



## **Bat crime National wildlife crime priority Delivery group newsletter.**

Newsletter number 1

April 2015

Inspired by colleagues in both the badger and poaching wildlife crime priority delivery groups (pdg's) we have decided to produce bat-crime newsletters on an occasional basis. We intend to bring you news as demand dictates and will look to include information relating to recent investigations, prosecutions and other outcomes along with other information that hopefully you will find to be of interest. No confidential information will be included in this newsletter; it can therefore be freely circulated.

### **Who are the bat crime-priority delivery group?**

The pdg meets twice a year, invariably, at Natural England's offices in Cambridge, is chaired by the Police with BCT providing secretariat services. Membership at present comprises of the Police, representatives of Natural England (NE), Scottish Natural Heritage (SNH), Natural Resources Wales (NRW) and Northern Ireland's Department of Environment (NIDOE). The Bat Conservation Trust (BCT), Crown Prosecution Service (CPS), the Association of Local Government Ecologists (ALGE) and the Chartered Institute of Environment and Ecological Management (CIEEM) are also members. Our work is shaped by our objective;

***To reduce bat crime by working with key stakeholders to raise awareness of responsibilities and criminal offences against bats, promoting a preventative approach and improving the submission of intelligence and standards of investigation relating to bats across the UK.***

If you would like more information regarding the work of the pdg please contact Pete Charleston at BCT. (pcharleston@bats.org.uk)

### **Extent of bat crime.**

More allegations of bat crime were referred to the Police in 2014 than in any other year since records began. Full analysis of those incidents has yet to be completed but will eventually be published in BCT annual bat-crime report. Previous editions of batcrime can be found at;

[http://www.bats.org.uk/pages/bat\\_crime\\_investigations.html](http://www.bats.org.uk/pages/bat_crime_investigations.html)

In the first quarter of 2015 we know of at least 33 Police investigations into bat crime involving over 20 police forces. We are aware of a pending prosecutions in the West Mercia Police area, many of the other investigations have yet to be completed.

### **Recent convictions.**

Humberside

On 8th January 2015 Dr Anthony Flinn aged 56yrs of Wroot, Humberside appeared before Lincolnshire Magistrates Court where he pleaded not guilty to destroying a bat roost and a swallows nest at his home address.

Dr Flinn wished to undertake work at his property that included the demolition of outbuildings, he was asked to provide a bat survey in support of his planning permission and this evidenced the existence of a roost used by Myotis bats. An occupied swallow's nest was also found. Dr Flinn was informed of the results of the survey but nevertheless demolished the buildings suggesting that they had to be demolished, as they were unsafe.

The court returned guilty verdicts and Dr Flinn was fined £500 for destroying the roost, ordered to pay £600 costs and to pay a victim surcharge of £50. He was fined £100 for destroying the swallow's nest.

Police Scotland

On Thursday 18th December 2014 Mr Gregor Smyth, a lettings leader for CKD Galbraith property consultancy in Stirling, appeared before Stirling Sheriff Court where he pleaded guilty to an offence of deliberately or recklessly obstructing access to a roost of soprano pipistrelles. He was fined £240.

The court heard that in April 2013 a contractor working under the instructions of Mr Smyth visited a cottage in Drymen, where wire was placed in entrances to a maternity roost used by up to 500 pipistrelles. A neighbour who then asked Police Scotland to investigate witnessed the work.

In defence Smyth said that he was unaware of the need to obtain a licence prior to undertaking such work. It is of concern to BCT that Mr Smyth who is a senior figure within GKD Galbraith was unaware of the legal protection offered to bats.

### **Other cases of interest.**

Many people will be aware of an ongoing case in Derbyshire where in April 2014 a developer and his company were convicted of destroying a bat roost in a building in Matlock. In a groundbreaking move the case was referred to the Crown Court in order that an order under the Proceeds of Crime Act 2002 could

be considered. Before the Crown Court could consider the case the defendants lodged an appeal against conviction. That appeal has yet to be heard and at present is scheduled to be heard by Nottingham Crown Court on the 10<sup>th</sup> and 11<sup>th</sup> September 2015. Should the original conviction be upheld then consideration would be given to a proceeds of crime order.

On occasion, it is recognized that prosecution will not serve the public interest even if an offence can be proven. There have been a number of cases where restorative justice (community resolution) has been used to good effect.

Suffolk and Hampshire

Re-roofing work had damaged bat roosts and had involved the use of roofing membranes not recommended for use where bats roost. In both these cases the builders had to redo the work using a recommended membrane.

Devon and Cornwall

Installation of solar panels on a converted barn resulted in the loss of a roost of pipistrelle bats. The owner made a £2k contribution to the local bat group. The money was used to purchase bat detectors and also funded training on the investigation of bat offences for wildlife crime officers from a number of Police forces.

### **Elsewhere.**

Natural England (NE) Licences for Police Officers/Staff for investigation of offences

Natural England have recently granted a new Class Licence for Police Officers/Staff to investigate wildlife crime where a Licence is required. For example to interfere with badger setts, possess animals, disturb animals/birds. The single Class Licence replaces the previous separate Licences that related to different species. This was circulated to all known English Police Wildlife Crime Officers and placed on the wildlife crime community page on POLKA. It can also be obtained directly from the NWCU or Paul Cantwell the Species Enforcement Specialist at NE ([paul.j.cantwell@naturalengland.org.uk](mailto:paul.j.cantwell@naturalengland.org.uk) / 0300 060 1099). Licences are also issued by SNH, NRW and NIDOE.

### **Bat Species of the Year 2015**

BatLife Europe has announced an annual campaign to celebrate different bat species and the Bat Species of the Year 2015 is Nathusius' pipistrelle, *Pipistrellus nathusii*. This amazing bat is distributed throughout Europe and is a long distance migrator, breeding mainly in north-eastern Europe and hibernating in south-western areas. They are rare in the UK with peak numbers in autumn. One famous Nathusius' pipistrelle was ringed in the UK, near Bristol and was later found in the Netherlands, 600km away! Find out about the amazing journey at [http://www.bats.org.uk/pages/amazing\\_journey\\_for\\_a\\_tiny\\_bat.html](http://www.bats.org.uk/pages/amazing_journey_for_a_tiny_bat.html)

BCT's North of England Conference will be held on 18<sup>th</sup> April 2015 at Lancaster University. See <http://www.bats.org.uk/pages/northenglandconference.html>

BCT's national bat conference will be held on 11-13<sup>th</sup> September 2015 at the University of Warwick. See [http://www.bats.org.uk/pages/national\\_bat\\_conference.html](http://www.bats.org.uk/pages/national_bat_conference.html)

The Welsh bat conference will be held on the 6<sup>th</sup> and 7<sup>th</sup> June 2015 at the Stackpole Centre, Pembrokeshire. Please contact BCT for further information.

The National Bat Monitoring Programme (NBMP) is the longest running, purpose-built, multi-species monitoring programme for mammals in the UK. Surveys are carefully designed so that anybody can take part; from beginners to experts- we run different surveys, which cater to different levels of experience and knowledge. As well as being of great value to bat conservation, the surveys are fun and rewarding to carry out. They usually involve visiting a roost or potential foraging site on two evenings in the summer. If you would like to take part, or know someone who would, please visit <http://www.bats.org.uk/pages/nbmp.html>

### **Bats and Pieces from the Web!**

Celebrate the [amazing women in bat conservation](#)

New research showing the [phenology of bats in Ireland](#)

[A bat](#) that saw the fall of the Berlin Wall

Plight of [bats in Africa](#)

[Surprising reasons](#) humans need bats

*Pete Charleston, Investigations Officer, Bat Conservation Trust produced this newsletter on behalf of the bat pdg. Any views expressed are those of the author and may not be the views of any of the members of the pdg or the organisations they represent.*

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