



NIGHT SHOOTING IN THE UK

A CODE OF PRACTICE

1. INTRODUCTION

The night shooting of foxes, ground game and rats is necessary to ensure that damage to game, wildlife, livestock and crops is kept at acceptable levels. When conducted correctly, it is a safe and effective method of control. It is the responsibility of all those involved in pest control to ensure that it is carried out properly.

High standards underpin public and political support for shooting, now and in the future.

This code provides advice at two levels:

- Advice that **must** be followed in order to achieve best practice. Unless otherwise stated, the term 'must' only applies to meeting the standards set by this Code of Practice and does not refer to a legal obligation.
- Advice that **should** be followed in order to achieve best practice – any deviation from which would need justification.

THE FOLLOWING GOLDEN RULES APPLY:

1. You must ensure that you have established safe lines of fire with backstops and that these are used.
2. You must clearly identify the quarry you are about to shoot. If in any doubt do not shoot.
3. Always use the appropriate firearm, shotgun or air weapon for the quarry species.
4. It is your responsibility to ensure that you abide by the law.
5. Always have respect for the countryside, due consideration for others and regard to health and safety and animal welfare.

2. BEHAVIOUR

Before night shooting commences

Remember...

- Permission from the relevant person e.g. landowner/farmer must be sought. It is recommended to have this in writing.
- It is advisable to have adequate legal liability (third party) insurance when shooting.
- Where applicable, use only the appropriate firearms and ammunition in accordance with the conditions of your firearms certificate.
- Familiarise yourself with all legal requirements.
- It is advisable to carry your relevant firearm, shotgun or air weapon (Scotland) certificate, or evidence of it, together with your written permission.
- As a matter of courtesy, you may wish to inform local residents who you are and where you will be shooting, together with your approximate starting and finishing times. You may wish to extend this courtesy to the local police, but you are under no obligation to notify them of any night shooting expedition.
- During daylight hours, familiarise yourself with the terrain over which you are going to shoot. It is harder to judge distances, backstops and safe lines of fire at night. These must be established before shooting commences.

- Always carry a mobile phone for emergency purposes or other means of communication. Mobile applications for location identification such as What3Words or OS maps are also recommended.

Before a shot is taken

Remember...

- Never shoot at any animal until it has been positively identified as the quarry species. Familiarise yourself with the species present on your land and how to identify them at night.
- When using a rifle, always ensure there is a safe backstop. Never shoot towards the crest of a hill.
- Rifle bullets, shotgun pellets and air rifle pellets can ricochet off bushes, fence wire and other obstacles on their way to the target. A telescopic sight, night vision or thermal imaging device may not always reveal these. Always ensure that your line of fire is free from obstacles.
- Any firearm fitted with a telescopic sight, night vision or thermal imaging device must never be used for scanning or searching for quarry.
- Remember that light from a spot lamp or night vision equipment can be reflected from a number of sources such as vehicle reflectors, glass bottles or binoculars. Binoculars may appear as 'a pair of eyes' – particularly when reflecting red filtered light.
- Pay particular attention when shooting close to field boundaries, especially those adjoining roads, tracks, bridleways and public rights of way.
- Never split a shooting party into groups. Only one shooting party must be out on the ground at any one time. Consider the possibility that other people – whether authorised or not – may be present in the area.
- When using night vision and thermal imaging equipment, the same procedures and considerations which apply to lamping are equally applicable. Remember that, due to the nature of this equipment, you will not be as visible to others as you would be when using a lamp.
- Firearms/guns should not be loaded until shooting commences.
- Wounded quarry must be followed up, collected and dispatched quickly and humanely. Shoot within your capabilities.
- **IF IN DOUBT, DO NOT SHOOT.**

Shooting from a vehicle

- Shooting from a vehicle can be potentially dangerous. A safety procedure must be explicitly agreed between all participants before shooting commences. Ensure your procedure eliminates the possibility of people entering the field of fire unexpectedly.
- Night shooting can involve multiple people, e.g. a driver, someone who is shooting, and a lamp operator or spotter using thermal equipment. Anyone not engaged in a dedicated task (e.g. spotter or the person shooting) must be either inside the vehicle or positioned behind the person shooting.

- Two people should not be shooting at the same time. When two people are planning to shoot, only one firearm should be used at any one time and the other kept unloaded in a gun slip or case and stored securely. A safe method of operating must be agreed, understood and adhered to by all those participating.
- Ensure that the driver knows the terrain and avoids sharp braking, sudden turning and remains vigilant for potential hazards such as ruts, potholes and farm implements.
- When shooting from the back of a vehicle, a firm, stable and safe position is required before taking a shot.
- A suitable rest such as a sandbag or bipod fitted to a rifle will provide a safe and stable platform for taking a shot.
- If shooting from an adapted seat or cradle, it must be firmly secured to the body of the vehicle.
- Never shoot from a moving vehicle.
- **IF IN DOUBT, DO NOT SHOOT.**

Personal equipment

- Always wear appropriate, comfortable clothing and sturdy footwear to ensure a good grip and traction when taking up a firing position.
- Always wear ear defenders when using shotguns and unmoderated rifles.
- A first aid kit should be carried in the vehicle.

3. FIREARMS

It is essential when night shooting that the appropriate firearms and ammunition are used. Correct range judging is also essential to ensure the most effective shooting.

Rifles

In most instances, the use of a centrefire rifle for fox control is preferred. However, over shorter distances and in certain circumstances, rimfire rifles (commonly used for rabbits, hares and rats) may be appropriate.

Strong consideration should be given to the use of sound moderators for both rimfire and centrefire rifles, particularly in areas close to human habitation or livestock. Sound moderators bring significant additional benefits in terms of hearing protection.

Shotguns

Shotguns with large magazine capacities (more than two cartridges) offer the user a significant advantage when dealing with large numbers of pests. Relevant authorisation to hold and use such firearms will be required under firearms licensing laws.

For ranges up to 30 metres, a 12 bore shotgun with a load of not less than 36 grams of large shot such as no. 1 or no. 3 is recommended as an effective alternative to a centrefire rifle for fox control.

Air rifles

Air rifles can be an effective method for the night shooting of rats or rabbits at short ranges.

Firearms in public places

A person commits an offence under Section 19 of the Firearms Act 1968 and Article 61(1) of the Firearms (Northern Ireland) Order 2004 if they carry a loaded shotgun, any air weapon or other firearm (loaded or not) with suitable ammunition, or an imitation firearm, in a public place without lawful authority or a reasonable excuse – which they must prove. A ‘public place’ includes highways, rights of way, and any area accessible to the public, though being on land you own or have permission to use can count as a reasonable excuse.

Section 20 of the 1968 Act and Article 62(2) of the Northern Ireland Order make it an offence to trespass on land or enter a building with a firearm or imitation firearm without lawful authority or reasonable excuse. In the 1968 Act ‘land’ includes land covered with water.

In England and Wales, Section 161 of the Highways Act 1980 makes it an offence to discharge a firearm within 50 feet of the centre of a highway (which consists of or comprises a carriageway), if it injures, endangers or interrupts a highway user. This does not apply to footpaths or bridleways. In Scotland, this Act does not apply, but discharging a firearm recklessly may amount to ‘reckless endangerment’ under common law.

Article 61(2) of the Firearms (Northern Ireland) Order 2004 also makes it an offence to fire a gun on or within 18 metres of the centre of a public road, or in any church, churchyard or burial ground, without lawful authority or reasonable excuse.

Complaints often arise from shooting near highways, so to avoid legal issues, ensure all shooting is carried out from vehicles actually on adjacent land where you have permission.

4. THE LAW

Foxes

There are no specific legal restrictions on the night shooting of foxes. Authorised persons, e.g. landowners and those with permission, may legally carry out this form of fox control. Ensure that you comply with previous guidance in this code.

Restrictions on the taking and killing of rabbits and hares

The night shooting of rabbits and hares by tenants or occupiers of land, who are not the owners of the land, is subject to the following restrictions. These do not apply to landowners, but they should be aware of the legal restrictions on shooting hares at night.

The Wildlife and Countryside Act 1981 (Schedule 7) amended Section 6 of the Ground Game Act 1880 and Section 50 of the Agricultural (Scotland) Act 1948, to allow night shooting of ground game under certain conditions.

England and Wales: It is lawful for the occupier of any land himself, or one other person authorised by him, to use firearms for the purpose of killing ground game at night if the occupier has the written authority of a person entitled to kill or take the ground game on their land, e.g. the holder of shooting rights (except where the occupier has the exclusive rights). The following conditions apply:

1. No person should be authorised by the occupier to kill ground game except:
 - Members of his household resident on the land in his occupation.
 - Persons in his ordinary service on such land, e.g. employees.
 - Any other person, bona fide employed by him for reward in the taking and destruction of ground game. The keeping of ground game satisfies the requirements of reward in the absence of money.
2. Every person so authorised by the occupier, on demand by any other person having a concurrent right or any person so authorised by him in writing, must produce their written authority. In default, a person would not be deemed to be an 'authorised person'.

Scotland:

- It shall not be unlawful for the owner of the shooting rights on any land or any person holding those rights from him, or the occupier of any land to use a firearm for the purpose of killing ground game thereon at night.
- The occupier of any land shall not use a firearm to kill ground game at night (except where he has exclusive right) unless he has obtained the written authority of the other person or one of the other persons entitled to kill ground game.
- An occupier who is entitled to use a firearm for the purpose of taking ground game may be subject to the provision of Section 1 of the Ground Game Act 1880, which authorises one other person to use a firearm. Common Law permits a landowner to take and kill game on his land, and, subject to reservation, an agricultural tenant, as occupier, to kill ground game for crop protection.
- 'Night' is defined as one hour after sunset to one hour before sunrise.
- The Wildlife and Countryside Act 1981 and the Ground Game Act 1880, define 'ground game' as hares and rabbits.

Northern Ireland:

- Article 12 (1) (c) of the Wildlife (Northern Ireland) Order 1985, makes it illegal to use sound recording for the purposes of killing or taking any wild animal (including foxes).
- Article 12 (2) of the Wildlife Order 1985, makes it illegal to use any form of artificial light or any night-sighting device for the

purposes of killing or taking any wild animal listed on Schedule 6 which includes any hare or any deer.

- In Northern Ireland, Article 7A (1) of the Game Preservation Act 1928 makes it an offence for any person to kill, take or destroy any game (including hares) on a Sunday or during the period commencing one hour after sunset on any day, and ending one hour before sunrise on the next day.

Close seasons

There is no close season for rabbits or prohibited time of taking, with the exception of the provisions of the Ground Game Acts 1880 and 1906, relating to the taking of rabbits on moorland and on unenclosed land.

There is no close season for hares in England and Wales, except for the provisions of the Ground Game Act 1880 and 1906 relating to the taking of hares on moorland or unenclosed land. Hares are included in the definition of 'game' in the Game Act 1831 and are therefore protected on Sundays and Christmas Day.

In Scotland, under the Wildlife and Countryside Act 1981, as amended by the Wildlife and Natural Environment (Scotland) Act 2011, there is a close season for brown hares from 1 February to 30 September.

There is no close season for foxes or rats.

In England and Wales, it is illegal to sell or offer for sale hares or leverets between 1 March and 31 July under the Hares Preservation Act 1892, though this does not apply to imported hares. In Scotland, while there is no set close season for selling hares, it is an offence under the Wildlife and Countryside Act 1981 (as amended) to possess or sell any hare that has been taken unlawfully.

Mountain hares

England and Wales: Under the Conservation of Habitats and Species Regulations, it is an offence to shoot mountain hares (*Lepus timidus*) at night with the aid of a lamp or image intensifier, or at any time using any semi-automatic weapon with a magazine capable of holding more than two rounds of ammunition. However, licences can be granted to allow night shooting under certain circumstances.

Scotland: Under the Animals and Wildlife (Scotland) Act 2020, it is illegal to intentionally kill, injure or take mountain hares at any time unless a licence is obtained.

Moorland and unenclosed land

Moorland and unenclosed land does not include arable land or detached portions of land less than 25 acres which adjoins arable land.

In England and Wales, under the Ground Game Act 1880, as amended by the Ground Game (Amendment) Act 1906, occupiers

or authorised persons may only take and kill ground game on moorland or unenclosed land between 1 September and 31 March inclusive; however, firearms may only be used for such purposes between 11 December and 31 March.

In Scotland, the Ground Game Act 1880 has been amended as follows by the Agriculture Act (Scotland) 1948 and the Wildlife and Natural Environment (Scotland) Act 2011: The occupier of the land or persons authorised by him may take rabbits, throughout the year, on moorlands and unenclosed lands (not being arable) by all legal means other than by shooting, and by means of firearms over the period from 1 July to 31 March inclusive.

5. TRAINING

BASC runs the following courses: Sporting Rifle Course - Small Game & Lamping; Advanced Airgun Hunter; Firearms Awareness Training; and Shotgun Safe Shot. Contact the BASC training and education department on 01244 573 018 for further details.

6. BECOME A BASC MEMBER TODAY

Join the largest field sports organisation in the UK and benefit from first resort liability insurance, advice from our specialist departments, access to training opportunities, exclusive member offers and much more.

Your membership also supports the continued fight for the future of sustainable shooting and conservation across the UK and beyond.

Discover your BASC membership.



7. FURTHER INFORMATION

For further help and advice, contact your local BASC team. Contact details can be found on the BASC website: basc.org.uk/about/in-your-area

Always follow the appropriate code of practice for the type of shooting you are engaged in.

BASC is the largest representative body for sporting shooting in the UK.

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