What counts as evidence in our National Parks?

Description



Photo credit Raptor Persecution Scotland



This photo from the LLTNPA which I believe dates back several years still periodically appears in the mainstream media in stories about the camping byelaws. What does it tell us?

I have been pondering further what Roseanna Cunningham, the Cabinet Secretary for the Environment, said about more evidence being needed before the Government can act to protect mountain hares (see here) when I believe action could be taken in our National Parks now. Roseanna Cunningham never explained what sort of evidence the Scottish Governance would need before it could act and why. I doubt she could, I suspect she is repeating what the civil servants have told her.

I think Roseanna Cunningham should therefore ask her civil servants why photos of abandoned tents counts as sufficient â??evidenceâ?• to justify the introduction of camping byelaws in the Loch Lomond and Trossachs National Park whereas photos of piles of dead mountain hares is not apparently regarded as sufficient evidence to introduce byelaws to control hunting in the Cairngorms National Park?

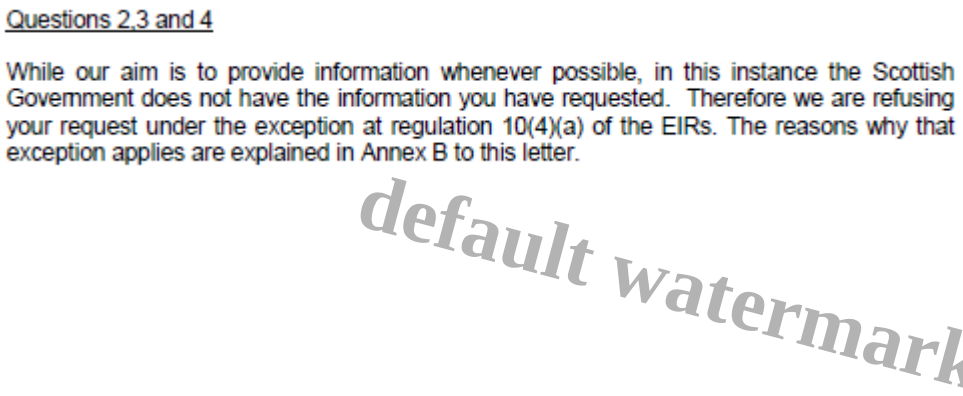
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I know that photos of abandoned tents were used by the previous Minister, Aileen McLeod, as the MAIN â??evidenceâ?• to justify the introduction of camping byelaws as a result of a number of FOI requests. When Aileen McLeod announced she had given the go ahead for the camping byelaws she referred to the evidence she had personally seen. I asked the Scottish Government in February to clarify under Freedom of Information what evidence the Minister had actually seen (see here) and received this response in April. Basically the Minister had made one visit to the National Park to three places, one of which was a hotel: â??Loch Lubnaig Visitor Site (North Site); Loch Earn, North Shore Horseshoe Layby; and the Mhor84 Hotel. I think we can safely conclude from this the main â??evidenceâ?• she had SEEN were the photos of abandoned tents.

I also asked in that request a number of other questions about evidence:

2. Any further information that would count as evidence as damage provided by Loch Lomond & The Trossachs National Park to the Minister.
3. Any further information that would count as evidence as damage provided by other public authorities: in particular I would like to know if any advice was requested from SNH or Forest Commission Scotland on the question of damage or impacts and their response.
4. Any other information that would count as evidence as damage or impacts provided by people resident in the Park or by other individuals or organisations.

The response was clear the Scottish Government held no evidence other than that provided by the Loch Lomond and Trossachs National Park Authority



Questions 2,3 and 4

While our aim is to provide information whenever possible, in this instance the Scottish Government does not have the information you have requested. Therefore we are refusing your request under the exception at regulation 10(4)(a) of the EIRs. The reasons why that exception applies are explained in Annex B to this letter.

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I had provided an extensive critique (see here) to the Scottish Government on the camping byelaw proposals and the so-called evidence the LLTNPA had provided to them appendix-1-overview-of-evidence-base-1 and what the response above shows is that the Scottish Government had done nothing to check the veracity of that evidence. Contrast that with Mountain Hares, where ever more evidence is needed before action can be taken.

It was the same with the review of the east Loch Lomond byelaws (see here) where the Government admitted it had no criteria by which to judge the LLTNPAâ??s review and held no information at all on this. The Scottish Government simply accepted what the LLTNPA had said and had taken no account of the critique I had submitted to them. If the Scottish Government can accept such poor evidence from the LLTNPA, I canâ??t see any problem with it accepting whatever evidence the CNPA can draw together to justify a suspension of hare culls (the photos in themselves should be sufficient). After all the CNPA already have a legal duty to conserve and enhance the natural heritage which is supposed to take precedence over its other aims if they clash.

I find it interesting that while the Scottish Government, when it talks about the need for more evidence (a reference I believe to SNH research into mountain hares) did not ask SNH to conduct research into the impact of camping on Loch Lomond before taking a decision. Nowhere in the SNH sitelink database on protected areas in the National Park have I seen camping listed as a threat. That says it all. There is one rule for trying to protect nature, another rule for trying to stop people from enjoying

nature.

Research into the impact of culls on mountain hares has been going on for years, with SNH producing two research reports in 2008, is ongoing, and will probably never reach a definitive conclusion. SNH however has been concerned enough to agree with Scottish Land and Estates and the Game and Wildlife Conservation Trust an interim position which calls for a voluntary suspension of culls. That one would have thought should be enough for the Scottish Government and National Park to act. However, they apparently need more evidenceâ?¦â?¦â?¦â?¦â?¦

I think what this shows is that â??evidenceâ?• is a highly political matter and what counts as evidence very much depends on whether you are trying to control what landowners and their employees do or what the general public does. Unfortunately we live in a system where its much easier for one National Park to remove access rights, which both National Parks were set up to promote, on the basis of flawed and fabricated evidence, than for our other National Park to protect wildlife, which both National Parks were also set up to do, on the basis of sound evidence.

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Category

1. Cairngorms
2. Loch Lomond and Trossachs

Tags

1. Camping bye laws
2. CNPA
3. conservation
4. LLTNPA
5. Minister Environment
6. Scottish Government
7. wildlife persecution

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