

Regulating the release of gamebirds (common pheasant and red-legged partridge) in Wales

NRW's advice to Welsh Government on adding common pheasant and red- legged partridge to Part 1 of Schedule 9 to the Wildlife and Countryside Act 1981 in Wales

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Purpose of this report

This report provides Natural Resources Wales’s (NRW’s) advice to Welsh Government regarding the proposal to add common pheasant *Phasianus colchicus* and red-legged partridge *Alectoris rufa* to Part 1 of Schedule 9 to the Wildlife and Countryside Act 1981, (hereafter referred to as “the Act”), as it applies to Wales (hereafter referred to as “Schedule 9”).

In providing this advice, we have considered whether the views and information submitted in response to our recent [public consultation](#) have altered our view, as set out in that consultation, that the necessary steps should be taken to bring the release of common pheasant and red-legged partridge under a licensing scheme in Wales.

Summary

In March 2023, we proposed that both common pheasant and red-legged partridge should be added to Schedule 9, so that a licence would be required for their intentional release into the wild. We also proposed the introduction of a general licence for releases at sustainable levels away from protected sites which may be sensitive to impacts from released gamebirds.

Together with Welsh Government we ran a joint consultation exercise on these proposals from March to June 2023, and have considered the responses to that consultation.

Our advice remains that common pheasant and red-legged partridge should be added to Schedule 9 of the Act and thereafter that any releases of these two species should be managed through a proportionate, risk-based licensing framework.

If required, the details of any necessary licensing regime will be further developed in the coming months, with a view to their coming into force in time for releases for the 2025/6 shooting season.

Background to this advice

In 2020, the then Minister for Environment, Energy and Rural Affairs announced her intention to introduce an appropriate approach to regulating the release of gamebirds in Wales. This commitment has since been reiterated by the Minister for Climate Change; under whose portfolio the work now falls.

The Welsh Ministers have asked Welsh Government and NRW to consider options for regulating gamebird releases in Wales, including developing any required licensing regime.

Welsh Government have asked us to advise if change is required, and to develop proposals for a proportionate licensing approach, if needed. We were specifically guided to consider whether the existing provisions of sections 14 and 16 of the Act provide a suitable legal framework should a new approach be necessary.

In taking this work forward, we were asked to consider:

- whether there is a problem in Wales and if so, what is the scale?
- how effective current voluntary approaches are.
- what capacity we have to manage any new approach.

The decision whether to add additional species to Schedule 9 rests with Welsh Ministers and the Welsh Government and we have been asked to provide advice on that question.

In 2022 we invited stakeholders and the public to submit evidence relating to the environmental and socio-economic effects and the scale and location of gamebird releases in Wales. We received evidence from a range of organisations and individuals, and we also commissioned two evidence reports from Dr Joah Madden, a leading academic specialising in this field, to further inform our work. Dr Madden produced two

reports which were both published in our consultation: - [a report on patterns of gamebird release, management and shooting in Wales](#) and [a review of the ecological effects of gamebird release and management in Wales](#).

We considered all the available evidence and used it to inform the development of proposals, which were set out in our [public consultation document](#). This included the proposal to advise Welsh Ministers to take the necessary steps to add common pheasant and red-legged partridge to Schedule 9 in order to bring their release in Wales into a regulatory framework. We also included a proposed approach to licensing which could be put in place if Welsh Ministers were minded to act on that advice.

We ran a joint 12-week public consultation with Welsh Government on these proposals between the 27th March and the 20th June 2023. The consultation served as a statutory opportunity, as required by section 26(4) of the Act, for anyone affected by the proposal to add the species to Schedule 9, to provide representations. It was also an opportunity for interested parties to comment on the proportionality and effectiveness of the proposed licensing approach. We received over 42,000 responses. We provided Welsh Government with anonymised copies of these responses, along with our [Consultation Responses Summary Report, in July 2023](#).

Our consultation was intended to gather substantive views and suggestions and was not intended to be a 'vote' on the proposals. We therefore provided free text boxes rather than tick box options for responses to the questions. Although we remain of the view that this was the correct approach, it has presented some challenges in analysing such a large volume of responses.

We are using a qualitative methodology known as thematic analysis, which is a widely recognised approach to qualitative data analysis, that enables researchers to generate insights and concepts derived from data. Thematic analysis involves reading through a data set and identifying themes, views or opinions that are repeated across the dataset. Because of the volume and nature of responses we have used a random sample approach. NRW staff have analysed the responses and we have also asked an independent analyst to carry out their own thematic analysis and to then compare their results with ours. This 'confirmation analysis', which is provided as Annex 2, found that although there were some differences in how the responses were grouped, internal and external analysis broadly identified the same themes. This suggests that there is unlikely to be significant unconscious bias in our analysis and provides confidence that the sampling approach is appropriate and effective.

In order to provide this advice, we have initially focussed on the responses to the consultation that are directly relevant to the decision by Welsh Ministers on whether to add common pheasant and red-legged partridge to Schedule 9. All the consultation questions are provided at Annex 1. Questions 1-3 were administrative and asked for the name and email address of the consultee and whether they were responding on behalf of an organisation.

This advice focusses on responses to question 4:

“Do you agree that common pheasant and red-legged partridge should be added to Part 1 of Schedule 9 of the Wildlife and Countryside Act 1981 in Wales? This

change would mean that releasing those species in Wales would need to be carried out under licence. Please give reasons for your views.”

and the four questions relating to effects on the Welsh language:

“Could the proposals affect opportunities for people to use the Welsh language?”

“Is there a way we can increase the use of Welsh or provide more opportunities for people to use the Welsh language? - If yes, please explain in the box below”

“Are there any aspects of the proposals that could disadvantage people in using the Welsh language? - If yes, please explain the effects and how they could be mitigated”

“Do you believe the proposals treats the Welsh language less favourably than the English language? - If yes, please explain in the box below”

The results of our analysis of these parts of the consultation, and our consideration of the themes identified, forms the basis for the remainder of this advice. Specifically, whether any views provided in response to these questions lead us to change our proposed advice, as set out in the consultation, that common pheasant and red-legged partridge should be added to Schedule 9.

Once we have the Welsh Ministers’ decision, we will be in a position to decide whether to complete the analysis of questions 5-9 in the consultation, which concern the proposed licensing approach.

The findings of our evidence review and our proposed approach

In our consultation document, we summarised our position following our review of the available evidence:

“There is good evidence that many of the management activities associated with gamebird releases have the potential to deliver positive outcomes for biodiversity, but that at unsustainable levels or in sensitive locations, gamebird releases have the potential to cause environmental harm.

We feel that the evidence of the potential for negative impacts at, and close to, release sites is persuasive and that there is broad agreement about the appropriate measures that can reduce and manage those impacts.

We consider that the risks and opportunities arising from gamebird releases are not only relevant to the protected sites network. We know that habitats and species of principal importance to biodiversity in Wales listed under section 7 of the Environment (Wales) Act 2016 are found across Wales and not just in designated areas. Similarly, we estimate that only around 9% of the mapped ancient woodland in Wales falls within a SSSI, although the best examples would typically be found within protected sites.

We recognise that there is also a complex network of other possible effects for which the evidence is currently weaker or more ambiguous. Many of these effects may have implications at a wider scale. Some of these effects are the subject of ongoing evidence programmes and we expect that our understanding will improve over the next two or three years. Developing a regulatory response to try and manage these effects at this time would be difficult and may risk being counterproductive. The most appropriate response to these risks at this time may be to monitor the situation and ensure that any approach we introduce is sufficiently flexible to allow for new evidence to be acted on promptly.”

We then outlined the advice we proposed to provide in response to that evidence:

“We propose to advise the Welsh Ministers that common pheasant and red-legged partridge should be added to Schedule 9 of the Wildlife and Countryside Act 1981 as it applies to Wales. This will mean that any intentional release of those species into the wild anywhere in Wales would be an offence under section 14 of the Act unless carried out under licence granted by NRW.”

The consultation document then set out the framework for a licensing approach that we proposed to put in place should the decision be taken to add the two species to Schedule 9.

We proposed that a general licence, based on the recommendations in the Game and Wildlife Conservation Trust’s Guidelines for Sustainable Gamebird Releasing (hereafter referred to as the GWCT Guidelines), would be available for releases 500m or further from a sensitive Site of Special Scientific Interest (SSSI) or European site. We further proposed that releases in or within 500m of a sensitive protected site, or that otherwise did not meet the terms and conditions of the general licence (for example because of the density within release pens) would need to apply for a specific licence from NRW.

Our assessment of the available evidence and our rationale for making these proposals were provided in detail in the consultation document and supporting documents and are publicly available. The following discussion therefore focuses on our assessment of the views and suggestions submitted in response to our proposals.

Themes identified from responses to our consultation

The consultation invited views both on the proposal to add the two species to Schedule 9 and on the effectiveness and proportionality of the proposed licensing approach. We also asked for views on specific elements of that approach. We have yet to fully analyse responses about the proposed licensing approach, pending a decision from Welsh Ministers as regards Schedule 9 listing. The full text of all the questions can be found in Annex 1.

We received responses to the consultation that included a wide range of views and opinions. Analysis identified eight key themes from the responses to question 4 and a number of themes arising from the questions about the Welsh language.

Theme 1: Concerns about political intentions

Respondents' comments

Most of the views considered under this theme can be categorised as being against adding common pheasant and red-legged partridge to Schedule 9.

They include views that this is part of a political agenda, as opposed to evidence-driven policy development. Many of these responses refer to instances where Welsh Ministers have publicly expressed views which were considered to be 'anti-shooting'. Some respondents expressed distrust of both the Welsh Government and NRW with some accusing NRW of holding a pre-conceived bias against game management.

Many respondents expressed a fear that if gamebird release was subject to regulation, licences could be refused or revoked at any time. Even some of those that felt that the proposed licensing approach was not unreasonable expressed concerns that there was an intention to make it far more restrictive once established, or even prohibit gamebird releases altogether. The term "*thin end of the wedge*" was commonly used. Some respondents felt that this was an attack on the countryside, and symptomatic of an urban bias amongst policy-makers who did not understand rural matters.

Some expressed a general criticism of the consultation, claiming that it was a waste of public money or suggesting other issues that they felt should be given greater priority (the health service, transport infrastructure, and cost of living being some examples). Many claimed that the consultation contained leading questions (some stakeholder organisations prompted their members to respond in this way) or did not provide justification for the proposed cause of action, with some respondents expressing a view that no evidence or detail had been provided at all in support of the proposals.

The proposal to regulate what is currently a lawful activity was seen by some as a fundamental infringement of their human rights and civil liberties.

Conversely, some respondents expressed distrust of the shooting community. This typically came from respondents who were in support of additional regulation and formed part of their perception that the current reliance on self-regulation was not a viable option.

NRW view

We recognise that for many respondents, the view that these proposals could lead to a ban on released gamebird shooting represent genuinely held concerns.

However, the [Overview to our consultation](#) states that:

"We now want your views on a proposed new regulatory approach. Our aim is to put in place an effective, workable, and proportionate system that will help the game shooting sector to operate sustainably"

and continues:

“This is not a consultation on whether or not shooting live quarry should continue to be allowed in Wales.”

We also set out our proposed licensing proposals in the consultation along with our rationale and supporting evidence, which made it clear that our aim was to find a proportionate and risk-based solution.

We are aware, from analysing how consultation responses were made, that many respondents appeared to access the consultation questions by navigating directly from links provided on the websites of stakeholder organisations. This means that they are very likely to have bypassed the Overview page, where they would have been able to read the above statements and the consultation paper and accessed the evidence.

We have not addressed in detail any concerns expressed about the impact a ban on gamebird release would have, as that was not within the scope of our review and does not form part of our proposals.

Whilst the opinions under this theme do not change our view that common pheasant and red-legged partridge should be added to Schedule 9, they do emphasise the importance of ensuring that any necessary licensing approach is effective and proportionate and that individual licensing decisions are properly and lawfully made. They also highlight the need for clear messaging that the introduction of regulation does not constitute a ban on releasing or shooting gamebirds.

Theme 2: Views about the evidence

Respondents' comments

Respondents expressed different views about whether sufficient evidence had been provided to justify regulation.

Many respondents felt that more evidence was required before a decision could be made. For instance, some referred to the need to better understand the reasons for apparent poor compliance with the current mandatory registration with the Animal and Plant Health Agency (APHA) or suggested waiting for the conclusion of the UK government (Defra-led) gamebird research programme.

Some argued that there was uncertainty as to whether regulation would have a net negative environmental effect (by disincentivising positive land management carried out by gamebird shoots) and that the precautionary principle therefore required that no action should be taken. Some of these consultees made specific reference to the conclusions of Dr Joah Madden's evidence reports, particularly the conclusions he draws about the critical evidence gaps. In particular the following sections taken from Dr Madden's [report on patterns of gamebird release, management and shooting in Wales](#), were cited:

“There is a fundamental knowledge gap revealed by this analysis: that reliable data on the scale, extent or history of gamebird releases in Wales is extremely poor.”

“A secondary knowledge gap made evident by this review is that it is unknown what are the management methods that accompany each release including their compliance with recommended best practice guidelines.”

“Without accurate information about the scale and extent of compliance with these guidelines, in conjunction with the primary knowledge gap relating to the scale, extent and history of releases, it becomes extremely difficult to reliably determine the net ecological effects of gamebird release and management in Wales.”

“There are critical gaps in the data required to make any accurate analysis about the consequences of gamebird release and management in Wales.”

NRW View

In our consultation, we accepted that there were areas where the available evidence was incomplete or ambiguous.

We note that some consultees consider that the statements made by Dr Madden, as cited above, demonstrate that NRW is unable to show that there is an existing issue with gamebird releases in Wales. Within the same report, Dr Madden identifies three particular knowledge gaps:

“I report three obvious knowledge gaps that would benefit from further investigation to improve the data. First, a more reliable record of the location and scale of releases is needed. Second, details of the management of the birds post release at sites would be helpful to determine their likely impacts, especially when releases and management may occur close to ecologically important sites or protected areas. Third, understanding the likely future behaviour of game managers following the apparent marked changes in gamebird release and management over the past three years due to COVID and HPAI is essential to accurately predict future scenarios of gamebird release and management and thus their ecological consequences.”

He later identifies the lack of regulation and poor compliance with current registration requirements as the primary factors in this:

“There are two main problems to be considered when attempting to answer these questions. First, the release and management of gamebirds for shooting is currently lightly regulated and this, coupled with a concern about privacy and security in the face of disturbance from some people opposed to shooting, mean that there is little incentive to collect or publish data relating to release sites and sizes. Second, there is likely to be poor compliance with the regulation that does exist in the form of the APHA Poultry Register which requires people with holdings of more than 50 gamebirds for release to declare them (Madden 2021).”

And finally, ends his conclusion with the following:

“More accurate data, either obtained through improved compliance with the existing registration requirements or derived through new sources could improve the

accuracy and coverage of our knowledge about this activity and its ecological (and socio-economic) effects.”

We remain of the view that there is sufficient evidence to indicate that there are unmanaged risks. We also remain of the view that the proposed regulatory approach, together with improved compliance with the requirements of the mandatory poultry register, will be essential in improving the data regarding scale and location of releases in Wales, and therefore their environmental and socio-economic effects. Specifically, we consider that our proposed approach would improve the data on the scale and location of releases and the associated management practices in the vicinity of protected areas.

Some consultees felt that there was no justification to introduce regulation until all the acknowledged evidence gaps relating to the environmental effects of releases had been filled.

Whilst we welcome the Defra-led gamebird research programme and have committed to consider and respond appropriately to any new evidence that becomes available, we do not accept that simply waiting for its scheduled conclusion in November 2024 is justifiable. Defra have put in place an interim licensing regime whilst this work is undertaken and some of the outputs appear to be reliant on data gathered as part of the reporting mechanisms in their [GL43](#). The conclusion of the Defra evidence programme will clearly not achieve absolute scientific certainty and we consider that there is already sufficient evidence to justify taking action. We must therefore be pragmatic but ensure that any approach is kept under review as the evidence develops and seek to use any regulatory approach to improve our understanding.

Some argued that evidence gaps meant that there was scientific uncertainty as to whether regulation would have a net negative environmental impact and that this meant that intervention should not be considered. Again, the opposite views were also expressed, with some agreeing that the proposed approach was a proportionate response to uncertainty and others feeling that the correct response to scientific uncertainty was to take a much more restrictive stance until any environmental impacts could be conclusively ruled out. Respondents with all these viewpoints often referred to the precautionary principle to support their arguments.

The precautionary principle aims to achieve a high level of environmental protection through preventative decision-taking in the case of risk. Different consultees approached this principle from different perspectives and as a result came to contrary conclusions. Some felt that, as some of the effects of gamebird releases on protected areas, habitats and species were not fully understood, the precautionary principle meant that those releases should be carefully regulated, or even stopped altogether. Others argued that new regulation might disincentivise investment in conservation work and thus poses a risk to the rural economy and jobs. They felt that applying the precautionary principle in these circumstances meant not regulating until all uncertainty about the effects of regulation was removed.

In applying the precautionary principle, we have:

- evaluated the available scientific evidence and determined, as far as possible, the degree of scientific uncertainty,

- evaluated the risks and the potential consequences of inaction,
- involved interested parties in the identification of relevant evidence and in the development and shaping of the proposed regulatory response.

We have also applied the general principles of risk management in applying the precautionary principle:

- Proportionality between the measures taken and the chosen level of protection
- Non-discrimination in application of the measures
- Consistency of the measures with similar measures already taken in similar situations or using similar approaches
- Examination of the benefits and costs of action or lack of action
- Commitment to review any measures in the light of scientific developments

There is largely undisputed scientific evidence that gamebird releases have the potential to cause environmental harm, particularly where good practice is not followed or where the locations of release are sensitive. Our review confirmed that most (but not all) interested parties agreed that the GWCT Guidelines in most cases presented a reasonable set of precautionary measures. There is also broad agreement that higher risk releases, particularly where they are close to sensitive designated areas, should be subject to individual assessment in the context of the specific features that could be affected. We are aware that some releases take place in Wales which are at a significant scale and sometimes in close proximity to protected areas. However, the review also identified areas of uncertainty, not least around the scale and location of releases and the extent to which those releases follow good practice. Bodies representing the gamebird shooting community believe that good practice is widely adopted but are unable to provide robust evidence to demonstrate this.

We recognise that introducing regulation can carry risks of unintended consequences, but by basing the proposed general licence conditions on the GWCT Guidelines and applying a risk-based approach, with light-touch options where appropriate (including in particular the grant of a general licence) and by monitoring the impact of licensing after implementation, we consider that those risks can be minimised.

Should the decision be taken to add common pheasant and red-legged partridge to Schedule 9, we will consider the consultation responses with regard to our proposed licensing approach with a view to ensuring that it is suitable, necessary, and balanced. We understand that the Welsh Government will also be undertaking a Regulatory Impact Assessment as part of their assessment as to whether to add these two species to Schedule 9.

Theme 3: Views about the benefits of shooting

Respondents' comments

A number of respondents made the economic case for shooting, including directly to shoots and to associated businesses such as the hospitality sector. Some noted the financial contribution of gamebird shooting to economically disadvantaged rural communities, particularly at times of year when income from other forms of tourism and recreation was not reliable. Some suggested that there would be a need for government to provide financial support to areas if shooting revenues were adversely affected.

Community benefits were raised by some, included through creating local employment and providing opportunities for rural communities to come together. A number of respondents referred to the personal benefits of shooting, including to physical and mental health and wellbeing. Respondents' views about the relationship between gamebird shooting and the use of the Welsh language are addressed later in this advice.

Many respondents emphasised what they considered to be the wider conservation and environmental benefits arising from habitat management and pest control. The arguments around the environmental effects of game shooting activity are considered in more detail under theme 5.

Some responses referred to game shooting providing free-range meat, which some respondents felt should be recognised as a healthy and sustainable food source.

Counter views were also expressed that suggested that the environmental, socio-economic benefits of shooting and the nutritional value of game were overstated.

NRW View

The responses received leave little doubt that gamebird shooting is important to those who participate in it and those whose livelihoods are wholly or partially reliant on the activity. Gamebird shooting is clearly culturally important to many people and important to their sense of wellbeing, identity and community. Many responses expressed fears that these benefits were at risk. However, those whose responses focussed on this theme often did so in the context of a perceived ban on shooting, which is not proposed.

In our evidence review, we recognised that there was strong evidence that management practices associated with gamebird shooting had the potential to deliver conservation benefits at a landscape scale. It is therefore unsurprising that this was a common theme in the responses to our consultation. However, in order for such work to deliver net conservation benefits it must be coupled with good practice. Our proposed approach is intended to manage any negative effects through encouraging good practice and beneficial management activities.

We have been asked to consider options for an effective, workable, and proportionate system of regulation. We have not been asked to consider a ban on gamebird release and it was not part of the proposals that we consulted on. We do not anticipate that the proposed regulatory approach will prevent the industry continuing to deliver economic, social and wellbeing benefits and, if regulation is to be introduced, we will work with the

sector to ensure that this continues to be the case. We anticipate that the proposed approach would help the game shooting sector to demonstrate that it operates sustainably.

Theme 4: Views about the current system

Respondents' comments

Views expressed about the current system included both support for and opposition to additional regulation.

Some expressed views that releases are already sufficiently, or even “heavily”, regulated. Often these responses made specific reference to existing SSSI consenting provisions while some suggested that NRW could make use of “stop notices”.

Some respondents considered that self-regulation was effective and already provided sufficient safeguards. These respondents considered that the current system was effective and therefore no change required, with many using the expression “*if it ain't broke don't fix it*” to characterise their view.

Conversely, those in favour of additional regulation often referred to examples of wildlife crime (such as raptor persecution), moorland burning and the continued proliferation of lead-based ammunition, along with poor levels of compliance with APHA registration requirements, as evidence to demonstrate that the game shooting sector cannot be relied upon to regulate itself. These respondents tended to consider that this justified the proposal to introduce licensing and that the current system is not sufficient.

A number of respondents commented that gamekeepers know their locality well, they are best placed to take decisions relating to the conservation of the land they manage.

A number of respondents commented that the shooting of released gamebirds is a long-standing tradition which has been occurring for a long period without, in their view, the need for regulation. Conversely, others felt that the sector needed regulation and that this was now particularly urgent given the increasing scale of the industry. The scale of shoots was a recurring subject – with some respondents considering that problems arising from large-scale, commercial shoots is threatening the more traditional approach to shooting of released gamebirds.

Respondents also shared a range of views about ethics and animal welfare issues and the degree to which these were currently being addressed.

Some respondents commented on what they considered to be a lack of current formal regulation. These responses came mainly from those in favour of the addition of common pheasant and red-legged partridge to Schedule 9. Reasons given for why they supported this as an approach included what they perceived as downsides of the current lack of regulation. This included released gamebirds impacting on the environment, negative impacts on neighbouring property, and the birds presenting a danger to road users. Some respondents referred to the legal status of released gamebirds as wild birds and that this

allowed shoots to absolve themselves of responsibility for any harms caused by the birds they release.

NRW View

We have considered in some detail the sufficiency of SSSI consenting as a regulatory framework for the release of gamebirds. Whilst it provides a means to regulate activities that take place within the boundary of a SSSI, it provides no mechanism to manage releases outside of those boundaries, even if immediately adjacent to the site. These limitations are well known and have been a principal motivation for Welsh Ministers asking us to consider options for regulating gamebird releases in Wales, and for the earlier work undertaken in England.

We have considered suggestions made about alternative approaches, including the use of “stop notices.” We assume that this is a reference to the provisions relating to Special Nature Conservation Orders in Regulations 27-31 of the Conservation of Habitats and Species Regulations 2017. We do not consider this to be a reasonable alternative to introducing a licensing provision by adding the species to Schedule 9. We have come to this view for two reasons. Firstly, these Orders can only apply to European sites. They cannot be used to manage risks of impacts from gamebird releases close to sites which are designated only as SSSIs, nor can they be used to protect those habitats and species identified and listed under section 7 of the Environment (Wales) Act 2016. Secondly, they are a something of a “last resort” mechanism intended to address a threat to a specific site where other means have failed, rather than a tool to manage a more general risk arising from a widespread activity.

Some consultation responses referred to the existing provisions for carrying out Habitats Regulations Assessments (HRA) under the Conservation of Habitats and Species Regulations 2017. We note once again that this provision would only apply in the context of likely significant effects on a European site rather than on an SSSI. However, perhaps more importantly HRA is not a regulatory mechanism in its own right and cannot be applied unless the activity is subject to decision-making by a public authority. The introduction of a licensing system would constitute such decision-making and therefore enable the carrying out of HRA.

We note that a number of responders favour the continuation of what they term self-regulation. This was a common theme, and we have acknowledged the importance of the codes of practice and guidelines produced by the industry. However, we have also been unable to identify, from consultation responses or any other sources, any robust evidence to indicate the extent to which codes of practice and voluntary guidelines are followed. Some respondents felt that the absence of data on whether shoots are complying with existing good practice guidelines is not a reason to consider bringing the release of gamebirds under regulation, arguing out that there is also little evidence to indicate non-compliance.

We do not disagree that there is very limited data on the extent to which good practice guidelines on the release of gamebirds are either complied with or breached. Given the critical role that good practice has in mitigating the risks associated with gamebird release we remain of the view that accepting this level of uncertainty would be unjustifiable and contrary to the precautionary principle as outlined in relation to Theme 2 above.

Our proposed regulatory approach uses the industry's own guidelines as its foundation. We therefore do not anticipate that the proposed approach would mean significant change for the majority of those already operating in accordance with best practice, should Welsh Ministers decide to add the species to Schedule 9.

Theme 5: Environmental considerations

Respondents' comments

This theme encompasses views about the environmental effects of gamebird shooting, from which two, often opposing, sub-themes have been identified.

The first sub-theme relates to the view that the presence of a released gamebird shoot is beneficial to the local environment due to the positive environmental enhancement work which is undertaken as part of the management of shoots, including habitat creation and improvement, and control of pest species. Many of those who held this view felt that any curtailment of shooting activity would negatively affect such privately funded conservation work.

The other sub-theme relates to the counter view that shoots tend to be detrimental to the environment, for instance, due to the negative impacts that releasing non-native species has on native flora, fauna, and habitats. Further views expressed included references to the role of gamebirds in spreading diseases including highly pathogenic avian influenza (HPAI), comments that release of mallard should have been included in this review, and concerns about the use of traps and snares to control wildlife regarded by shoot managers as pest species.

NRW View

We have considered the question of the environmental effects of gamebird releases in detail in our evidence review and provided our conclusions and our rationale in the consultation documents.

We acknowledge that there is good evidence that management activities carried out by shoots can have significant benefits on the environment. We also consider that there is good evidence that released gamebirds can have negative impacts on the environment. We do not, however, accept the argument that the potential benefits outweigh any concerns about the potential harms to the extent that should preclude the appropriate regulation of gamebird releases. Activities that benefit one species or habitat may adversely affect another and it is therefore quite normal for interventions with conservation benefits to be subject to regulation. For example, many conservation activities carried out within a SSSI require consent, even where they are included in the site's management statement as beneficial or essential for the maintenance of the site's special features.

It is not our intention to curtail positive management associated with gamebird releases, and we do not believe that our regulatory proposals will have that effect. By incorporating current best practice into licence conditions and providing the opportunity for higher-risk releases to be considered individually by habitat and species specialists, we believe that

our proposals will further the environmentally beneficial aspects of gamebird management as well as discourage environmentally harmful practices.

We note the concerns of some consultees about the exclusion of mallard from this review. Mallard was not included in the scope of this project and therefore was not included in our call for evidence, evidence review or subsequent consultation. It is therefore not included in our proposal.

Theme 6: Concerns about the impact of the proposed changes

Respondents' comments

The administrative burden of applying for specific licences was a concern for a number of respondents.

Costs, including those which could relate to the licensing process and the costs of compliance were cited as a concern, particularly against a backdrop of other pressures, including the effects of Covid, HPAI, Brexit and the increasing cost-of-living.

Concerns around the enforcement of any licences were raised, in particular in the context of cost, practicality and the potential introduction of an additional biosecurity risk.

Licensing as a cause of widening inequalities was raised by some respondents, in the context of the potential costs of a licence, difficulties in understanding any licence and discrimination against those with limited digital access.

A specific sub-theme concerned the importance of shoots being able to business plan over a multi-year period, with the concern being that the introduction of licensing introduces uncertainty leading to a reduction in investment, including for positive habitat management. This view was particularly linked to the proposal that the general licence would be issued annually, and the lack of certainty which this could introduce.

A number of respondents raised concerns about the potential for negative effects on the wellbeing and mental health of those involved in shooting and game management, if shooting was to be curtailed.

The potential unintended consequences of change were cited by some respondents as a concern, specifically that the introduction of regulation would upset relationships built up through years of cooperation.

Some respondents who supported the principal of additional regulation were critical of the proposals on the grounds that they were not restrictive enough. For example, some wanted to see tighter controls, with strict conditions and individual licensing for all releases, whilst others called for mandatory registration for all shoots. Others said that shooting should be completely banned for ethical reasons.

NRW View

We accept that the proposals would mean an additional administrative burden for some shoots, although those following good practice guidelines and releasing in less sensitive areas would be able to rely on the proposed general licence and would, in our view, not be significantly inconvenienced. Those releasing within sensitive protected sites will already require SSSI consent, so we do not expect that transitioning to section 16 licensing would constitute a significant increase in administrative burden, although there may be a short-term increase for those with longer term consents who will need to apply for a licence.

We accept that shoots releasing within the 500m buffer zones, or those releasing in a way that does not comply with the terms and conditions of the general licence, would be subject to a new requirement to apply for a specific licence. However, we consider this to be proportionate and will work with stakeholders to ensure that the application process is as smooth and streamlined as possible.

The proposal that we consulted on is that most licences will not be subject to charges. The general licence would be available without charge, and we have proposed that, in line with the approach to SSSI consent in our recent Strategic Review of Charges, we would not apply a charge for specific licences that are required solely because of the proximity to a SSSI but otherwise conform with the terms of the general licence. Only licences to permit releases that are beyond the standard good practice concerning release densities, or which do not otherwise conform with the proposed general licence would be subject to a charge based on cost recovery. Furthermore, we anticipate that any such licences are more likely to be sought by larger commercially operated shoots who would be more able to meet those costs.

Some responses referred to the absence of a formal right of appeal against refusal or imposition of conditions on a section 16 licence. It was further noted that, if the proposed approach effectively replaced SSSI consenting (for which there is a formal appeals process) for releases within SSSI boundaries, then an existing avenue for formal appeal was being closed. Some who raised these concerns, made reference to the [Law Commission Consultation Paper on Wildlife Law from 2012](#), which highlighted the lack of a formal appeals process for section 16 licences as a potential area for reform.

We note that in their [subsequent Report in 2015](#) the Law Commission concluded that, on balance, that there was not a sufficiently compelling argument that such a right of appeal was necessary. We do, however, consider it reasonable to expect to have a mechanism to challenge decisions. Whilst applicants could ultimately use the judicial review process to do this, we would welcome discussions on whether a more accessible alternative is needed.

We have noted the points made about the need for shoots to be able to plan over a longer timescale. If Welsh Ministers decide to add the two species to Schedule 9, we will look more closely at the option of multi-year licensing, both for the proposed general licence and in response to any specific licence applications.

Whilst there will need to be an effective compliance and enforcement policy in place, this will be risk-based and proportionate. We will further develop this aspect of the proposal if the decision is made to add the species to Schedule 9.

As with previously addressed themes, some of the concerns identified under this theme appear to relate to the perception that shooting is being banned in Wales, or that these proposals are a first step in severely restricting the activity. As previously stated, this was not part of our consultation and is not being proposed.

Conversely, other respondents expressed disappointment that the proposals were not restrictive enough. Whilst some were clearly of the view that shooting live quarry should be banned, others accepted the proposal to regulate but were critical of particular elements of the proposed approach. For example, a number of respondents felt that all releases in Wales should be subject to individual licences, or should at least be registered, and that not doing so would mean that the full scale of gamebird releases would remain unquantified.

Whilst there would be some advantages to having data on all releases in Wales, we feel it is most critical that we have direct access to detailed information about higher-risk releases, such as those close to protected areas and those which do not conform with best practice. Under our proposed approach, specific licensing would provide us with this information. We are not proposing to require all users of the proposed general licence to register. We note that the game shooting industry has recognised the need to improve compliance with the mandatory poultry register and we hope that this will provide a better general picture of gamebird releases in Wales in future, without the need to consider what could be considered introducing a potentially duplicative system of registration.

Theme 7: Views about the benefits of regulation

Respondents' comments

This theme covers views that were generally supportive of the proposal to regulate releases and identified specific benefits of such an approach.

A number of responders felt that the introduction of licensing would encourage or require shoots to follow best practice. Others felt that a requirement for licensing returns would enable the monitoring of numbers of non-native gamebirds released and any associated impacts. Others felt that regulation had a role to play in reducing the spread of disease.

Some respondents felt that there was a need to reduce the numbers of non-native gamebirds released into the wild. Those that responded in this way generally felt that introduction of regulation would help to achieve this. Specific reference was often made to widely reported (and disputed) estimates that at certain times of year the biomass of released gamebirds exceeds that of all other wild UK breeding birds.

The ability to take enforcement action if breaches occur and to introduce fees for monitoring were identified as two benefits of the proposal.

Finally, some felt that the introduction of the proposed regulatory system for this activity would provide the necessary mechanism to enable NRW and the Welsh Government to meet their responsibilities/ statutory duties with respect to, for example, the Conservation of Habitats and Species Regulations 2017 and the Environment (Wales) Act 2016.

NRW View

Most of the views identified under this theme were broadly in agreement with the rationale set out in our consultation. However, some of these themes suggest that some areas may need to be clarified.

The intention of these proposals is not necessarily to moderate the total numbers of gamebirds released in Wales. Rather, the intention is to ensure that releases are managed sustainably and at densities and locations where the risks of environmental harm are reduced.

Whilst we propose recovering the costs of determining applications for licences where the good practice guidelines on release density are exceeded, we anticipate that, under the proposal we consulted on, the majority of licenced releases would not be subject to a charge. This would either be because shoots are able to operate under a general licence or because of the proposed policy of not charging for releases that require a specific licence purely because of their proximity to a sensitive protected site. If the proposed approach is implemented, we will put in place a risk-based and proportionate system of monitoring, compliance, and enforcement.

Theme 8: Specific suggestions

Respondents' comments

A number of specific suggestions were put forward by consultees when answering question 4. Examples of these include:

- Shoots and shooting estates should be licensed (rather than just the act of release) so as to encourage and promote best practice more widely throughout the sector.
- While large shoots should be licensed, licensing of smaller shoots is unnecessary.
- NRW should support, or even subsidise, well-managed shoots due to the benefits these provide to wildlife, rural communities, and the public.
- Only birds raised on shoots should be allowed to be released – rather than being brought in from elsewhere in the UK or imported.

NRW View

The background to this work is a request from Welsh Ministers to consider options for regulating the activity of releasing gamebirds. Whilst we considered options like the wider licensing of shoots themselves, we felt that using an established legal mechanism (namely Schedule 9 listing and a licensing system) presented better value for money and was an appropriate and proportionate response to the request from Welsh Ministers. This approach also provides a degree of consistency with that taken in England, although we

are mindful that the current interim approach in England is due to expire on the 30th May 2025 and it is not yet known what arrangements will be put in place after that date. A post-implementation review of that interim approach is due 12 months before the expiry date.

Some respondents were concerned, primarily or solely, about the impact of large commercial shoots. However, arguments have also been made that, provided the shoots follow good practice, conservation benefits tend to increase along with the scale of the shoot and therefore that “big does not necessarily mean bad”. The current proposed approach would mean that all shoots across Wales, regardless of size, would need to operate in compliance with the industry’s good practice guidelines unless they have agreed an exception under a specific licence. This approach is broadly in keeping with those best practice guidelines. We asked a question later in the consultation about the possibility of adopting a lighter-touch approach for small shoots and we will consider the responses to this, and other questions, if we are required to put a licensing approach in place.

The suggestion that only birds raised on shoots should be allowed to be released was not a commonly repeated theme. We assume that it is a suggestion intended to reduce the risk of disease transmission from transporting or importing birds. We consider that with proper biosecurity and adherence to animal health measures, these risks are likely to be manageable in a less restrictive manner.

NRW already supports conservation activities carried out by shoots, as with other land managers, for example, through management agreements. We will also continue to work with the industry in our role as regulator to encourage sustainable practices.

The full details of a licensing system will be developed if Welsh Ministers make the decision to add common pheasant and red-legged partridge to Schedule 9.

Themes arising from the Welsh language questions

Respondents’ comments

Because fewer respondents answered these questions and because those responses often did not relate specifically to the question asked, we identified a single set of themes from all four questions.

Some respondents focused on the opportunities to speak Welsh provided by gamebird shooting, including through providing opportunities to socialise in situations where Welsh is used, normalising the use of Welsh, allowing people to gain confidence in using Welsh and providing a means for non-Welsh speakers (including visitors to Wales) to be exposed to the language.

Conversely, some respondents suggested that shooting primarily attracts non-Welsh speakers, in particular from England, and thus reduced opportunities to use Welsh.

Some raised concerns about the impact the proposals could have on Welsh language use through the closure of shoots reducing employment opportunities in rural Welsh-speaking areas, forcing people to move elsewhere for work. Others felt that there was a risk that an important part of the cultural heritage of Welsh speaking rural communities was at risk.

These comments tended to be associated with fears that gamebird shooting was being banned in Wales but were also associated with concerns over the potential economic impact of regulation.

Some respondents completing these questions, including respondents who were opposed to the introduction of regulation, said that they had no concerns about the proposals' impact on the Welsh language and that the use of the Welsh language was and should continue to be an individual's choice.

Some responses suggested ways that Welsh could be promoted. Suggestions included Welsh language being further promoted in schools or other educational establishments, by actively promoting the use of Welsh to those attending shoots, or by shoots providing literature and signage bilingually.

Some respondents used these questions as an opportunity to criticise the consultation itself, to suggest that including four consultation questions concerning the Welsh language was disproportionate, or to express scepticism about the reasons for asking the questions. Some respondents expressed negative views about the Welsh language and its use more generally.

Some consultees completed the questions but stated that they had no concerns about the proposals' impact on the Welsh language or that the use of the Welsh language was purely an individual choice.

NRW View

Many of the concerns expressed about the impact of the proposals on the use of the Welsh language appear to stem from the fear that adding common pheasant and red-legged partridge to Schedule 9 could effectively bring about a ban on the shooting of released gamebirds in Wales.

Shooting is clearly important to many in Welsh-speaking communities. However, we do not believe that the introduction of proportionate regulation would have a detrimental impact on the Welsh language.

Although our proposal is not a ban on gamebird release, there may be a risk that the perception, or fear of a future ban, might be sufficient to motivate some who participate in or derive employment from gamebird shooting to move away from Welsh-speaking communities leading to a decline in the use of Welsh in rural areas. However, we feel that such concerns are somewhat speculative, and are likely to have been fostered by a narrative that has been deployed in the media by organisations and individuals representing shooting interests who are strongly objecting to our proposals. We believe that such concerns should be countered through clear and consistent communications from the Welsh Government and NRW.

Conclusion and advice to Welsh Government

In undertaking this work we were asked to consider whether there was a problem in Wales and whether there was a need for change. Specifically, we have been asked to give advice

on whether we feel that common pheasant and red-legged partridge should be added to Schedule 9 and, if so, in what manner they should be added.

In our review, we found evidence that the release of gamebirds can risk environmental harm, particularly where they take place in sensitive locations or in a way that does not meet good practice. It is clear that significant numbers of gamebirds are released in Wales and that there are particular concentrations of releases in some areas. It is also clear that releases do occur close to sensitive protected sites. However, a lack of reliable data means that it is difficult to be confident about the exact scale or nature of those releases and their effects. We consider this lack of data to be a significant problem in itself.

Our view is that existing regulatory and voluntary measures, whilst making an important contribution, are unlikely to be sufficient to satisfactorily manage these risks. Importantly, there is a lack of reliable evidence regarding the degree to which good practice is followed, whether releases are accompanied by positive management, and the scale and nature of that management. We consider that regulation is likely to be the only effective way to improve this situation and to better inform future management.

Having now considered the responses to the relevant parts of the consultation, we remain of the view that intentional releases of these species should be regulated through proportionate and risk-based licensing.

We recognise that some stakeholders have concerns that introducing regulation may have unintended environmental, economic, and social impacts. However, we feel that the approach set out in the consultation is risk-based and proportionate and that any such risks can be managed. Importantly, we feel that the risks of doing nothing are greater than the risks of taking action.

In their consultation responses, many respondents expressed a fear that these proposed changes amounted to, or were the precursor of, a total ban on game shooting in Wales. We have stated consistently that we have not been asked to consider a ban and that it is not what we have proposed. However, some consultation responses suggest that this perception alone may be impacting on confidence and well-being. We feel there is a need to ensure clear and consistent messaging and we would encourage stakeholders to do the same.

Having considered the available evidence, and the responses to our recent consultation, we advise the Welsh Ministers that common pheasant and red-legged partridge should be added to Part 1 of Schedule 9 to the Act and thereafter that any releases of these two species in Wales should be managed through a proportionate risk-based licensing framework.

If the decision is made to add these species to the Schedule, we will then move forward and develop a licensing approach that we feel can be delivered effectively with the available resources. That licensing approach would be planned to come into force for the 2025/6 season, with details published in advance to ensure that shoots have reasonable time to make any necessary arrangements.

Annex 1 – Consultation questions

1. What is your name?
2. What is your email address?
3. If you are representing an organisation, please tell us which one.

General Questions

4. Do you agree that common pheasant and red-legged partridge should be added to Part 1 of Schedule 9 of the Wildlife and Countryside Act 1981 in Wales? This change would mean that releasing those species in Wales would need to be carried out under licence. Please give reasons for your views.
5. If these species are added to Schedule 9, please give us your views on whether our proposed licensing approach would be effective and proportionate.

Specific Questions

6. We have based the proposed general licence conditions for pheasant release on the recommendations in the GWCT guidelines for sustainable gamebird releasing. However, the guidelines do not include specific density thresholds for red-legged partridge and there appears to be less evidence on which to base conditions relating to partridge. We have used what evidence is available, and expert opinion, to propose conditions for partridge releases. These are either based on a density threshold linked to the area of cover crop provided, or on density per hectare of release pen (as with pheasants), depending on how the birds are released. We would welcome views on whether these proposals are appropriate and workable and whether they could they be improved.
7. The GWCT guidelines include a recommendation that no more than one third of woodland with game interest should be used for release pens. This is to ensure sufficient woodland remains that can benefit from habitat management activities. We would like to include this recommendation in our proposed general licence. However, we would prefer to be able to define what can be included in the calculation. Do you have suggestions for how this might be achieved?
8. Location and density appear to be the main factors influencing the environmental impact of releases, but we recognise that smaller releases in less sensitive areas are likely to present reduced risks. It may be appropriate that small gamebird releases taking place away from sensitive protected sites and their buffer zones are not subject to the same general licence conditions that apply to larger releases. Do you think this is something we should consider? Please give reasons

Welsh language questions

9. Could the proposals affect opportunities for people to use the Welsh language?

10. Is there a way we can increase the use of Welsh or provide more opportunities for people to use the Welsh language? - If yes, please explain in the box below
11. Are there any aspects of the proposals that could disadvantage people in using the Welsh language? - If yes, please explain the effects and how they could be mitigated
12. Do you believe the proposals treats the Welsh language less favourably than the English language? - If yes, please explain in the box below

Annex 2 – Independent confirmation analysis

This analysis was carried out by independent research psychologist Naomi Marfell. She compared themes identified by her analysis with those identified by NRW researchers, when considering the responses to the consultation questions that were considered in developing this advice.

Background

Qualitative analysis using thematic analysis is subjective, relying on the evaluators/researcher's judgement in relation to the themes and ideas extracted from the data. To reduce potential bias and provide support for emerging themes, thematic analyses were conducted by two different researchers/research teams on samples of the data for each question and then compared to provide a confirmation analysis. To increase the number of responses reviewed these analyses were carried out on separate random samples. The analyses were carried out by a researcher, or research team, from NRW (internal analysis), familiar with the research topic and by an external/independent researcher (external analysis). The aim of the confirmation analysis was to both determine that saturation of the data had indeed been met with the samples of 1000 responses and to compare themes in an attempt to reduce the potential for researcher bias.

Confirmation analysis for Question 4

Question 4 was the first qualitative question in the consultation and asked:

“Do you agree that common pheasant and red-legged partridge should be added to Part 1 of Schedule 9 of the Wildlife and Countryside Act 1981 in Wales?”

The internal analysis identified four main themes:

- Challenging the need/justification for regulation
- Concern over the impact of regulation
- Mistrust of government
- Supporting the need for additional regulation

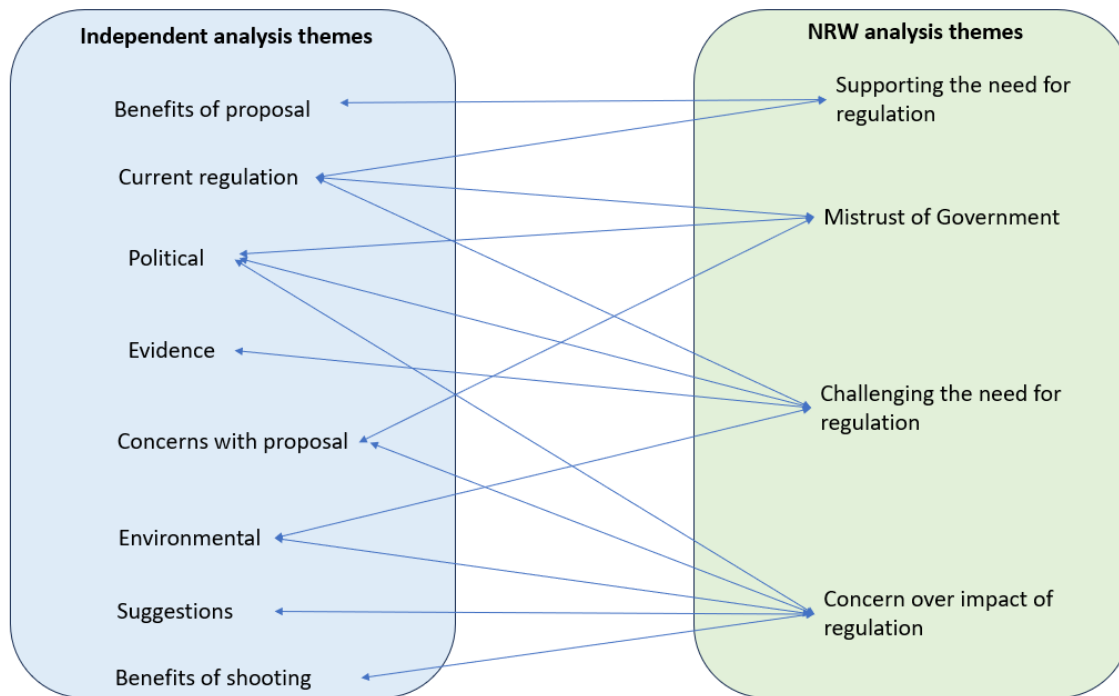
The external analysis identified 8 themes:

- Benefits of shooting
- Benefits proposal
- Concerns with proposal
- Current system
- Environmental
- Evidence
- Political
- Suggestions

Overall, the external researcher tended to identify a greater number of specific themes whereas the analyses from the internal team provided fewer, more general themes. There

was however, commonality found in the themes with both analyses identifying issues around the political aspects of the consultation and responders' mistrust of the government, NRW and the consultation itself. Other common themes which emerged were around questioning the evidence supporting the need for further regulation, the impact of the proposal, and the responders' support or lack of support for the suggested proposal.

Looking at the main theme headings the following diagram highlights interplay between the themes identified in the 2 analyses:



This comparison highlights that although there are differences in the grouping of subthemes into themes in the two analyses, in terms of the overall ideas emerging from the data, similar ideas emerged from both analyses of the two random samples.

Closer examination of the ideas within internal sub themes against the ideas from the external sub themes shows similarities between the two sets of sub themes as shown below

External analysis - Theme	External analysis - Sub-theme	Internal analysis – sub theme
Political	Political agenda	General comments opposing regulation
	Distrust WG & NRW	Intention is to ban
	Attack on countryside	Interference by urban policy makers
	Criticism consultation	General comments opposing regulation

	Infringement of rights	Impact of regulation on the environment
	Distrust shooting community	
Evidence	Stating evidence	Questioning the evidence
	More evidence needed	
Benefits of shooting	Economical	Impact of regulation on shoots and economy
	Community	
	Personal	
	Conservation/environmental	Impact of regulation on the environment
	Free-range meat	
Current system	Safeguards in place	Challenging the need - already sufficient controls
	No change needed	Already sufficient controls
	Self-regulation	Already sufficient controls
	Game keepers best placed for decisions & conservation	
	Shooting views	Calling for a ban
	Long standing tradition/culture	Interference by urban policy makers
	No regulation currently	General comments in support of greater regulation
Environmental	Not detrimental	Questioning the evidence
	Detrimental	Impacts on the environment
Concerns with proposal	Bureaucracy	Impact on public resources
	Costs	Impact on shoots and economy
	Enforcing	Impact on public resources
	Widen inequalities	
	Lead to ban	Intention is to ban
	Shutting down of shoots	Intention is to ban
Benefits proposal	Control disease	Impact on the environment
	Provide rules/best practice/Evidenced based licences	Comments in support
	Limit numbers shot	Scale of release means regulation is needed
	Regulate breaches	Comments in support
	Fees for monitoring	
Suggestions	licences for estates or businesses needed	Impact of regulation on shoots and economy
	Large shoots should be licenced	Impact of regulation on shoots and economy
	BASC proposal best option	
	NRW should subsidise shoots	
	Only birds raised on shoots should be allowed to be shot	

Of the 38 sub themes identified by the external analysis 30 mapped on to internal analysis themes providing some support for the validity of the analysis.

Eight of the sub themes identified by the external researcher did not appear to be included in the sub themes from the internal analysis. This may be due to the more general nature of the internal analysis themes in comparison to the themes of the external researcher, meaning that some of the more specific themes highlighted by the external researcher (e.g. free-range meat, NRW subsidising shoots) were not identified by the internal team.

When looking at the more specific external analysis and comparing with the internal analysis, no new ideas emerged from the internal analysis providing support to the idea that saturation had probably been met in the external thematic analysis.

Confirmation analysis for the Welsh language questions

Four Welsh language questions were included in the consultation, due to the nature and number of responses, responses to these questions were considered as a set for analysis purposes.

The internal analysis resulted in five themes as follows:

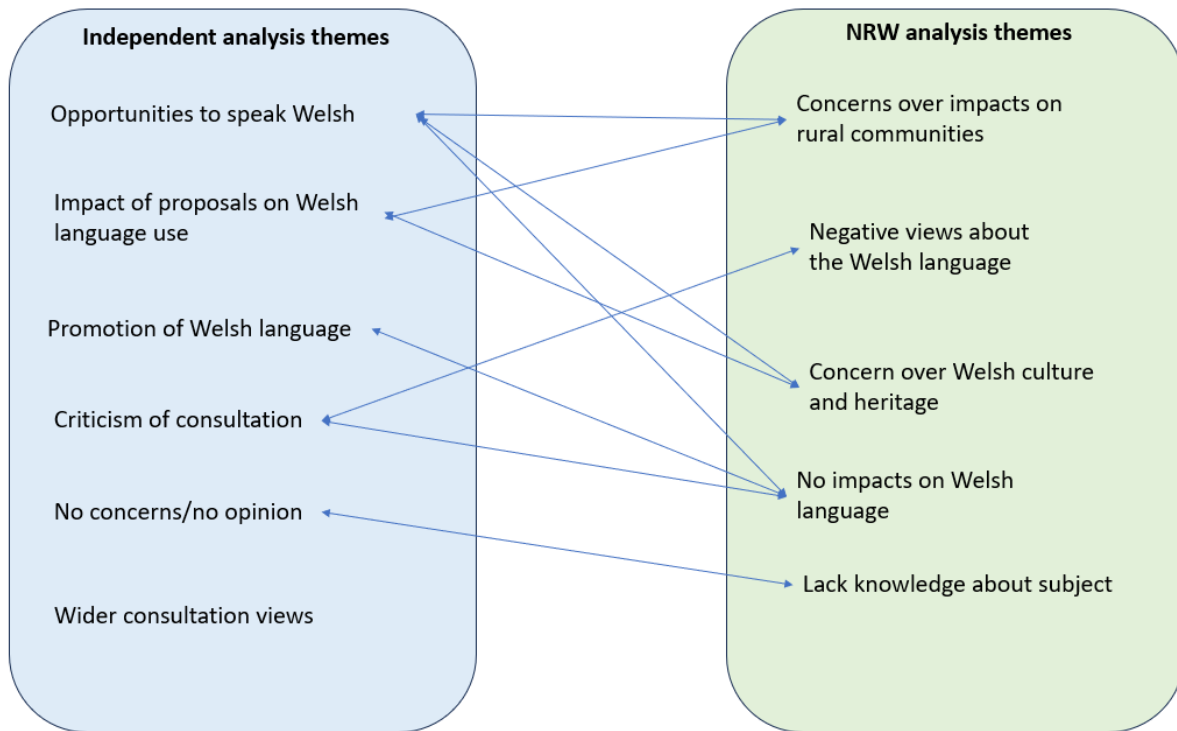
- Expressing concerns over impacts on rural communities
- Expressing negative views about the Welsh language
- Expressing concern over Welsh culture and heritage
- Expressing no impacts on Welsh Language
- Expressing lack of knowledge about the subject to be able to comment

The external analysis resulted in seven themes as follows:

- Opportunities to speak Welsh
- Impact of proposals on Welsh language use
- Promotion of Welsh language
- Wider consultation views
- Criticism of the consultation
- No concerns
- No opinion

Overall, the commonality between the analysis would suggest main themes around views that shooting does provides opportunities for Welsh language use and given this that any proposal which may affect shoots/the shooting community may have an impact on the use of the Welsh language. In addition, a significant critical theme emerged in relation to the addition of the Welsh language questions within the consultation.

Looking at the main theme headings from the two analyses the following diagram highlights interplay between the themes identified in the two analyses:



Ideas behind nearly all the themes were found in both the internal and external analyses with the exception of the wider consultations view theme which was identified by the external analysis. This theme included comments from respondents which were not specifically answering the questions relating to the Welsh language but were rather respondents taking the opportunity to reiterate some of their views around the wider consultation. No new ideas appeared within these views which were not highlighted within the analysis of other questions within the consultation and therefore the internal review may have decided not to include these responses in the analysis for the Welsh language questions.

The commonality between the other themes suggests that saturation may have been reached and provides some validity for the themes which emerged.

Closer examination of the ideas within internal sub-themes against the ideas from the external sub themes shows similarities between the two sets of sub themes as shown below

External researcher - Theme	External researcher - Sub-theme	NRW researcher – sub theme
Opportunities	Tourism	Impact on local businesses
	Socialising	Reduction in social interaction
	Normalise	Reduction in social interaction
	More opportunities	Lack exposure/ other opportunities

	Shoots reduce opportunities	No impact (Shoots are mostly English)
Impact	Economic	Impact on local businesses
	Threats to livelihoods	Loss jobs/ displacement
	Heritage	Erosion of traditions
Promoting Welsh	Education	
	Advertise Welsh to shooters	
	Literature & signage	Bilingual guidance
Wider consultation views	Data	
	Conservation in Wales	
Criticism	Criticism consultation	Questions are nonsense/not relevant
	Scepticism of reasons for asking	Questions are nonsense/not relevant
	Individual choice	Promotion of Welsh language above English
	Negative views on Welsh language	Promotion of Welsh language above English
No concern/ No opinion		No impact
		Not enough knowledge

All of the sub themes identified through the external analysis were also identified through the internal analysis except for the two sub themes around the ‘wider consultation views’ and also two sub themes around the promotion of the Welsh language. These two sub themes came out more from the questions around how the use of Welsh language could be promoted and included the suggestions that Welsh language could be promoted via education (either through the school education system or by providing education/learning opportunities for people to learn Welsh) and also the theme that Welsh could be actively promoted to people attending shoots.

Conclusions

Confirmation analysis of the themes and subthemes for both question 4 and the Welsh language questions suggests that whilst there may be some differences between the terminology used to name the themes and the way in which the themes were split, very similar ideas emerged from the analyses carried out by the internal and external researchers for both questions, providing some validity to the identified themes and suggesting that it is likely that the decision to analyse 1000 randomly selected responses provided an adequate level of saturation of the data.

There were a small number of differences within the sub-theme level of analysis which may have been due to the more specific sub-themes identified by the external researcher in comparison to the tendency for the internal themes to be more general in nature.