings (Figures 26 and 27) (<https://community.rspb.org.uk/ourwork/b/investigations/posts/birds-and-other-wildlife-caught-in-spring-traps-on-grouse-moors>). Both mistle thrushes and ring ouzels are red-listed birds of conservation concern, and dippers are amber listed (<https://www.bto.org/sites/default/files/publications/bocc-5-a5-4pp-single-pages.pdf>).

Spring traps set on rails pose such a risk that even larger birds, such as merlins, pheasants, red grouse and tawny owls are also regularly caught (<https://community.rspb.org.uk/ourwork/b/investigations/posts/tawny-owl-killed-in-trap-north-yorkshire>), especially where excluders are minimal or absent (Figures 28 and 29). Merlins are also red-listed birds of conservation concern (<https://www.bto.org/sites/default/files/publications/bocc-5-a5-4pp-single-pages.pdf>).



Figure 26. Ring ouzel caught in a Fenn trap set in a poorly restricted wire hoop on a rail across a ditch on a grouse moor in Derbyshire. Ring ouzels are red-listed birds of conservation concern. Photo: K. Leyland.



Figure 27. Dipper caught in a Fenn trap set in a wire hoop without effective excluders on a pole across a stream on a Scottish grouse moor. Dippers are amber-listed birds of conservation concern. Photo: B. Thain.



Figure 28. Merlin caught in a Fenn Trap set in an unrestricted wire hoop on a log across a gully on a grouse moor in Northumberland. Merlins are red-listed birds of conservation concern. Photo: G. Shorrocks (RSPB).



Figure 29. Juvenile tawny owl caught in a Fenn trap set on a log across a culvert on an estate in the Yorkshire Dales. The wire hoop had no effective excluders on either entrance. The owl is caught by one leg and the time to irreversible unconsciousness will have been considerable. Photo: T. Grose.

While excluders should be fitted to tunnel entrances to reduce the risk of catching non-target/protected species, the GWCT has issued a range of conflicting advice on both the need to use, and the size of, excluders. On one hand they said that the tunnel, whether run-through or blind-ended and baited, must have excluders at the entrance(s) to deter non-target species (<https://www.gwct.org.uk/blogs/news/2020/february/all-change-to-lowland-trapping-from-april-2020/>). In contrast, they also said that the use of physical excluders is discretionary because trap operators must weigh up the risk of catching a non-target/protected species against the utility of the trap for its intended purpose (<https://www.gwct.org.uk/game/research/predation-control/tunnel-traps/>).

However, this is contrary to the advice offered by Defra, who say that *most examples of birds caught in rail traps involve tunnels with little or no tunnel end excluder measures. Since the addition of tunnel end excluders, sufficient to minimise the capture of birds, would be unlikely to “unreasonably compromise” the use of the trap for killing small ground vermin, failure*

to use them would likely constitute a contravention of that condition. Using a trap for animals for which it is not approved or in circumstances for which it is not approved is an offence under the Pests Act 1954 (Defra, 18 January 2019). When discussing the selectivity of spring traps, the GCWT said that it is an offence to set a trap that is likely to injure or kill a polecat ... The offence is to set the trap, not to catch a polecat ... Landowners and employers who cause or allow such an offence are also culpable and so we recommend the use of excluders on trap tunnels to be sure of not committing this offence (<https://www.gwct.org.uk/blogs/news/2016/april/new-report-highlights-increase-in-polecat-range/>). This reiterates Section 11(2) of the Wildlife and Countryside Act 1981.

Nonetheless, in the most recent survey of the distribution of polecats in Britain, 5% of records were of polecats caught in traps set for rabbits, rats, squirrels and other species (Croose, 2016). Clearly, catching polecats in traps set for other species is a significant issue (Figure 30).



Figure 30. Perdix spring trap set on a North Yorkshire grouse moor in 2021. The internal baffle is around 65 x 65 mm and the external excluder measures 80 x 80 mm. There is a fresh egg at either end of the tunnel. Whatever the trap was set to catch, it could have caught pine martens and polecats, both of which are colonising the area. Photo: G. Shorrocks.



Figure 32. Dead hedgehogs displayed on top of a tunnel trap.



Figure 31. Hedgehog caught in a Fenn trap with no excluders on the wooden tunnel.



Figure 33. Red squirrel caught in a Fenn-type trap set in Wensleydale.

The GWCT also explained that the legal status of feral ferrets and polecat-ferret hybrids is uncertain and has not been clarified by case law, but that a trap capable of killing or injuring a ferret would clearly be capable of killing or injuring a polecat (<https://www.gwct.org.uk/blogs/news/2016/april/new-report-highlights-increase-in-polecat-range/>).

The polecat-ferret in Figure 6 was killed in Angus close to an area where wild polecats have been recorded (Croose, 2016). Whatever the legal status of hybrids, how long this polecat-ferret was left hanging by its forefeet before it died is a significant welfare issue and is likely to have been an offence under the Animal Welfare Act 2006 (Animal & Plant Health Agency, 2023).

Because there is a significant risk of catching non-target/protected species in spring traps, the GWCT was awarded a contract from English Nature (a forerunner of Natural England) to develop physical baffles to exclude larger (protected) species while still allowing the entry of smaller (target) species. The work was undertaken in 1998 and 1999. The excluder they developed for tunnel traps consisted of vertical wooden dowels set in a wooden frame measuring 20 x 19 centimetres, although it could be made of other materials. The spacing of the dowels was carefully tested with captive animals to exclude hedgehogs, pine martens and polecats, the protected species of concern, while allowing free entry to stoats and weasels. The critical dimension identified in this research contract was that no gap should be more than 32.5 millimetres wide (Short & Reynolds, 2001).

When testing the GWCT's excluder, field trials by gamekeepers showed that stoat and weasel captures were not reduced, although using the excluder significantly reduced catches of grey squirrels and rats, both of which are larger than stoats (Short & Reynolds, 2001). In 2016 the GWCT reiterated that an excluder with a gap no greater than 32.5 mm wide should be used where there is a recognisable risk of catching a protected species and thereby committing an offence (<https://www.gwct.org.uk/blogs/news/2016/april/new-report-highlights-increase-in-polecat-range/>).

Since one of the protected species included in the English Nature contract to the GWCT was hedgehogs (Figures 31 and 32), which are widespread across Britain, it is hard to identify areas in mainland Britain where excluders with a maximum size of 32.5 mm wide should not be used.

It should also be remembered that Fenn-type traps set to catch grey squirrels pose a significant risk to red squirrels in some parts of England (Figure 33); red squirrels are a protected species, and have been in long-term decline in England.

Despite the advice they published following the contract undertaken for English Nature, more recently the GWCT has suggested that, where stoats and weasels are the main target, tunnel excluders should have apertures no larger than the 51 mm used in the DOC run-through trap baffle (https://www.sasa.gov.uk/sites/default/files/UK%20DOC%20Trap%20instructions_1.pdf). Their argument for this change in the advice they give is that it keeps things simple, is defensible, and is amply big enough for stoats and weasels to enter (<https://www.gwct.org.uk/blogs/news/2020/february/all-change-to-lowland-trapping-from-april-2020/>), even though this will continue to facilitate the capture of protected species. The GWCT also recommends that, for trappers targeting grey squirrels and rats with DOC traps, larger apertures are better (<https://www.gwct.org.uk/blogs/news/2020/april/all-change-to-upland-trapping-from-april-2020/>).

This advice ignores one important issue: if you have a larger aperture for entrance excluders, or baffles within the tunnels, it is not possible to exclude non-target species. Both pine martens and polecats, for instance, can squeeze through holes as small as 40 mm (<https://www.vwt.org.uk/wp-content/uploads/2015/04/scotland-pine-marten-leaflet.pdf>).

It should also be remembered that the DOC traps developed by New Zealand's Department of Conservation have larger entrances since, in New Zealand, hedgehogs and feral ferrets are introduced and target species because of their significant

conservation impacts (King, 1984; 2005) (<http://www.sasa.gov.uk/document-library/predator-traps-instructions-uk>). In Britain, hedgehogs and polecats are both protected native species.

So the advice issued by the GWCT and others on fitting excluders to spring traps set in tunnels is confusing and contradictory, and having larger apertures on excluders is not appropriate in Britain. It is also contrary to the advice issued by Defra, who state that traps, by their nature, are generally not species-specific and it is the way they are set (location, baits, tunnels, excluders, etc.) that enables specific animals to be targeted or excluded (Defra, 18 January 2019).

In response to inquiries from the RSPB, Defra (18 January 2019) reiterated that *A condition of spring trap approval ... is to use the trap in a manner that minimises the likelihood of its killing, taking or injuring non-target species* (<https://community.rspb.org.uk/ourwork/b/investigations/posts/rspb-concerns-over-rail-traps-and-ring-ouzels>). Since it is unlikely that using excluders that would minimise the capture of birds would 'unreasonably compromise' the ability to catch the target species (Figure 34), failure to fit effective excluders is likely to be a contravention of the condition that requires trappers to minimise the risk of catching non-target species.

This also raises a fundamental question: can a spring trap ever be selective? While it may not be legal to set a Fenn trap to catch stoats, it remains perfectly legal to use Fenn traps to catch other species. How you set a Fenn trap to exclude stoats (and other non-target species) but catch target species remains a mystery. It is a priority for this anomaly to be addressed. Similarly, while DOC traps may be permitted to catch some species (the Spring Traps Approval (England) Order 2018), it is clearly impossible to prevent non-target species from being caught with the larger holes that are currently permitted in the excluders and baffles.

The current mixture of both statutory conditions and guidance in the Spring Traps Approval (England) Order 2018 and the, often conflicting, advice from NGOs such as the GWCT creates something of a legal minefield when trying to establish whether the use of a particular spring trap is both suitable and legal.

Summary

It is clearly pointless for the Government to keep issuing Orders that specify which species can be caught by different types of spring traps if they are not selective. There should be clear guidelines on the maximum size of the apertures in excluders, and baffles where they are required within the tunnel, to ensure that they exclude non-target species. Traps that do not exclude non-target species should not be permitted.



Figure 34. Fenn trap set in a wire hoop on a log across a gully on an estate in Norfolk. The trap was set adjacent to Dersingham Bog NNR in an area with an established stoat population, and the “excluders” (two sticks) are inadequate to prevent the capture of both stoats and birds. Photo: S. Wild.

The legal position

The misuse of spring traps, especially those used to catch grey squirrels, rabbits, rats and small predators, is widespread, and existing regulations are widely flouted or ignored. It is pointless having trapping regulations if there is no enforcement mechanism.

The fundamental problem is that the laws relating to the use of spring traps are, to say the least, confusing. The situation is exacerbated by the conflicting, and changing, advice on the use of spring traps provided by NGOs. The Pests Act 1954 is over 70 years old, and largely ineffective; a thorough review is required to bring it into line with modern wildlife protection legislation. For instance, unless a reported incident potentially breaches the Wildlife and Countryside Act 1981, the Pests Act 1954 does not provide any powers of entry onto land for police to investigate spring trap offences, or the ability to apply for warrants. This is particularly problematic since the Spring Traps Approval Orders in England are linked to the Pests Act 1954.

Under the Wildlife and Countryside Act 1981, the offence is to set a spring trap which is *likely* to catch a wild bird or protected animal. However, under the Spring Traps Approval (England) Order 2018, the requirement is only to minimise the likelihood of catching a non-target species without *unreasonably compromising* the trap's intended use. The DOC trap instructions follow on from this and state that *External excluders can be made of any suitable materials and be of any configuration, which practicably minimises the likelihood of it killing, taking or injuring non-target species, without unreasonably compromising the trap's use.* These requirements appear to be of a lower threshold than those required by the Wildlife and Countryside Act 1981.

The lack of prescriptive detail in the Spring Traps Approval Orders and the conflicting advice make it extremely challenging to investigate potential offences. Appropriate enforcement action cannot be taken until the legality of trap use is clarified and powers of entry are granted to investigate potential offences.

Also, penalties for the unlawful use of spring traps need to be increased, as has been proposed in Scotland (<https://www.legislation.gov.uk/asp/2024/4/section/8>). Currently the maximum penalty in England under the Pests Act 1954 is a Level 3 fine (£1000); sentencing needs to be updated in line with other relevant legislation such as the Wildlife and Countryside Act 1981, the Wild Mammals (Protection) Act 1996 and the Animal Welfare Act 2006.

Summary

It is long overdue for the Pests Act 1954 to be updated, and to include powers of entry to investigate offences. The legal position relating to the use of spring traps in England needs to be clarified, and current penalties brought into line with other wildlife offences. Prescribed conditions of use for different types of trap need to be incorporated into the legislation, and these conditions need to be clear to trap operators, law enforcement agencies, prosecutors and the courts.

Licensing

Scotland provides a good example of how the regulations might be enforced. As from the 2024/2025 season, all land used for shooting red grouse in Scotland, both for-profit and private shooting, had to be licensed under the Wildlife Management & Muirburn (Scotland) Act 2024, which requires compliance with a new Code of Practice. Licences are required for both driven and walked-up shooting, and the aim is to improve raptor protection, biodiversity, and land management. The license must be held by the landowner, occupier, or someone managing the land, and license holders must adhere to a strict Code of Practice for grouse moor management. Licences are valid for up to five years, allowing for their revocation if illegal activities occur.

England should follow the progressive lead of Scotland and introduce legislation that makes professional trap operators accountable for the use of their traps. We currently have a situation where many sporting estates can have hundreds of spring traps in operation with multiple operators. As experience has shown, where potential offences involving spring and other types of traps are reported to law enforcement agencies, aside from the difficulties of assessing if a trap is actually legal, identifying individual trap operators can be effectively impossible. Numbering traps is essential to identify individual operators.

As in Scotland, the government should introduce a Code of Practice, whereby practitioners are required to have successfully completed an accredited trap training course and possess a licence to use spring traps. A licence may be granted or renewed for a period not exceeding 10 years. In addition, practitioners will be required to use only specific traps for specific species, in accordance with the various Spring Traps Approval Orders. Practitioners should be required to ensure that they take wildlife welfare into account in their management decisions, and a wildlife trap licence may be revoked if the licence holder fails to comply with any conditions attached to the licence, and/or the relevant authority is satisfied that the licence holder has committed another wildlife offence.

A statutory requirement should be that a licence holder keeps a record of all the traps that are set, and where and for how long they are set.

This should include the numbers of all the traps that were used. All captures (target and non-target) should be recorded, and it should be a licence condition to submit these records online each year.

This would have significant benefits in improving accountability and provide a long-term assessment of trap efficacy and bycatch levels to identify any potential weaknesses in design or conditions of use for specific traps. There is already a precedent for this: when live-trapping grey squirrels, the British Association for Shooting and Conservation (BASC) states that *Keeping a record of where your traps are and what success you have had is essential for both your own knowledge and for the assessment of any grey squirrel control network of which you are part* (<https://basc.org.uk/pest-and-predator-control/grey-squirrel-control-with-live-capture-traps/>). BASC have also produced a recording form to help operators.

Summary

The abuse/misuse of spring traps on shooting estates is widespread. The Government should introduce a licensing system for the use of spring traps. To obtain a license, a person would need to attend an accredited training course, and be fully familiar with the Code of Practice. Traps should be numbered and licence holders should be required to make an annual return of how many traps were set, for how long, and the species that were caught. The license should be revoked for breaches of the licensing conditions or committing any other wildlife offence.

Catching moles in spring traps

Following the recommendation of the Scott Henderson Committee, mole traps have been exempt from approval under the Small Ground Vermin Traps Order 1958, and no mole traps have been tested to determine whether they achieve acceptable welfare standards. For a long time, two types of trap were used: the Duffus trap (which was patented in 1920) and the Scissor trap, which first came on the market around the same time. Both traps have been through several modifications during their extended period of use. For instance, early versions of the Scissor trap were made of cast iron and had serrated jaws.

Duffus traps have two wire nooses, each of which is under the separate control of a double coil spring, and each has its own trigger. *When a mole touches the trigger, the loop of wire is drawn up tightly, hopefully around the body so that death is rapid, but often around one of its legs, with an inevitable prolonged and bloody end* (Gorman & Stone, 1990). A trapper knows when a mole has been caught because the arms holding the noose penetrate the surface of the soil (Bateman, 1979).

The Scissor trap has two pairs of jaws separated by a loose plate which is held in position by the pressure of the spring. The trap is set in the ground with the trigger facing the tunnel so that a passing mole will dislodge it and thereby release the jaws and the spring tension, allowing the jaws to snap shut (Godfrey & Crowcroft, 1960; Bateman, 1979).

When the use of strychnine to kill moles was prohibited in 2006, kill-trapping appeared to be the favoured method of addressing mole problems on farms and amenity areas such as gardens, golf courses and playing fields (Baker *et al.*, 2016b). However, the withdrawal of strychnine did not lead to an increase in mole numbers, which only fluctuate annually within a fairly narrow range. This suggests that more mole control is undertaken in Britain than is necessary (Gorman & Stone, 1990; Baker *et al.*, 2016b), or worthwhile.

Around the time that strychnine was withdrawn, a wide range of new mole traps came onto the market; many of these are referred to as claw traps (Figure

35). These include traps sold under brand names such as Pest-stop, Racan, Repelem, SuperCat, Talpa and Talpex. There are also copycat traps sold as Talpex-like traps, etc. Claw traps are said to be powerful, spring-activated metal traps designed to catch moles by clamping down on them within their tunnels. The Talpex trap, for instance, is advertised as *the professional mole catchers favourite choice*. It is described as a *highly reliable trap with a robust and powerful spring action designed for a humane kill* (<https://www.removepests.co.uk/products/talpex-mole-trap>). Other styles of mole trap, such as the Putange trap, are also now available. However, it is unknown whether any of the mole traps currently in use meet acceptable welfare standards.

Most data are on the performance of Duffus and Scissor traps, but these are confined to their catch success rate, mechanical performance and the examination of dead moles supplied by mole trappers. None of these sources of information provides a reliable indicator of the welfare impacts of these traps.

Duffus traps are more efficient at catching moles (421 captures in 540 days, 78%) than scissor traps (203 captures in 360 days, 56%) (Stone, 1989), although another study (with much smaller sample sizes) found that moles were caught in 10% of settings with Scissor traps, 8% with Duffus traps (Rudge, 1963; Mellanby, 1971).

There are differences in the mechanical (and potential welfare) performance between mole traps of the same brand, and among different brands of the same type of trap. Talpa traps produced the greatest forces overall, approximately twice those of Scissor traps and three times those of Duffus traps. However, since both the mechanisms, and possibly strike locations, of the various types of mole trap are different, their mechanical forces may not reflect their welfare performance (Baker *et al.*, 2012; 2016a).

After the Scott Henderson Committee submitted their report, it was still claimed that Scissor traps typically kill moles *quickly if not always quite instantaneously* (Mellanby, 1971). However, it soon

became apparent that neither Duffus nor Scissor traps were humane. Some moles were caught by the skin or limbs (Rudge, 1963; Atkinson *et al.*, 1994), and none of 13 trapped moles showed evidence of broken skulls, vertebrae or other bones, suggesting that TIU was likely to be extended (Atkinson *et al.*, 1994).

This was reinforced by a subsequent study in southern England with larger sample sizes. Of 50 moles, 29 trapped in Duffus traps and 21 in Scissor traps, none sustained damaged skulls or upper cervical vertebrae, which would have caused immediate unconsciousness, and none had any damage to their vertebrae. One mole had broken ribs. Of the 50 moles, 4% were caught across the shoulder blades, 24% by the rib cage, 14% by the junction between the thorax and abdomen, 56% by the abdomen, and 2% by the pelvis. One mole, caught by the thorax in a Scissor trap, was still alive when found; for seven other moles it was unknown whether they were dead or alive when found (Baker *et al.*, 2016a).

All 50 of these trapped moles had crush injuries, and most had associated internal haemorrhage. The majority of moles killed in Duffus traps had acute haemorrhage in the thorax and abdomen, or the thorax. Most moles caught in Scissor traps had acute haemorrhage in the thorax, abdomen, or both. No trapped mole died immediately as a result of damage to the cranium or vertebral column, as was also reported by Atkinson *et al.* (1994). The primary identifiable cause of death in all but one case was acute haemorrhage, and associated haemorrhagic shock (Baker *et al.*, 2015). This suggests that catching moles in spring traps caused *severe* suffering, most probably as a result of acute haemorrhaging, potentially for *minutes* (Baker *et al.*, 2016a).

The observations of a professional mole catcher, who set traps and waited for them to be triggered, are informative. He never once witnessed a mole receive a fatal strike. Quite regularly, he saw moles struck below their bellies struggling for more than five minutes as their bodies filled with blood. This supports the post-mortem analyses described above. He also said that Scissor traps were less

humane than Duffus traps. When the reporter went out to observe mole trapping, one mole was still alive in a Duffus trap (<https://www.theguardian.com/world/2017/mar/08/mole-catchers-britain>).

The other issue is that weasels regularly hunt in the tunnels of small mammals, including moles, and are caught in traps set for moles (<https://www.theguardian.com/world/2017/mar/08/mole-catchers-britain>). The welfare impacts of mole traps on weasels are unknown.

Summary

The need for widespread mole control has yet to be justified, and all the available evidence suggests that mole traps do not render moles irreversibly unconscious within an acceptable time period. The public display of mole carcasses should end.



Figure 35. Some of the different types of mole trap currently used in Britain. From top to bottom: a Scissor trap, a Duffus trap, and a claw trap. Photo: W. Osborn.

Catching stoats and weasels in spring traps

With the development of the sporting estate in Great Britain during the 18th and 19th centuries, stoats and weasels became targets for systematic control, and now both species are trapped by gamekeepers to try to promote stocks of gamebirds (Tapper, 1992; 1999), even though various studies have shown that they are relatively minor predators of gamebirds in Britain (McDonald & Murphy, 2000).

Stoats have been placed on Schedule 6ZA of the Wildlife and Countryside Act 1981, which basically makes it illegal to trap them. However, a general licence issued by Natural England (GL38) is used to allow stoats to be trapped *to conserve ... game birds when they are vulnerable to stoat predation, and resident and migratory waders and ground nesting birds*. There is no requirement to demonstrate that stoats have had any impact on ground-nesting birds before setting a trap to catch them. So GL38 effectively gives blanket permission for stoat trapping to be undertaken without any effective monitoring.

When the Fenn Mk IV was approved for use in England by the Spring Traps Approval (Variation) Order 1970, it (and copycat versions) rapidly became the most widely used spring traps to catch stoats and weasels on game-shooting estates. They are designed to operate in a tunnel, which had three important functions: to orientate the stoat relative to the trap, so that the jaws close across its back; to disguise the trap and protect it against the weather and human interference; and to keep out larger birds and non-target mammals (King & Edgar, 1977).

Perhaps to justify their use, it was claimed that the Fenn trap was probably the most humane spring trap available in Britain. *It has been used in a number of experimental field trials designed to estimate its efficiency and it is apparent that not only will lines of these traps provide adequate protection for young gamebirds on kept estates from the attacks of ground vermin, but in 90 per cent of captures they achieve a fast and painless kill. Where this is not so, it is usually because they have not been set sufficiently finely* (Bateman, 1979).

Trapping stoats and weasels is particularly intensive in March, April and May. This is also their peak birth period and the onset of lactation (Harris & Yalden, 2008), so trapping stoats and weasels at this time of year is a significant welfare issue irrespective of trap performance. In addition, some gamekeepers run traps throughout the year. Trapping is designed to eliminate stoats from wild bird shoots during the nesting season (Tapper *et al.*, 1992). In 1997, gamekeepers that relied on reared game ran approximately half the number of traps for half as many months as gamekeepers that relied on maintaining stocks of wild game (McDonald & Harris, 1999). Since the late 1900s, high labour costs and the increasing reliance on hand-reared game have reduced the need to trap stoats and weasels (Tapper, 1992). In any case, the impact of killing stoats and weasels is short-lived (McDonald & Harris, 1999).

Despite the claims that they pose a significant risk to gamebirds, surprisingly few stoats and weasels are killed on game-shooting estates. The GWCT's game bag returns showed that, in 2016, an estimated 5000 stoats and 2700 weasels were killed on UK game-shooting estates (Aebischer, 2019). Assuming that active shoot management is only undertaken on some 20,000 square kilometres, a minimum estimate, since a far greater area is actually used for game shooting (<https://www.countryside-alliance.org/resources/news/game-shooting-in-the-uk-under-threat-as-never-before>), and assuming that 71% of the stoats and 94% of the weasels killed on game-shooting estates were caught in spring traps (McDonald & Harris, 2002), just 3550 stoats and 2540 weasels were caught in spring traps in 2016. This amounts to just one stoat per 5.6 square kilometres and one weasel per 7.9 square kilometres of game shoots that undertake active shoot management. It is hard to believe that trapping so few stoats and weasels in areas that are actively managed for game shooting provides any benefit for the game-shooting industry, especially since both species are minor predators of gamebirds (McDonald & Murphy, 2000). Nor are there any data

to suggest that stoats and weasels have a significant impact on populations of waders or small ground-nesting birds.

In this context, it is important to remember the comments made by the Scott Henderson Committee: *In view of their positive contribution to agriculture, and especially the contribution they make to the control of rabbits, the indiscriminate destruction of stoats and weasels, either deliberately or in traps set to catch rabbits, is to be deprecated. These animals should not be regarded as "vermin"* (Scott Henderson, 1951).

Since Fenn traps are not checked regularly, we do not know how many stoats escape injured. However, data from New Zealand are informative; fur-trappers often caught stoats in gin traps set for possums. Of these, 32% were still alive when collected, and 41% of 336 stoats caught in gin traps sustained gross external injuries at the time of capture. In addition, six stoats had well-healed injuries, suggesting that they had successfully escaped from a previous trap: of these, three had lost an entire front leg, two had lost part of their tail, and one had lost four toes from one front foot. Stoat fur or part or all of a foot (or both) were found in the stomachs of 21 of 317 stoats collected from gin traps (King, 1981).

In Britain, both Fenn traps, and more modern traps if not set appropriately (Figure 4), also frequently catch stoats by one leg or their tail, and many others also suffer protracted deaths. While this welfare issue has never been quantified, it is highly likely that many of these stoats also had self-inflicted injuries, as described from New Zealand. The first stoat I ever saw caught in a Fenn trap was held by the upper part of one foreleg. The bones were shattered and the stoat had been twisting round in the trap so that it was only held by some badly torn skin, which would have given way shortly. It was still alive and struggling to escape. So stoats (and possibly weasels) caught in traps that do not render them irreversibly unconscious in an acceptable time period may suffer extensive self-inflicted injuries.

Summary

There is no justification for the indiscriminate, and widespread, killing of stoats and weasels. The continued use of Fenn-type traps poses a significant risk of catching stoats, as well as a diversity of non-target species, many of which are protected and/or of conservation concern. Failure to check traps regularly can lead to self-inflicted injuries.

Catching grey squirrels, Norway rats, and other mustelids in spring traps

Fenn-type traps fail to render stoats irreversibly unconscious within the time specified by both the AIHTS and NAWAC, and it has long been known that Fenn traps do not kill species with well protected or muscular necks, such as hedgehogs and ferrets, humanely (King & Edgar, 1977).

Despite this, the Fenn Mk IV is still approved for grey squirrels, Norway rats and weasels (and other small ground 'vermin'), and the Fenn Mk VI is approved for grey squirrels, mink, Norway rats, rabbits and weasels, as well as other small ground 'vermin' (the Spring Traps Approval (England) Order 2018). These approvals were granted via the Spring Traps Approval (Amendment) Order 1970. Yet neither Fenn Mk IV or Mk VI traps have been tested to see whether they render grey squirrels or Norway rats, or mink and rabbits in Mk VI traps, irreversibly unconscious within an acceptable time period. However, it is logical to assume that, if Mk IV and Mk VI Fenn traps do not render stoats irreversibly unconscious within an acceptable time interval (and these time intervals fall well below standards that could be considered to be humane - see above), it is highly likely that they would take even longer to render larger species irreversibly unconscious (Table 1). It should also be remembered that hedgehogs, polecats and polecat-ferrets are common non-target species caught in Fenn traps.

While the new DOC traps have been tested for their efficacy at killing rats (as well as ferrets and hedgehogs) in New Zealand (Warburton *et al.*, 2008), it should be remembered that adult Norway rats in New Zealand are about half the weight of those in the UK (King, 2005; Harris & Yalden, 2008). So the traps need to be retested using adult Norway rats from Britain.

Summary

Fenn Mk IV and Mk VI traps are still in common use in England, where they are highly likely to continue to catch stoats, and are still permitted to catch species that are significantly larger (and more robust) than stoats. Since it is known that neither trap renders stoats irreversibly unconscious within an acceptable time period, it is illogical to continue to permit them to be used to catch larger, and more robust, species of mammals.

Species	Collection area	Sex	Average weight (g)	Range (g)
American mink	River Otter, Devon	Males	1232 g	1024-1439 g
		Females	665 g	559-778 g
	River Teign, Devon	Males	1153 g	850-1805 g
		Females	619 g	450-810 g
	Ross Peninsula, Scotland	Males	1121 g	840-1500 g
		Females	676 g	560-805 g
Feral ferret	Shetland	Males	1276 g	711-1816 g
		Females	706 g	512-1094 g
	South Uist	Males	1512 g	1288-1789 g
		Females	740 g	496-972 g
Grey squirrel	Broadleaf forest, south-east England	Males	532 g	440-650 g
		Females	568 g	400-720 g
	Conifer forest, East Anglia	Males	532 g	430-720 g
		Females	551 g	430-710 g
Hedgehog	Throughout Britain	Males	-	900-1200 g
		Females	-	800-1025 g
Mink	River Otter, Devon	Males	1232 g	1024-1439 g
		Females	665 g	559-778 g
	River Teign, Devon	Males	1153 g	850-1805 g
		Females	619 g	450-810 g
	Ross Peninsula, Scotland	Males	1121 g	840-1500 g
		Females	676 g	560-805 g
Polecat	Throughout Britain	-	600 g	Max 794 g
Rabbit	Throughout Britain	-	-	1200-2000 g
Stoat	Throughout Britain	Males	367 g	252-471 g
		Females	242 g	180-303 g
Weasel	Throughout Britain	Males	125 g	81-195 g
		Females	68 g	48-107 g

Table 1. Weights of target species, and of the larger non-target species that might be caught in Fenn and other traps. The data are for adult animals in Britain, in grams. Weights from Harris & Yalden (2008).

Conclusions and recommendations

The number of wild animals that have been caught in spring traps in Britain over the last 75 years undoubtedly numbers many millions, and a significant proportion of these will have died slow, and unpleasant, deaths. This is a major, and long-standing, wild animal welfare issue. The basic assumptions underpinning the use of spring traps in Britain today have long failed to reflect scientific advances. The Government's *Animal Welfare Strategy for England* provides a long-overdue opportunity to address the welfare and regulatory issues associated with the use of spring traps in Britain.

Current attitudes to the use of spring traps in Britain are largely based on the 75-year-old report by the Scott Henderson Committee. This was based on anecdotal evidence from *countrymen*, not scientific evidence. The Committee's conclusions about the use of spring traps, and the justification for, or acceptability of, the suffering they cause are antiquated and unacceptable in a modern society.

A key aim of the Government's review should be to address the current muddled legal position. The Pests Act 1954 is ineffective and needs to be overhauled, to provide greater powers to investigate crimes involving the use of spring traps, including powers of entry. The penalties for offences involving spring traps need to be reviewed to ensure compatibility with other legislation.

The Government should produce clear guidance on how all approved traps should be used, including the design of tunnels, housing, baffles and excluders, to avoid the conflicting and muddled advice currently available.

A key aim of the Government's *Animal Welfare Strategy for England* is to ensure that wild animals are treated with respect, as other animals are. The same welfare standards should be applied to all species, whether or not they are held in captivity, and whether or not they have been, or are, described as 'pests' or 'vermin'. The fact that some species cause economic damage does not justify

them being subjected to lower welfare standards. The statutory guidance issued on *Trapping wild birds: standard licence conditions (GL33)* (Defra 2026) provides a basis for statutory guidance on how regularly spring traps should be inspected.

The Government's *Animal Welfare Strategy for England* also states that the Government will continue to commission and use the latest evidence and research to protect animals. To achieve this objective, it is essential that research should be undertaken to establish clear and prescribed conditions for the use of all approved spring traps. A key aim would be to set conditions that allow access for target animals but exclude non-target species, i.e., henceforth all traps should be selective to ensure that they only catch designated species.

As part of this process, the statutory conditions for the use of all types of trap should be part of the Spring Traps Approval Orders, as is currently the case with DOC traps. These conditions should be supplied by the trap manufacturers and available online. Manufacturers should also be required to produce bespoke housings for all approved traps.

As well as being tested for humaneness, the legislation should ensure that conditions of use are a statutory requirement to ensure the traps operate effectively and that risks to non-target animals are minimised. This is currently a major failing with the existing legislation, and would provide much needed clarity on whether traps are being operated legally and promote best practise.

As the law currently stands, the lack of prescribed conditions for the use for spring traps makes it complicated, if not impossible, to determine what is, and is not, lawful. This in turn makes enforcement action by the authorities, to say the least, challenging. Also, without a meaningful deterrent, it is, in turn, impossible to promote best practise and ensure compliance with the legislation. The situation is confounded by the lack of accountability for trap operators.

When reviewing the current legislation on the use of spring traps, key objectives should be to ensure that: (i) 'utility' no longer overrides welfare or conservation concerns when using a spring trap; (ii) no trap should be set if there is risk of catching a non-target species or causing unnecessary suffering to a target species; (iii) all traps should be tested by the Government to ensure that they are humane and selective before they are permitted to be sold and used; (iv) the Government should introduce a timetable to improve trap performance and improve welfare standards; and (v) the first, and most important, stage in improving wild animal welfare standards should be to determine whether it is actually necessary to use spring traps to catch a particular species.

If the Government is to achieve its *Animal Welfare Strategy for England*, the following issues need to be addressed:

- All spring traps should be tested to ensure that they meet approved welfare standards before they can be sold or used. This includes all existing traps and all copycat versions.
- Mole traps should no longer be exempt from approval. They should be required to meet the same welfare standards as other spring traps.
- All traps should be tested using live adult animals from Britain in as near-natural conditions as possible to avoid inconsistencies that might arise due to size differences in animals from other parts of the world, or testing traps on juvenile or sub-adult adults.
- When a trap is approved, this should only apply to the traps submitted for testing. Where there are changes in manufacturing and/or the materials used, the traps should be re-tested before they can be sold or used.
- Traps manufactured to a similar design to that of a trap that has already been tested ('copycat' traps) must also be tested before they are allowed to be sold or used.
- The use of spring traps should be licensed. Licence holders should be required to undergo an approved training course once every five years, and infringements of the licence conditions, or being found guilty of another wildlife crime, should automatically result in the licence being revoked.
- There should be a legal requirement for records to be kept of all the traps set, the types of traps and dates they were set, where the traps were set, including the location and whether they were set in tunnels or on rails, and the dates and details of all captures (target and non-target species). There should be a legal requirement for an annual online submission of these data.
- Allied to this, all traps should be numbered, and the licence holder should be required to record the numbers of the traps they are using. This information should form part of the annual licence return.
- There should be a legal requirement for all traps to be taken in, checked and cleaned once a year to ensure that they are functioning properly. Any trap that is not functioning effectively should be destroyed. This should form part of the requirements for record keeping.
- The law should be revised, and updated, to make it a legal requirement to allow access by law enforcement agencies to inspect spring traps, and investigate potential offences.
- Allied to this, it should be a legal requirement to provide details of trap locations to law enforcement agencies on request, and to make the trapping records available for inspection.
- Current standards for killing traps are inadequate, and inconsistent: time to irreversible unconsciousness should be standardised for all species caught in spring traps. An acceptable time to irreversible unconsciousness should be measured in seconds, not minutes, and this standard should apply to a minimum of 90% of trapped animals.
- As a first step to improving trapping standards, the AIHTS criteria currently applied to stoats should apply to all species caught in spring traps.

- This change in testing standards should be linked to a programme of trap development designed to produce traps where TIU is approaching zero.
- The size of the excluders (and baffles where required) on all spring traps used in Britain should be restricted to 32.5 mm, as per the findings of the government contract to the GWCT.
- It is pointless having regulations which specify which species can be caught in a particular type of trap unless a system is introduced to prevent/minimise the capture of non-target species. The trapping industry should be given a specific time period to develop species-specific traps, after which the use of spring traps that pose a risk to non-target species should no longer be permitted.
- It should be a legal requirement to inspect all spring traps once a day, to remove and dispose of any dead animals legally, and humanely kill any animal that is still alive. No corpses should be left, or put, on public display.
- Allied to this, there should be a limit to the number of traps that can be set at any one time to ensure that they can all be inspected in a single day.
- Since setting spring traps in wire hoops poses a particular risk to wild birds, this practice should be made illegal.
- All spring traps should be set in approved closed tunnels designed to ensure that an animal is guided into the trap such that it maximises the chance that it is struck on the head or neck with sufficient force to guarantee that it is rendered irreversibly unconscious within the specified time period.
- Since the exemption included in the Spring Traps Approval (England) Order 2012 that allows people to make their own tunnels is widely abused, this exemption should be withdrawn, and all traps should only be set in tunnels supplied by the manufacturer.
- Since the scientific consensus is that stoats and weasels are only a minor predator of gamebirds, their numbers are declining, and large numbers of non-target species are caught in spring traps set for stoat and weasels, it should no longer be permitted to catch stoats and weasels in spring traps.
- To avoid the need to set so many spring traps to control rat numbers on shooting estates, feeding gamebirds should be banned other than when using approved rat-proof feeders.
- The shooting industry should be given the opportunity to develop rat-proof feeders, after which feeding gamebirds using non-approved feeders should be prohibited.

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