

THE JOHN MUIR TRUST- AT IT AGAIN IN ASSYNT



Red stag in winter Photo by Freck Fraser

Introduction

The arguments that people had hoped we had seen the end of have broken out again in Assynt. The title of this article implies where I would lay the blame, but there is a lot going on here, and it has relevance around the country. On the surface, it is another deer vs trees story. In reality, it is more about who manages local community resources and who takes those decisions, and the relative importance placed on local vs agency knowledge. People are anxious about their jobs, they are concerned about deer welfare and they are angry that regulators are waving through out-of-season (OOS) and night shooting authorizations without any analysis or evaluation of the likely impacts. If you don't think this affects you, then think again. It does, and everyone with an interest in these things needs to pay attention, whatever your views on how we manage our natural environment.

This article is quite long, and will take 20-30 minutes or so to read through. It also includes about 10 minutes worth of drone video footage, arguably the most important part of the article. A PDF version is included if you wish to print this off to read.

The Back Story

There is a lot of history in this, going back fifteen years or so. At that time, the John Muir Trust (JMT) decided to campaign more forcefully on deer management in Scotland. Their Quinag property on the Assynt Peninsula included a small part of the SSSI & SAC designated Ardvar Woods, which was listed as being in unfavourable condition. The Ardvar woods are actually a collection of 15-20 woodland blocks scattered over several miles, and totaling c 300 hectares. If located anywhere else in Scotland, they would probably be viewed as unremarkable, but their extent is significant in Sutherland, and few would argue that they don't deserve protection. They are largely birch woods, the oak/ hazel component being very badly depleted, probably from the times of the Clearances when these more useful species would have been stripped out.

JMT made the case that there was no regeneration in the woodland area. They invited politicians to view their part of the site, and convinced them that this was symptomatic of a problem which affected the Highlands more generally. Ardvar Woods quickly gained a national profile, and the politicians wanted to see action.

We all know how the deer vs trees debate goes, and arguments quickly developed within the West Sutherland Deer Management Group which progressively got worse over a number of years, eventually becoming so toxic and deeply embedded that it became almost impossible to carry out their wider business. In 2013, West Sutherland was restructured in to sub areas to try and focus better on issues in different areas, but a key factor was to try and isolate this seemingly intractable problem on the Assynt Peninsula.

The arguments continued.

At this point, you have to start to put some of your preconceptions to one side. The deer debate in Scotland almost always implies that it is big landowners who are maintaining high deer numbers against local community interests. On the Assynt peninsula, the biggest property is the 21,000 acre North Assynt Estate, owned and managed by the Assynt Crofters Trust (ACT). You can argue about whether they are a community group or a crofters group, but they represent 185 crofts and grazings across thirteen different townships, these households comprising a high proportion of the local population. The Assynt Crofters are notable in recent Highland history for buying out their land in 1993, and are renowned in land reform circles for doing so. Many people, including government, regard them with some awe. That they place a value on their deer complicates things for many people who are looking in from the outside. Many of these people see land reform and deer reform as the same thing. ACT being sympathetic to their deer is inconvenient to the narrative they present.

JMT are the second biggest owners with 9000 acres at Quinag. The private owners are all very small by comparison. Culag Community Woods, another community group, own and manage a property as well. Ardvar Estate, whom I advise, are the largest of the private properties, and they have by far the biggest proportion of the Ardvar woodland area, with ACT having c 130 ha.

So, this is a group dominated by local community/ crofting and NGO interests, not big private owners.

At this point I will say that JMT are an impressive and effective organization in many ways. They do a lot of good work with children and young people and a lot of their educational work is very instructive. They have improved access to several of our iconic mountains through their footpath work. They have been very effective at campaigning against windfarms in key Highland landscapes, and whatever you think about wildland status in Scotland, you have to admit that successfully lobbying government for this was an impressive outcome for what is a fairly small organization. Prior to the various deer arguments that they have been subsequently involved in, many Highland landowners went to JMT first if they owned part of an iconic landscape that they wanted to see in conservation ownership & management. They were seen as a practical and pragmatic organization that you could do business with, discreetly and effectively. However, the deer arguments, and there have been many, put an end to that. They have not acquired another Highland property since. The trust is gone.

2014- 2017

From the outset, the Deer Commission for Scotland (DCS) and then Scottish Natural Heritage (SNH, now Nature Scot) tried hard to resolve the problem. They put in a lot of time and resource, they bit their lips and showed patience when that was required, and they avoided knee jerk reactions to events. They tried to build an evidence base, but were always wary of the fact that on one hand they had a large community owner who they seemed to be tip toeing around, unsure in how to deal with them, and on the other they had an effective campaigning organization who had the ear of government but who might criticize them just as quickly as anyone else.

By 2014, SNH were so fed up with the situation that their attitude had become, "Sod it, lets just fence this thing off".

As a woodland advisor, I was asked to go and map out fences. I knew Ardvar was a problem site, and the briefing notes I received suggested a woodland that was dying on its feet. Given the noise surrounding the site, I could see that this was probably going to be the case, but my work was complicated by the fact that there were actually large swathes of young regeneration taking hold, as well as areas of secured regeneration, maybe 10-15 years old. I accidentally came across a documented account of the site describing the extent of birch regeneration in the early 1980's after sheep were removed, and site inspection confirmed this to be the case. That account had been produced by SNH, but it wasn't being mentioned now. What was there did not fit the current description. Some of the older crofters described the woodlands of Assynt spreading during their lifetimes, and old maps seemed to confirm that this was the case. These were woodlands that were expanding, not going backwards. I formed the view that while fences may have a role in some areas, regeneration could best be secured by deer control within and around the woodland area, and indeed, this is what Ardvar Estate had already been doing for several years. They didn't want everything fenced off, and I had to agree with them. I made the case to SNH that a lesser area of fenced enclosures would be best, and to acknowledge the regeneration that already existed. We managed to work out a plan, and the time spent in the woods understanding them proved to be very useful in the longer

term. A helicopter deer count showed reduced numbers, and the situation seemed positive. I didn't expect to hear about Ardvar again.

However, things were not actioned, and the situation regressed again. In June 2016, SNH made a bad mistake, probably out of frustration, by placing an article in the Northern Times that effectively implied that ACT and Ardvar estate were not capable of managing their own land.

I got a phone call again, this time from Ardvar Estate/ ACT. Something needed to be done. My advice was to treat the problem as a forestry project, concentrate on the evidence base and ignore the campaigning narrative. By this point, almost everyone locally was totally fed up with the arguments, including local JMT staff who had to live and work in the community. SNH agreed to fund a deer plan, and JMT staff played a key role in that. ACT vice chairman Ray Mackay skillfully pulled everyone together, and we got a consensus over what needed to be done relatively easily.

But SNH then made another mistake. Instead of noting that people were now all on the same page, they felt they could not endorse the deer plan, and threatened statutory intervention. At the time, the Scottish Government were pressing them to be more robust in dealing with problems, and at the meeting where their board agreed a tougher approach, the Assynt situation was centre stage on the agenda, and Environment Minister Roseanna Cunningham had been on the radio that morning to stiffen their resolve. Ray advised them that they were making a mistake, but they decided to intervene with a Section 8 agreement if that was required, the first time such an instrument was to be used in Scotland. But the new SNH bullishness did not last long. When the ACT Chairman told the Press that they would go to jail rather than comply, it was reported in all the papers. The Scottish Government threatening the Assynt crofters through its agencies was not a good look. Obviously, someone had seen the problem, made a phone call, and SNH came back looking for another way.

Very quickly, terms of reference were agreed, a monitoring schedule developed, and this was incorporated in to Forestry Grant Scheme (FGS) contracts for both ACT and Ardvar Estate, covering 94 percent of the woodland area.

SNH were obviously still sceptical, and bruised, but we had a plan of actions that they could monitor, and over the coming five years a much better working relationship developed with regular communications, shared information and clearer resolve. Peace had broken out in Assynt, and everyone benefitted from that.

One good example of this better working relationship was that for some time, many people familiar with Ardvar Woods felt that they were incorrectly designated, and did not warrant the stronger EU Special Area of Conservation (SAC) label as an oak wood. SNH agreed to commission independent woodland specialists to investigate this. They spoke to all parties involved, and concluded that over much of the site that the designation was indeed inappropriately applied. To their credit, SNH accepted this with good grace, although no mechanism for delisting an SAC existed, and the politicians didn't want to be rolling back EU protection, for obvious reasons. However, this did illustrate the

value of local knowledge vs expert agency opinion, and how one can effectively challenge the other.

JMT did not sign up to any FGS contracts, but that was because they had common grazings on their ground, and they themselves did not have the legal right to put a scheme in place. That was an irritation, people understood the reason, but it meant that JMT were not tied in quite so tightly to the agreed plan as other properties, and that might well be part of the problem now. The deer plan was implemented, which included JMT shooting out of season around the woodland area, which to their credit they never abused. In retrospect, we can clearly see JMT local staff wanting to deal with the issues and to be sensitive in the way they worked. At one point, their stalker was chairing the deer group meetings, although I suspect his line management did not approve. The curious thing was that JMT line managers did not take any part in or comment on the "peace negotiations", and left this to local staff to deal with as they saw fit. They probably wanted to avoid agency intervention against themselves, and perhaps didn't expect things to swing the other way quite so quickly and decisively, but this is speculation on my part.

Many people still had a distrust of JMT however. As some-one said to me, "I'm a Highlander, I have a long memory". The problem was still there in the background, and the deer group had to keep working at things to progress and not take anything for granted.

2021-22

The first five year period of agreement came to an end in 2021/22. The various mechanisms for communicating and setting culls had worked reasonably well, but there were two areas that concerned SNH. The first was that a helicopter count showed a steady population, down very slightly, but not by the amount they wanted to see. The second was that 2021 was a cold, late spring, and seedling impacts were higher than previous years. SNH put quite a negative/concerned spin on this, but the important point is that the 80 percent low and medium impacts by Year 5 are what was agreed with SNH and Scottish Forestry in 2017, and put in to FGS contracts, and this is what was obtained.

During 2022, discussions commenced on how to take things forwards for another five years, but there had been management changes within JMT, and they announced that from 2022/23 onwards that they were going to take forward additional work to regenerate woodland elsewhere on Quinag. Their local stalker was to be replaced by contractors from the east coast, and both out-of-season and night shooting would be conducted across their whole property, not just around the designated woodlands.

And so, the argument has begun again, and JMT have decided to leave the deer group, citing disrespectful comments from other properties and advisors, including myself. Before moving to the detail of that, JMT have made the case that after ten years, nothing has progressed forwards in Assynt, and that they must try another way.

There are two important things to say against this.

One is that both Ardvar Estate and ACT have just agreed a continuation of contracts with Scottish Forestry for the next five years, with a continuation of the same impact targets, and efforts made to get the most out of the woodland enclosures established. What this means in effect is that the forestry regulator is confident that a process is in place to take these woods forwards, enough to justify their public investment. These contracts give the state forestry regulator oversight and control over what is going on, which is curiously what JMT say that they want. The important thing is that people are in agreement and share a common objective, which is to improve the woodland area, and they have made this commitment to doing that. I don't believe that this is JMT's objective at all. They are the ones who are not playing ball and staying outside the tent.

The second thing is that we can see regeneration developing, but now with the aid of drones, we can demonstrate that to a wider audience.

In the following section, there are five embedded videos, lasting about 10 minutes in total. Please watch them through, and decide whether you think things are progressing or not. There is some text associated with each.

The Video Evidence

One of the biggest challenges we have had at Ardvar was in documenting what was really happening in and round the woods. Many people think that because the whole landscape is not regenerating with trees, that it must be overgrazed, but in reality, there are a wide variety of physical reasons why large parts of the landscape will probably never regenerate over, and if you think about it, this is not what most people want from such a landscape anyway. This should be a mixed woodland/ open hill landscape. That gives the maximum conservation, biodiversity, amenity and landscape outcome, but if some areas are regenerating and others are not, then it is actually very difficult to quantify what you have got by any reasonable statistical means, and you are always open to the accusation that you could be doing more. A big part of our problem to date has been that a large number of small areas is much more difficult to map than a small number of big areas. Indeed, the cost of mapping in any conventional manner would be prohibitive. This is a practical problem that everyone faces, not just us.

Ardvar stalker Michael Ross has done a lot of good work with his drone, flying over areas of woodland in May each year to get a feel for what is going on. The high resolution video footage gives a much better feel for what is happening than mere statistics, and five sample videos can be viewed here below from different parts of the woodland areas, showing different aspects of the site and its challenges.

All of these areas are on Ardvar Estate, and all are outside fences. The videos are best viewed at full screen.

Video 1: Regeneration at Nedd

Nedd is by far the biggest single woodland area at Ardvar, it has the best conditions for regeneration, and unsurprisingly has the best regeneration over a wide area.

In the video below, stop the footage early on and get your eye in for what a mature tree looks like, size-wise. Those trees which are smaller are obviously much younger, spreading through the heather. Such trees are probably 5- 15 years old. Look out as well however for swathes of trees that are very densely packed. These are a younger cohort of trees too, 15- 30 year old thickets, and still competing with one another.

Quinag is the mountain in the distance as the drone comes up over the hill, so you can get an indication of distance. All the different age classes of trees from seedlings up to overmature and dying trees are present in this area, unusual for a natural birch woodland in Scotland. If this is not in recovering condition, then what is? There are a lot of young trees here, and they are getting bigger.

VIDEO 1

Video 2: Kerracher

This area is several miles from Nedd, at the NW corner of the peninsula. The light/resolution in this video is not as clear as previous one for the first few seconds, but it then improves. There is regeneration like this developing, to a greater or lesser extent, along a distance of about 2 km, above and within the woodland boundaries along the coast. You can see however that the regeneration stops very quickly when the ground rises up to a certain height. This is due to a combination of wind, exposure and salt spray from the sea that is only a short distance away, and ground conditions are more difficult as well, being dominated by bog and wet heath.

VIDEO 2

Video 3: Lower Main Glen

This is not quite so apparent initially and you have to get your eye in, but on the right hand side of the main glen you can see how tightly packed the trees are, and obviously moving up and out of the sides of the glen itself. These trees are younger cohorts of birch, c 10-30 years old, clearly spreading. However, very little obvious regeneration exists on the opposite left hand side, even though the ground conditions and deer density are broadly similar. This shows the affect that aspect has on regeneration, with south facing slopes regenerating much more readily than north facing slopes. As a teenager, this was one of the first things I remember being taught about native woodlands. A lot of the woodland area at Ardvar is north facing, and that makes regeneration more difficult, especially when combined with existing tree canopies and wet ground conditions. This is one of the practical problems we have to face and our expectations have to reflect that. Much of the area on the right hand side here has been successfully claimed as part of a grant scheme in the recent past.

Sharp eyed people will note the deer fence in the upper part of the glen, but that does not affect the area below the road that you can see crossing the glen. The fence is part of an enclosure focused on a weaker part of the woodland where missing species will be re-introduced by planting, and these need additional protection to become properly secured. However, by far the greatest area of regeneration at Ardvar lies outside enclosures.

VIDEO 3

Video 4: Behind Ardvar House

This video shows regeneration around quite modest woodland remnants, occupying a small proportion of the landscape. The drone comes to rest on a bracken dominated area, indicating ground of higher fertility. We are using such areas within enclosures to try and re-introduce minor but important species like oak and hazel, which have long been over exploited in the area, and are now largely missing from the woodland areas, as noted above. Such enrichment planting will create a seed source, providing for greater options in the future. When Michael picks up the drone and walks along the path, you can see some of the regeneration in the background for scale. These areas are obviously getting away as well. This video is not as slick as some of the others, but it illustrates a point.

VIDEO 4

Video 5 : Regeneration at Reintrad

This video shows birch regeneration in an area where the deer impacts are still fairly high, but even so, these trees have progressed from knee- height to shoulder/ head height in six years or so. When the video zooms out, you can see the landscape is a mix of trees and open space, and most of the older tree areas have at least some regeneration around them.

This video was taken three years ago, and most of these trees have grown by up to two feet or so since then. Some of this is difficult to walk through now.

VIDEO 5

The videos allow us to see what regeneration is there, and to articulate this to others, but we cannot estimate areas from this as yet. The hope going forwards is that satellite imagery can be combined with artificial intelligence to quantify areas of regenerating trees remotely, cheaply and effectively over large areas. This technology is not as far away as you might imagine. If you want to donate money to help our environment in Scotland, then you should donate to people who can do the necessary research and development of both satellite and drone technology. If this can be developed, then there will be fewer arguments about what is happening where. The same technology is being developed successfully to count deer in Scotland, and for wildlife populations more widely around the world. This is the future for helping people see what is really going on. We need to make sure that Government supports efforts to develop and use such technology.

Why the problem now?

When JMT said they wanted to regenerate woodland habitats more widely on Quinag, we asked where they were. As a woodland advisor, it is natural to expect to see a map of new proposals, so that you can judge the position and extent of any woodland, and get a feel for its condition. From that, you can form a view on what the deer management implications might be. In applying for their

authorizations, JMT were encouraged by SNH to consult with neighbours, and in any meaningful "consultation", you might have thought that knowing what it is that some-one is doing and where it is are pretty important.

JMT were reluctant to answer this question, but of course, we all knew the answer to this already.

There is no other woodland on Quinag outwith the designated area. There is none on any maps, you cannot see anything from satellite images, you can't see anything from the roads or neighbouring properties, and the 2007- 13 Native Woods of Scotland Survey (NWSS) did not record any woodland polygons on the mountain at all, and they looked at all woodland in Scotland over 0.5 ha in size.

Of course, there will be individual trees up on crags and along steep watercourses, and there will be occasional seedlings hidden in the heather from berries carried by birds, as there are in most upland areas in Scotland, including (possibly) montane species at the top of the mountain. But there was no information on any of this, no plot or transect data, no information on seedling densities, species and location, or if they were being browsed or not.

And this is important in a meaningful discussion about deer. If you don't know what you are dealing with, you don't know how to respond. In 25 years working with woodlands, I have never been asked to comment on a woodland regeneration project that had no woodland. Calling this a "pretendy project" contributed to JMT withdrawing from the deer group, but the substantive point is still correct. **This woodland does not exist.** We have to mention that because this is the reality of this situation. And reality will continue to exist no matter how hard you try to deny it. I think George Orwell made that observation.

Ah, but.....

JMT's Press release saying they were leaving did however throw some light on things. Apparently, to the south of the mountain, there was a woodland area, dominated by old holly trees. A closer look at this on Google Earth confirmed it does exist, and you can see it here below.

The area is the Allt Na Doire Cullinn, or The Burn of the Holly Wood/ Trees. That there are still some old holly trees there to connect with the name is notable and interesting, and in a largely treeless landscape, it may well be the sort of area that a conservation charity may wish to conserve and develop. The area is not that far from the road, and a quick recce allowed for inspection. It was not clear whether holly seedlings might be present or not, but the trees were carrying berries, so there may well have been, and they could be scattered over a wider area by birds.

If you were to describe this feature to others, you would mention its size and species composition, and photograph it if you can.

Woodland at Allt Na Doire Cuillinn.



The trees you see in this picture are the only identifiable remnant on Quinag outwith the SSSI, but with maybe 12-15 individual trees of varying sizes within the wider area, mostly holly. This woodland fragment is mostly comprised of downy birch, with some holly in it as well. The remnant covers an area of maybe 20 X 10 metres, or 0.02 or 1/50 of a hectare. There is nothing else.

This fragment is the only information we have on the justification for a very extensive deer cull. To put this in to some sort of perspective, the 300 ha of woodland within the designated area to the north, some five miles away, is 15,000 times bigger, and it is designated as well. And yet, this small fragment is more consequential from a deer perspective. Just hold that thought!

What does this mean?

In general terms, the fewer trees you have and the more scattered they are, the harder they are to regenerate, and the lower the deer density has to be. JMT have this small fragment, plus an unknown number of scattered trees or seedlings elsewhere on the mountain. They say they wish to achieve a deer density of 2-4 per sq km, but realistically, deer will need to be removed from this environment completely to allow these to get away, and even then, they will do so very slowly. JMT's neighbors understand this only too well. There are places in Scotland where people have sought to reduce deer numbers, and you hear a lot of hyperbole about wiping deer out and it doesn't happen, but it will have to happen here if the stated objectives are to be achieved.

Delivering the cull

JMT started their cull over the Christmas holidays, and admit to taking 26 stags in the first two days alone. Those familiar with the area will know that as you drive west from Inchnadamph towards Loch Assynt, and then north towards Kylesku, that there are deer everywhere. The reason for this is that the surrounding area is underlain by limestone, it is extremely fertile, and there are very few sheep now to graze the good grass. Deer from the wider area accumulate there in winter and spring. You might look at these and think "Scotland has a deer problem", but when the deer are here, they are not in more sensitive areas, such as the Ardvvar woods, the croft lands along the coast, or the hill areas and woods of South Assynt.

Any competent stalker with OOS and night licenses would be able to very quickly accumulate deer numbers in that area. They will be able to shoot stags and hinds/ calves through to 31st March, and stags and calves from the previous year

through to June if needs be. If they can get 26 in two attempts, then they will certainly get many hundreds in that period. There is no suggestion that there will be any restraint, and why would you stop if your objective is to regenerate trees that require the lowest deer densities possible?

Implications

Many will undoubtedly applaud JMT's efforts in doing this, but there are two implications.

The first is that a stag shot in season will be worth over £1000 to a rural economy like that which exists in the NW Highlands, if you include venison, a shooting fee, local accommodation and some measure of local economic multipliers. The same animal shot after New Year out of season might be worth £50. There will be no multipliers, and the venison will be low value at this time of year, going in to low value products. So, the value of these animals has been reduced by 95 percent. As an external contractor is being used, there will be a net cost. The local area is therefore being stripped of maybe £30,000 of community assets in just two nights, an area in which few other assets exist, or those which do are marginal in nature. Indeed, everything that people might turn their hand to in the NW Highlands is marginal, and mere survival is deemed to be success. People based in softer parts of Scotland probably don't realize that.

If the resource is depleted at this rate, there will certainly be 3-4 personnel within the area that will be fearful for their livelihoods, as the deer income they might otherwise expect will be key to funding their overall employment. This is not just a theoretical consideration. There are many areas in Scotland now where people have been made redundant, not replaced when they leave, or trainee positions closed down because people judge they will have to do with less in future, but no-one likes to talk about this.

Some people think that to cull more deer, you need more people, and that will create more jobs, but this is not the case. If you have made up your mind to reduce deer numbers, and you are prepared to do it in the way JMT are doing it, then the numbers can accumulate very quickly indeed and you don't need many people to do that. In this case, JMT themselves have a stalker less, and it is only the contractors from the east coast who are making any living out of this. Fine for them, yes, but it is stripping resources and employment out of Assynt.

Loss of jobs has three effects. The prospect of unemployment is a concern and creates anxiety for those involved, and a tragedy if it actually happens in that they will lose a house and a way of life too. It removes local spending power from shops, and children from schools. And it removes local capacity for doing things like monitoring habitats and upkeeping property. Depending on the individuals, it may also remove members of mountain rescue teams, members of the local fire brigade, people who help out farmers and eyes and ears on the ground that can often help the police where their numbers are scarce. Once you lose these jobs, they don't come back.

From the point of view of the Ardvar woodlands, the capacity to manage them is then reduced, and this then threatens the good work that has been done to date.

The second part of the equation here is the habitat response. If you are reducing the value of something by 95%, you need to be fairly sure that there is some sort of environmental gain to set against this. In terms of woodland, the metric that must be used is hectares of regeneration, but the chances of anything resulting from a wider cull on Quinag is negligible. Most people recognize that when you are involved in an activity that involves killing animals, that you need a clear justification. If you don't have this, it is just gratuitous. In this situation, there appears to be no consideration given to what might be achieved, or what success looks like, beyond the vaguest of visions. **This cull is just malicious. There is no focus on environmental gain at all.**

Finally on this aspect, in case anyone is thinking this, some people will say that if the stalkers go, then simply get local community members to do the culling, the sort of thing that JMT say they like to promote. However, the local community already own and use the stalking rights on adjacent land, and are dead against this proposal, with ACT already going to Press on it. They see a value in the deer, and that value is being degraded. To quote a previous observation on JMT in Knoydart in 2015, their approach is "the charitable destruction of a community resource." If you want to see the background to that episode, you can read about it [here](#).

Nature Scot

Our natural heritage regulator is back in the firing line again too, and rightly so. The ethos of authorizations is such that applicants must demonstrate a need, say what alternatives they have tried, and consult with neighbours. In this situation, there is no information to say what the resource being protected is, or what condition it is in, or indeed, where it is. JMT have not sought to get their culls in season. Their consultation has not given people the information they want. There is no indication of what success might look like. Nature Scot have waved this through on the basis that these things will become more easily available in the future anyway, so the oversight or analysis is minimal. Indeed, it appears to be non-existent.

I am not against OOS or night shooting authorizations, and there is a place for both, but they need to be used in a more intelligent way. In 2016, SNH withheld authorizations from JMT until such times as they agreed a collaborative plan with their neighbours. They did this in Knoydart on 2015 as well. In both cases, this forced JMT to negotiate and discuss their plans, and not to act unilaterally as they are now. Used as leverage in this way, SNH managed to force compromise and agreement. Nothing in the legislation has changed. They can do this again now.

Some people will tell you that Nature Scot do not have the powers to deal with difficult situations like Ardvar and this problem now on Quinag, but they and the Deer Commission before them have had such powers since 1996. The Deer Commission at least had the inclination to use them on occasion, but Nature Scot do not have that resolve, their chain of command is too long and complicated, and it is impossible for anyone to get to grips with a given situation. The Scottish Government was right to ask them to show some backbone in 2017, but Nature Scot is not the organization that ScotGov think they are, but one that their constricted funding and mixed messaging has undermined and hollowed out. They are a shadow of what they used to be.

Their approach to their own failings has been to deregulate deer management, and adopt a laissez faire approach. The problem is that they are choosing to deregulate those areas relating to animal welfare and protection of people's livelihoods. There are no checks and balances now, no evaluation or proportionality. And this is why this is important to others.

Unless we can get this changed, a "deer problem" can be contrived on the flimsiest of excuses anywhere in Scotland. Outcomes or implications are not important. This is the future we are moving in to, and everyone should be concerned about that.

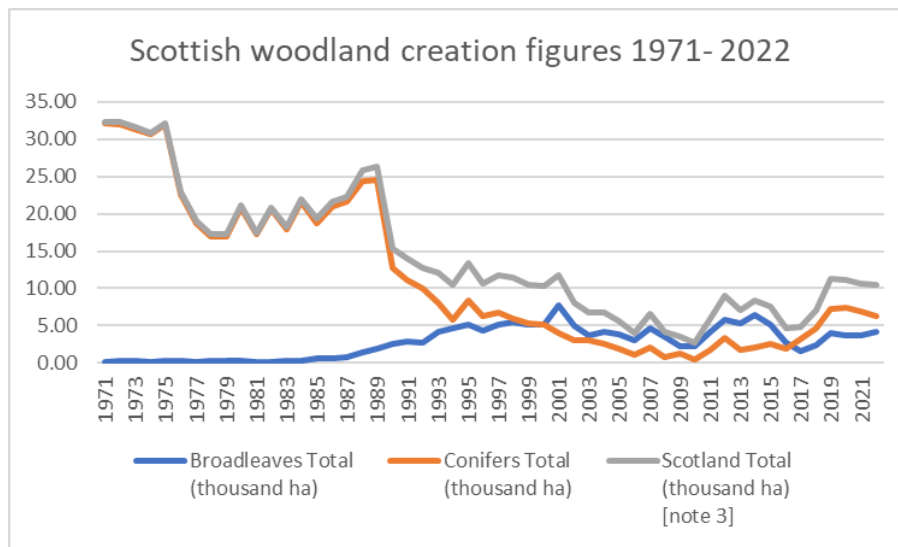
When pressured, Nature Scot will say, "Ah, but we have a biodiversity/ climate crisis", or "We are only doing what the Deer Working Group report says."

Let's look at these briefly.

Biodiversity & Climate Crisis

If these are issues that we need to address, then we have to actually deliver something. Presentation alone and fine words will not cut it. In terms of woodlands, the only metric that is important is hectares of trees.

Listening to commentary on this, you would think that Scotland was getting rapidly covered in trees, but the following figures, produced by Forestry Commission each year in June tell a different story.



We are only planting a fraction of the trees that we did 40 years ago, and over the past four years, planting levels have been declining, not increasing. The bottom line is that government is not getting this right. They are supporting schemes like this one that are not going to bring forwards any hectares any time soon, and they are degrading the countryside of the people who do actually have the capacity to deliver those hectares if properly directed to do so. If jobs go in

Assynt, they won't come back, and our ability to do anything of use is heavily compromised. Dead deer are not the objective being sought. Hectares of trees is the objective. We need to focus on the targets at hand if we are persuaded that this is the right thing to do. Therefore, evaluation of proposals is important.

The Deer Working Group Report

The recommendations of this report are driving Nature Scot at the moment, but this report was written behind closed doors with no consultation, and accepted by government with no debate or transparent consideration. The people who might usefully have contributed to a future strategy were ignored, and there has never been an appropriate channel to challenge some of the findings or suggest a better way. The result is that we are left with this laissez faire approach, delivered in an ad hoc and disastrous fashion. Practitioner input would have prevented the worst excesses of this, but that was never invited. Making it easier to kill deer has been the priority, by whatever means possible.

We need to believe that there is still a chance for changing minds on this. The people with knowledge and experience must be allowed to speak before it is too late.

Applying Authorizations properly

This is not an argument for the sake of having an argument. We have one very specific objective here, and that is to **temporarily suspend the current use of these authorizations to JMT** so that a better understanding of the objectives can be achieved.

Compare the situation at the moment to the authorizations that JMT used in 2017.

Prior to that point, SNH refused JMT authorizations until such times as there was a more co-ordinated local approach. In 2022, SNH signaled well in advance that they would approve an application, before even seeing it.

So, in 2017, JMT had to talk. In 2022, there was no reason for them to do so. It was a fait accompli, and because of this, they didn't talk.

In 2017, all deer group members, including JMT, spent several months discussing the problems and possible solutions, and agreed that authorizations would be part of that. Only then was the application made. In 2022, they undertook a "consultation" in which they provided no detail on what they were trying to do, there was no collective discussion, and no feedback recorded. For the record, all immediate neighbours objected to their plans.

In 2017, JMT received written support from the deer group for their authorization, and Ardvar Estate participated as well. In 2022, this is obviously not the case.

In 2017, deer impact survey data to demonstrate the need was available. There is nothing available in 2022.

In 2017, a schedule of monitoring to determine success or otherwise was agreed. There is nothing available in 2022.

At the most basic level, in 2017, there was a map showing the vulnerable woodland areas. In 2022, there was just a map showing the entire property.

Finally, in 2017, the authorizations were time limited, focusing on the April- early June period when young seedlings were coming in to leaf and when they were most vulnerable. It is unusual to see damage to birch trees during winter at Ardvar, simply because heather is more nutritious, and I have yet to see deer damage at that time there. It is not like Scots Pine seedlings which are much more visible, and have more nutritional value in winter. If that is the case, based on observation, then shooting deer in January and February five miles away from the most vulnerable woodlands is not going to be achieving anything at all.

Nature Scot say the 2022 version of the JMT application is competent.

It isn't. It follows neither the letter nor the spirit of the legislation. The climate/ biodiversity crisis or the Deer Working Group report do not excuse this.

The 2017 precedent would have achieved a much better result. Due process has not been followed. Nature Scot have failed in their core responsibility, and that is why we have this argument now. There are no rules any more.

Paying for Quinag

This situation has made me realize something very obvious but important. At 9000 acres, Quinag is a big property, but there is no agricultural activity there, no sporting income, no forestry, no visitor attractions or housing. In short, JMT have no income from it at all, or no inclination to develop income. The deer side is structured to run at a loss.

They must therefore appeal to their funders and members for money to keep it going. This process will go on forever, and takes place in a difficult fundraising environment for NGOs. The rules of NGO funding are very simple: (1) Whatever you are managing must be at risk, (2) The urgency to do something about it is immediate, and (3) The only people who can address this is you. Crucially, saying you are making progress is fundraising suicide.

For a mountain like Quinag, where member income is crucial, it must always be at threat, and deer are the easy target. People who don't ask too many questions will accept that. It follows from this that even if current efforts don't amount to anything, that is not actually a problem for JMT. The spectre of threat can be maintained, and members who don't ask awkward questions will stay with them.

Which brings me to the conclusion I had reached several years ago about JMT. Their objective on properties like Quinag is not to regenerate habitats, but to generate the argument, and to do that for fundraising purposes. The mountain is being used as a campaign tool. They need to do this because JMT are not sustainable in any other way. They are prepared to undermine the efforts of others to achieve this.

If you go back to their view that nothing had improved on the Assynt peninsula in ten years, and some of their other claims that they present as fact about deer

management more generally, you can see clearly that they are playing to their own audience, and not to people that they might have to work with in a practical way. One commentator on social media noticed their recent change in public relations, and made the shrewd observation that "they had changed from stretching the truth to telling downright lies". A subtle but unacceptable change in approach.

It is this aspect that those of us who have worked to improve the situation in Assynt find hardest to accept. We have to call this out.

No Criticism Without Recommendation

It is not good form to tell people how to run their business but we can make an exception here as JMT are happy to tell us what we are doing wrong.

This would be my advice if asked what would improve the current situation:

- 1 If JMT want to establish native woodland regeneration on Quinag, then by far the most effective place to do that is in and around the existing woodland in the SSSI. Almost certainly, they will need OOS authorizations to do that, but a modest number of deer culled in that location will be more effective than any number culled on the open hill, most of which may never come near the woodlands. But to make this work, JMT need local stalking input, because opportunities will have to be taken at short notice when conditions are right. A contractor travelling from the east coast cannot do this. Make a local arrangement with some-one that other people will trust, your deer management will be more effective, and money will stay in the area.
- 2 Even better, work with your grazing committee to help facilitate a way for them to go in to the Forestry Grant Scheme, and pay for any costs which are a barrier to them doing so. Give them extra hill grazing as compensation if that is required to make it work. Although the SSSI woodland area on Quinag is a small proportion of the whole, the overall Ardvair Woods situation will look more coherent if all three properties are involved. Done properly, such a scheme might also improve agricultural potential in the area.
- 3 If the small woodland at Allt Na Doire Cuilinn is culturally, historically or otherwise important, then just string a fence around it, and give it confirmed protection from Day 1. When something is so small, this is the obvious solution, but the area can be made as large as JMT deem is necessary.
- 4 Another option might be to put in a 250- 300 ha woodland creation scheme, linked to the native woods on Loch Assynt Lodge and Little Assynt to the west. The holly wood can develop by default within this. The area would need to be fenced, but the advantages are obvious, (1) You enclose your existing woodland fragment that you say is important, (2) You create a landscape scale native woodland resource that will have great regenerative potential in the future, and help with deer management options at that point, (3) You could potentially sell carbon credits if you were so inclined, earn some income, and become less dependent on donations. In other words, become more sustainable. Set up a coffee shop and visitor centre if it helps! You can imagine groups of students from

- Inchnadamph coming to be inspired by such a feature on their doorstep. Visitors travelling west will see your woodland and will think about how the Highlands might look in future. Use your trees to inspire people, and not your dead deer records.
- 5 Nature Scot need to withdraw the current authorizations. They have withheld them in the past to leverage agreement, and can do so again now. This is how to resolve the problem quickly and get a better result.
 - 6 Going forward, some sense of proportionality needs to be introduced, or the deer legislation and therefore Nature Scot will quickly fall in to disrepute. Surely some-one within Nature Scot can see this?
 - 7 There needs to be an acknowledgement of local knowledge, as the SGA are currently trying to progress through Parliament.
 - 8 Finally, woodland regeneration schemes need to be regarded as practical, real life exercises, where realistic targets are set and monitored, and people have reasonable questions answered about how these are likely to operate in practice. If your project cannot do this, then your preparation has not been good enough, and there is little point in trying to bluff your way through it. Ultimately, this will guard against failure, and that will be better for everyone.

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