

UK CENTRE FOR ANIMAL LAW (A-LAW)

WILDLIFE WORKING GROUP – ROB ESPIN AND FRANCESCA NICHOLLS

GLUE TRAPS AND THE CASE FOR REFORM

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1. Executive Summary

Glue traps are an inhumane and indiscriminate way of addressing issues caused by unwanted wildlife and should not form a part of modern wildlife management techniques. Our report supports that this Government should act on its claims that the UK is a world leader in animal welfare standards by completely prohibiting the sale and use of glue traps in order to prevent unnecessary suffering to wildlife.

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2. Glue traps and pest control – what are glue traps?

Glue traps (also known by names including sticky boards, glue boards and adhesive traps) may take several forms but in essence constitute a piece of card or board one side of which is coated in an industrial strength non-setting adhesive. The traps are designed to catch unwanted wildlife (most commonly rodents) and immobilise them by sticking them to the board.

Different forms of glue traps are aimed at different purchasers, as manufacturers produce traps for both domestic consumers and for industry specialists (pest controllers). Research by the Humane Society International (“HSI”) indicates that consumers can purchase glue boards from a range of hardware stores at very affordable prices¹ and A-LAW research found that 10 set multipacks of glue traps could be bought online with free delivery for less than £15².

What problems do glue traps pose?

Inhumane

As glue traps are expressly intended to kill rodents, consumers may be, understandably yet unfairly, tricked into believing that they present a more humane way of dealing with unwanted wildlife than other animal management techniques.

Unfortunately glue traps cause trapped animals immense suffering as the animals become fully entrapped by the adhesive, including their feet, body and head becoming stuck as they attempt to break free. Independent scientific evaluations have demonstrated that even animals’ mouths can become glued shut as they attempt to chew themselves free from the traps³. As stuck animals desperately fight to break free of the adhesive they frequently collapse exhausted, commonly vocalising pain and/or panic.

Trapped animals may die due to broken bones or torn fur from their attempts to escape, causing severe external and internal bleeding, whilst some animals perish due to suffocation caused by the adhesive blocking airways⁴. Research shows that 85% of mice caught in glue traps remain alive and experience suffering for over 24 hours⁵.

1. “*Inhumane, Indiscriminate, Indefensible: The Case for a UK Ban on Rodent Glue Traps*” HSI, page 6, 46% of randomly chosen hardware and convenience stores sold glue traps.
2. “Amazon UK “KLMM 10/20-Pack Mouse Trap Board Traps for Mice Rats Catches Indoor&Outdoor Rat Cockroach Spider (Size : 10 pcs)” as of time of writing.
3. Evaluation of the humaneness of rodent capture using glue traps, prepared for the Canadian Association of Humane Trapping” N.Fenwick, M.Sc. (2013).
4. Above n.1, page 5
5. “A laboratory Test Method for Evaluating The Efficacy of Glueboards for Trapping House Mice. Vertebrate Pest Control and Management Materials: Fourth Symposium” (1983) Frantz, S. C. & Padula, C. M. (Ed. by D. E. Kaukeinen), pages 209–225.

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What problems do glue traps pose (continued)?

The suffering endured by animals caught in glue traps has led to the British Veterinary Association (the “**BVA**”) issuing a policy statement finding that the welfare implications of glue traps render them inherently inhumane⁶. Such a view was echoed by research submitted to the relevant Canadian authority which found that “...*the available evidence overwhelmingly demonstrates that the use of glue traps for rodent pest control does not meet established standards for either humane restraint or humane killing*”⁷.

Indiscriminate

Whilst the intention behind glue traps may be to exclusively target and trap rodents, the traps themselves do not discriminate as to which animals they trap. The adhesive used in glue traps will cause many different types of animal to be caught in the trap and suffer the same suffering and sometimes death as rodents. Pets and wildlife sanctuaries have reported members of the public coming to them with birds, cats and even endangered snakes which have become stuck in glue traps⁸. Whilst the Royal Society for the Prevention of Cruelty to Animals (the “**RSPCA**”) received over 200 reports of animals not considered to be pests stuck in glue traps in the last 5 years⁹, it is very likely that many more animals have been trapped by glue traps and simply have not been found or saved by members of the public therefore their suffering goes unreported.

Ineffective

Glue traps may be capable of causing immense suffering and death to rodents and other animals they trap but it is questionable whether they efficiently resolve the problem of unwanted wild rodent populations living too close to people. Glue traps act against the symptoms and consequences (the presence of rodents) rather than addressing the root cause of why rodents are in close proximity to humans in the first place. The impact of glue traps on rodent presence may in many instances be temporary, as rodents who do not become trapped by the glue traps remain in the area and may reproduce.

It is therefore more efficient to identify why rodents are attracted to the area in question before preventing and deterring them from entering. It is important to identify which types of rodent are occupying the area as whilst mice prefer to live indoors due to the warmth and shelter provided, rats prefer to live outdoors yet will be attracted by leftovers and human food¹⁰.

6. “*Policy Statement: Rodent glue traps*” (2015) BVA, page 1.

7. Above n.3.

8. Above n.1, page 10.

9. “*Government backs Bill banning the use of glue traps for pest control*” DEFRA Press Release (16 June 2021).

10. Above n1., page 12

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What problems do glue traps pose (continued)?

Professional pest controllers advise consumers that deterrence and prevention are the first and best lines of defence¹¹. Persons should therefore thoroughly clean any areas which are attracting rodents, throwing away food leftovers, debris and trash as this removes the food supply which is a key incentive for all rodents. Consumers are also advised to seal all known entry points used by rodents, to prevent access to the affected area. If extra deterrence is required rodents have been found to avoid the smells of some natural plants, including mint, eucalyptus and citronella therefore these plants can be grown in the area or oils of those plants can be applied to entry points.

If rodents have irreversibly populated an area then consumers should engage professional humane wildlife solution providers (also known as pest controllers). A-LAW research has found several well reviewed providers who cover the entire of the United Kingdom¹². It is likely that such providers also exist in other jurisdictions.



3. What is the law in England currently?

Can glue traps be used?

The English and Welsh legal regime surrounding the use of traps and snares in the UK is made up of piecemeal legislation. Section 8(1) of the Pests Act 1954 (the “**Pests Act**”) criminalises the sale and use of spring traps which are not “approved” for the taking or killing of animals. Glue traps do not constitute spring traps, however, and section 8(5) of the Pests Act expressly permits traps solely for the “destruction of rats, mice or other small ground vermin”.

11. See for example the British Pest Control Association <https://bpca.org.uk/a-z-of-pest-advice/rat-control-how-to-get-rid-of-and-prevent-rats-bpca-a-z-of-pests/188991> or Rentokil <https://www.rentokil.co.uk/rats/prevention/>
12. See for example <https://humanewildlifesolutions.co.uk/> and <http://www.humanepestcontrol.com/directory-of-service-providers.html?sid=128:London>

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3. What is the law in England currently (continued)?

Section 11(2)(a) of the Wildlife and Countryside Act 1981 (the “**WCA 1981**”) criminalises the use of traps or snares in England and Wales for the purpose of killing or restraining any wild animal where the wild animal is included in Schedules 6 or 6ZA of the WCA 1981, however neither rats nor mice are listed as protected animals in either of those schedules.

In these circumstances, and in the absence of any express prohibition, in theory consumers and professionals can use glue traps to trap and kill unwanted rodents. However despite the lack of express prohibition, animal welfare legislation means that the use of glue traps likely contravenes welfare protections in place for animals.

Section 1 of the Wild Mammals (Protection) Act 1996 (“**WMPA**”) outlaws any act which (amongst other things) “*mutilates... drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering*”. Given the inhumane effects glue traps can have on rodents already explored there is a strong argument that use of glue traps contravenes this provision. Section 2(b) WMPA goes on to exempt liability for “*the killing in a reasonably swift and humane manner of any such wild mammal if he shows that the wild mammal had been injured or taken in the course of...pest control activity*”. Whilst this may provide for an exemption for some who quickly end the life of rodents caught in glue traps research has demonstrated that many people would not know how or would not want to take such action, as only 20% of respondents to a YouGov survey said they would kill a trapped animal in a method advised as humane¹³.

The issue is compounded by confusing instructions on glue traps sold to the public, as only some products explain the humane way of ending the suffering of the trapped rodent. 9% of respondents to the survey said they would drown a trapped animal¹⁴. However, following the RSPCA’s successful prosecution of a person who drowned a squirrel as part of “rodent control”¹⁵, clearly such action will be deemed by authorities to amount to a criminal offence. It can therefore be seen that unwitting members of the public can risk criminal penalties for the use of glue traps, due to contravention of the WMPA.

13. YouGov 2015.

14. Ibid

15. <https://www.thenorthernecho.co.uk/news/8328965.wildlife-campaigner-drowns-squirrel-rspca-challenge/>

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3. What is the law in England currently (continued)?

In addition to WMPA, pursuant to section 2(b) of the Animal Welfare Act 2006 (“AWA”) animals are protected by the provisions of AWA where they are “*under the control of man, whether on a permanent or temporary basis*”. Guidance issued by Natural England confirms that persons carrying out pest control activities will be responsible for the welfare of caught animals, as protected animals under section 2(b) AWA¹⁶. Subsections 4(1) and (2) of AWA provide for two different offences where a person’s acts or omissions causes unnecessary suffering to either a protected animal or to an animal the person is responsible for. Both subsections are applicable to those who trap animals in glue traps and as discussed above, due to the suffering endured by animals caught in glue traps where their lives are not swiftly and humanely ended catching rodents in glue traps likely violates these provisions. Following the recent enactment of the Animal Welfare (Sentencing) Act 2021 contravention of section 4 AWA is punishable by a maximum 5-year prison sentence.

Moreover, certain species of rodents received heightened protections in England and Wales due to their endangered status. Under regulation 43(1)(a) of the Conservation of Habitats and Species Regulations 2017 (“CHSR”) it is a criminal offence for a person to deliberately kill, injure or capture a “protected species”. The species protected pursuant to CHSR are set out in Schedule 2 CHSR and include the dormouse. It is therefore prohibited for persons to deliberately capture dormice in glue traps.

What about other animals caught in traps?

Consumers and industry specialists may also face prosecution should their glue traps capture animals other than rodents. Section 9(1) WCA means that a person who has in his control (which would include trapping) a “*protected animal*” then that person will be guilty of an offence. Schedule 5 WCA sets out animals which are protected pursuant to section 9 as including many species which feasibly could be caught in glue traps, attracted by already caught rodents or bait, including types of snakes, otters, water voles, moles and red squirrels.



16. “The Animal Welfare Act 2006: what it means for Wildlife” Wildlife Management Advice Note, Natural England (April 2019), page 2.

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4. What is the legal position in other jurisdictions?

Scotland

Despite Scottish wildlife welfare legislation being substantially similar to the position in England and Wales and glue traps not being outright prohibited, several nuances of Scottish law mean that it is even more difficult for glue traps to be legally used. The WCA has been modified in Scotland by the Nature Conservation (Scotland) Act 2004 (“**NCSA**”) introducing section 5(4A) to WCA which prohibits any person from setting any trap where it is “*likely*” (instead of “*intended to*” as for England and Wales) to cause bodily injury to any wild bird. As already has been demonstrated there are reported cases of birds becoming trapped in glue traps, showing in many situations this is a likely outcome especially where birds of prey may hunt the rodents the traps are intended for. A person would therefore face prosecution setting a glue trap where a likely outcome was hard to a bird, whether actual harm occurred or not.

The NCSA also inserts extra language into section 9(1) WCA meaning that, in Scotland, if a person “*recklessly*” kills or injures any protected wild animal of Schedule 5 WCA, they will be guilty of an offence. This goes further than the position in England and Wales which requires intent to kill or injure a protected animal which would not be present in where the person deploying the traps is targeting rodents which are not protected animals. Therefore in Scotland a person using glue traps in areas where protected animals are known to be may be guilty of an offence, if they accidentally capture a protected animal.

Given the width of the provisions in Scotland it is difficult to see in what circumstances a person could use a glue trap and not risk facing prosecution due to contravening wildlife welfare laws.

Ireland

Ireland has prohibited the sale, possession and use glue traps since 2003 pursuant to the Wildlife Act 1976 (Approved Traps, Snares and Nets) Regulations 2003. Glue traps are not listed as an approved trap for the purposes of the Wildlife Act 1976 and are therefore banned outright.

New Zealand

New Zealand moved to almost entirely prohibit glue traps when it enacted the Animal Welfare (Glueboard Traps) Order 2009 (“**GTO**”). Section 4 of GTO declared glue traps to be “restricted traps” for the purposes of section 32 of New Zealand’s Animal Welfare Act 1999. Section 5 GTO means consumers could not use a glue traps since 2010 and commercial pest controllers had to cease use of glue traps by 2015.



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4. What is the legal position in other jurisdictions (cont)?

Tasmania and Victoria

In Tasmania, amendments were made in 2008 to Section 12 of the Animal Welfare Act of Tasmania mandating that glue board traps are prohibited other than when prior ministerial exemption is given. Under regulation 53 of the State of Victoria Prevention of Cruelty to Animals Regulations it is prohibited for non-approved commercial pest controllers (or all consumers) to use glue traps unless they have ministerial approval.

Ireland

In addition to the jurisdictions identified above, many other jurisdictions including Austria, Germany, Iceland, India and the Netherlands have animal welfare regimes meaning that whilst glue traps may not expressly be banned, practical application of the welfare standards regarding trapping means that glue traps would likely be outlawed in practice.



5. What action should this government take?

This paper has demonstrated that glue traps can cause extensive suffering to every species of animals (not just rodents) they catch, a fact which was conceded by the Scottish Animal Welfare Commission's report on glue traps which admitted "there is no way that glue traps can be used without causing animal suffering"¹⁷. Evidence also shows that glue traps are not the only solution to problems caused by rodents being in close proximity to humans.

It has also been shown that the law catches members of the public in an illogical and unreconcilable conflict; as whilst people can legally buy and deploy glue traps, doing so risks contravening different pieces of animal welfare legislation and potentially facing punishments including 5 years in prison.

17. "Report on the use of rodent glue traps in Scotland" Scottish Animal Welfare Commission (March 2021) page 21

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5. What action should this government take (continued)?

Our report supports calls for this Government to follow in the footsteps of those other jurisdictions which have legislated to outlaw the sale and use of glue traps by both consumers and industry stakeholders. These jurisdictions set a clear precedent that glue traps should be prohibited due to the extraordinary suffering they cause to animals and that such a prohibition should not be undermined by any form of derogations.

This Government has already recognised the suffering and pain that other kinds of traps can cause to animals, through its implementation of The Agreement on International Humane Trapping Standards (AIHTS) via the Humane Trapping Standard Regulations 2019 and through the ban of leg hold traps brought into force by the Pests Act. In the context of such existing restrictions on other inhumane traps, the permission afforded to buy and sell glue traps becomes even more illogical. Whilst the text of the Glue Traps (Offences) Bill introduced to Parliament by Jane Stevenson MP is not available to us at present, we hope that this bill will act to address these issues or some of them.

A point wider than trapping which this government should carefully explore, is the ethics of the use of the label “pest” to describe rodents. The Scottish Animal Welfare Commission has already disapproved the use of the term, stating *“The labelling of target species as ‘pests’ in this context should be discouraged in the future. It is important to recognise that ‘pest’ animals have the potential to suffer to the same extent as other sentient ‘non-pest’ species. In considering all ‘pest’ control methods, the Commission would like to see these ethical considerations higher up the agenda and explicitly addressed in all future discussions”* . The opinion of the Commission is only strengthened by the current passage through Parliament of the Animal Welfare (Sentience) Bill, which explicitly recognises the welfare of all animals as sentient beings. This includes rodents targeted by glue traps. This Government should therefore carefully scrutinise the ability for terms such as “pests” to be used in a commercial and official context.

18. Ibid, page 14.

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