

# Wildlife Crime in Scotland

## 2017 Annual Report



Scottish Government  
Riaghaltas na h-Alba  
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**A report published by the Scottish Ministers, on wildlife crime in Scotland.**

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Laid before the Scottish Parliament by the Scottish Ministers under Section 26B of the Wildlife and Countryside Act 1981

Scottish Government Environment and Forestry Directorate

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With thanks for contributions, comments and data provided by members of the Partnership for Action Against Wildlife Crime (PAW) Scotland.

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## Ministerial Foreword



This is the sixth Scottish Government annual report on wildlife crime. Building on the data provided by previous reports, its continued aim is to provide information to the public, stakeholders and the Scottish Parliament on wildlife crime in Scotland, highlighting not only trends and numbers of offences but also where there may be gaps in the availability of data. This report covers the calendar year 2017, using data for the 2016-17 financial year.

For the second year running, I am pleased to see a reduction in the overall number of wildlife offences - down 11% from 2015-16 to 231 and the lowest in five years.

Last year the number of hunting with dogs offences was at an all-time high, at 44 offences. While a 50% reduction in this reporting period is welcome, I hope to see this downward trend continue.

I am also glad to note that of those proceeded against in the Scottish courts for wildlife related offences, 96% were convicted - the highest it's been in the five years since 2012-13.

Again, the highest volume wildlife crime was fish poaching however, this has also reduced for the second year - down from 75 offences in 2015-16 to 68 in 2016-17. This underlines the essential work done through the partnership of Police Scotland, Fisheries Management Scotland and District Salmon Fisheries Boards.

The number of poisoning incidents has decreased by a third this year, with only three incidents involving birds of prey. Raptor persecution offences fell by 56% in this period from 25 in 2015-16 to 11 in 2016-17.

I welcome the reduction in offences but it is disappointing that wildlife crime and raptor persecution continue to threaten Scotland's natural heritage and damage the reputation of our country. In recognition that further measures were necessary to tackle this problem, in May 2017 I announced increased resources for Police Scotland for the detection and investigation of wildlife crime and a pilot scheme to use special constables in the Cairngorms National Park.

I am aware that there were a number of incidents where tagged birds of prey disappeared during the course of the year (six golden eagles, three hen harriers). These incidents are not recorded as crimes by Police Scotland. However the number of these incidents in recent years, and the circumstances where neither the missing bird nor satellite tag are recovered combined with what we know about the reliability of these tags when used in other countries, strongly suggests that many of these incidents are likely to be the result of illegal killing of these birds.

As a consequence of the evidence found in the "Analyses of the fates of satellite tracked golden eagles in Scotland", the Grouse Moor Management Group was

established in November 2017. Its remit is to examine the environmental impact of grouse moor management practices such as muirburn, the use of medicated grit and mountain hare culls and advise on the option of licensing grouse shooting businesses.

Working alongside our key partners in law enforcement and all the others involved, including Scottish Natural Heritage and Scottish SPCA, has been vital to our efforts to tackle wildlife crime and the dedication of those who seek to protect and conserve our wildlife is truly valued.

A handwritten signature in black ink, appearing to read 'R. Cunningham', written in a cursive style.

**Roseanna Cunningham MSP**  
**Cabinet Secretary for Environment, Climate Change and Land Reform**

# 1. Introduction

## Legislative requirement of annual report

This report is a requirement of Section 20 of the Wildlife and Natural Environment (Scotland) Act 2011, which inserted a new Section 26B into the Wildlife and Countryside Act 1981. The section prescribes that Ministers must lay a report following the end of every calendar year on offences which relate to wildlife, to include information on incidence and prosecutions during the year to which the report relates, and on research and advice relevant to those offences.

## Wildlife crime

The report uses the following definition of wildlife crime, as agreed by the Partnership for Action Against Wildlife Crime (PAW) Scotland in 2010.

*“Wildlife crime is any unlawful act or omission, which affects any wild creature, plant or habitat, in Scotland.”*

A summary of the legislation which contains offences highlighted in this report is available in Appendix 1.

## Outline of report

The report is divided into two main parts:

- Chapters 2-4 contain evidence on the level and nature of wildlife crime and prosecutions, supported by additional detail where it is available and relevant. This information covers the financial year 2016-17, the latest period for which a complete set of data is available
- Chapters 5-8 include information on activities and projects related to wildlife crime policy and enforcement throughout 2017 and beyond

## Summary of data sources used for this Wildlife Crime Report

Organisation/ data source	Information used in this report
Recorded Crime statistics: Scottish Government statistical output derived from Police Scotland's recorded crime database	Numbers of crimes recorded
Crown Office and Procurator Fiscal Service (COPFS) system	Number of cases reported to COPFS and associated case outcomes
Criminal Proceedings Statistics, Scottish Government	Number of people proceeded against and those with a conviction  Types of punishment issued in courts
Science and Advice for Scottish Agriculture (SASA)	Wildlife DNA forensic cases  Pesticide abuse incidents including bird of prey poisoning data
Scotland's Rural College (SAC)	Wildlife cases examined by SAC Consulting Veterinary Services which were suspected to have been the result of criminal activity
Scottish National Heritage (SNH)	Freshwater pearl mussel (FWPM) incidents  General licence restrictions
Police Scotland	Disaggregated recorded crime data by species, type of wildlife crime  Firearms restrictions
National Wildlife Crime Unit (NWCU)	Wildlife crime intelligence logs summary
Scottish Society for Protection of Cruelty to Animals (Scottish SPCA)	Summary of Scottish SPCA investigations

## 2. Headline trends

This chapter outlines the main trends in wildlife crime recorded by the police, reports of those charged by the police and processed by COPFS and numbers of people proceeded against in court.

### 2.1 Recorded crime

Table 1 provides a summary of the different types of wildlife crime recorded by the police over the five year period to 2016-17. These recorded crime statistics are Scottish Government statistical output derived from Police Scotland's recorded crime database.

In 2016-17 there were 231 offences relating to wildlife recorded by the police. This represents a decrease of around 11% in comparison with 2015-16 (261 recorded offences).

Fish poaching (68 offences) remained the most commonly recorded type of offence, accounting for around 29% of all wildlife offences in 2016-17. Offences relating to birds (50 offences) were the second most commonly recorded type of wildlife crime.

The biggest change was in hunting with dogs offences, which were down 50%, from 44 in 2015-16 to 22 in 2016-17.

**Table 1: Wildlife crime recorded by Police Scotland, 2012-13 to 2016-17**

Offences relating to:	2012-13	2013-14	2014-15	2015-16	2016-17
Badgers*	1	7	5	4	6
Birds	64	53	49	46	50
Conservation (protected sites)	0	1	1	5	1
Cruelty to wild animals	27	22	38	22	24
Deer	33	20	24	13	14
Fish poaching	135	90	101	75	68
Hunting with dogs	32	29	20	44	22
Poaching and game laws	1	4	2	0	6
Other wildlife offences	26	29	44	52	40
<b>Total</b>	<b>319</b>	<b>255</b>	<b>284</b>	<b>261</b>	<b>231</b>

Source: Recorded Crime in Scotland, 2016-17

\* Offences recorded under Protection of Badgers Act 1992 only

Table 2 presents the distribution of the types of wildlife crime between different Police Scotland divisions in 2016-17.

**Table 2: Wildlife crime recorded, by Police Scotland Division, 2016-17**

Offences relating to:	North East	Argyll & West Dunbartonshire	Ayrshire	Dumfries & Galloway	Edinburgh	Fife	Forth Valley	Greater Glasgow	Highland & Islands	Lanarkshire	Renfrewshire & Inverclyde	Tayside	The Lothians & Scottish Borders	Total
Badgers	1	0	0	1	3	1	0	0	0	0	0	0	0	6
Birds	5	0	3	1	6	4	2	1	17	1	0	7	3	50
Conservation (protected sites)	0	0	0	0	0	1	0	0	0	0	0	0	0	1
Cruelty to wild animals	7	2	4	0	2	0	2	0	5	1	1	0	0	24
Deer	2	3	0	0	0	0	0	1	7	0	1	0	0	14
Fish poaching	11	9	8	0	0	0	9	2	23	0	4	2	0	68
Hunting with dogs	3	0	0	4	0	1	0	0	0	0	1	3	10	22
Poaching and game laws	1	0	0	0	0	0	0	0	2	0	0	3	0	6
Other wildlife offences	3	0	0	3	1	1	3	0	4	1	0	19	5	40
<b>Total</b>	<b>33</b>	<b>14</b>	<b>15</b>	<b>9</b>	<b>12</b>	<b>8</b>	<b>16</b>	<b>4</b>	<b>58</b>	<b>3</b>	<b>7</b>	<b>34</b>	<b>18</b>	<b>231</b>

Source: Recorded Crime in Scotland, 2016-17

The highest number of wildlife offences in 2016-17 were recorded in Highland and Islands (58), followed by Tayside (34) and North East (33). Table 2 also shows that almost half of all hunting with dogs offences were recorded in Lothian & Borders Division (10 of 22). 34% of all fish poaching offences were recorded in Highland & Islands.

## 2.2 Crown Office and Procurator Fiscal Service Statistics



**CROWN OFFICE  
& PROCURATOR  
FISCAL SERVICE**

SCOTLAND'S PROSECUTION SERVICE

The Crown Office and Procurator Fiscal Service's (COPFS) dedicated Wildlife and Environmental Crime Unit (WECU) has been in operation since 15 August 2011. WECU investigates and manages the prosecution of all cases involving crimes against wildlife.

### Case work of the Wildlife Environmental Crime Unit in 2016-17

Table 3 shows the breakdown of wildlife cases received by COPFS in each of the financial years 2012-13 to 2016-17, following the standard categories used elsewhere in this report. Further information on the COPFS data is available in Appendix 2 - Notes and Definitions for COPFS Data.

**Table 3: Wildlife cases received by COPFS in 2012-13 to 2016-17**

Offences relating to:	2012-13	2013-14	2014-15	2015-16	2016-17
Badgers	*	0	*	*	*
Birds	20	21 (6)	17	15 (5)	24
Cruelty to wild animals	7	10	11	*	8
Deer	8	*	5	*	*
Fish poaching	55	60	38	30	35
Hunting with dogs	9	13	6	15	7
Other wildlife offences	23	17	17	20	14
Other conservation offences	*	0	0	*	*
<b>Total</b>	<b>126 (15)</b>	<b>125 (13)</b>	<b>98 (7)</b>	<b>90 (9)</b>	<b>94 (5)</b>

Source: Crown Office and Procurator Fiscal Service

\*= data suppressed. See Appendix 2.

The figures in brackets in Table 3 indicate the number of reports submitted by the Scottish SPCA. Where fewer than five cases were reported in any category either in total or by the Scottish SPCA, the figures have been removed from the table.

The outcomes of these cases are shown in Table 4 below.

**Table 4: Outcomes of all wildlife cases reported to COPFS in 2012-13 to 2016-17**

	2012-13	2013-14	2014-15	2015-16	2016-17
No action	35	30	24	40	27
Alternative to prosecution	30	30	34	27	35
Prosecuted	61 (9)	65 (7)	40	23	32
<i>of which convicted</i>	44	47	28	16	25
<b>Total number of reports received</b>	<b>126 (15)</b>	<b>125 (13)</b>	<b>98 (7)</b>	<b>90 (9)</b>	<b>94 (5)</b>

Source: Crown Office and Procurator Fiscal Service

The figures in brackets in Table 4 indicate the number of reports submitted by the Scottish SPCA. Where fewer than five cases were reported in any category either in total or by the Scottish SPCA, the figures have been removed from the table.

The following information relates to cases reported in 2016-17. Prosecution in court was undertaken in 32 cases (34% of cases received). Of these:

- 25 cases resulted in a conviction for either a wildlife offence or offences of an associated non-wildlife offence (81% of cases prosecuted)
- Proceedings were discontinued by the prosecutor in five cases (16% of cases prosecuted) where for example, further investigation disclosed that that there was insufficient admissible evidence

Thirty five cases were dealt with by an alternative to prosecution (37% of cases received).

Fiscal fines were issued in 24 cases i.e. 26% of cases received. Other disposals included warning letters and referral to the Reporter to the Children's Panel.

No action for alleged wildlife offending was taken in 27 cases (29% of cases received); although a small number of these cases were prosecuted for associated offending and resulted in convictions. In all 27 cases, no action was taken for legal reasons including:

- circumstances that did not constitute a crime and
- instances where there was insufficient evidence to permit proceedings

Further information about cases received in 2016-17:-

- A total of 21 reports related to incidents involving birds, their nests or eggs
- Of these, six reports involved alleged offences against birds of prey
- 14 cases involved activity targeting hares or rabbits
- Ten cases involved dogs
- All seven cases in the "Hunting with dogs" category related to allegations of hare coursing
- Six cases involved firearms

- Five cases under "Other wildlife offences" included alleged Control of Trade in Endangered Species (COTES) offences.

The subject matter of other reports included circumstances involving badgers, the use of cross bows or sling shots, contraventions of the Conservation (Natural Habitats etc.) Regulations 1994 and releasing or allowing to escape, an animal included in Part I of Schedule 9 to the Wildlife and Countryside Act 1981.

Further details of case outcomes in the individual categories are provided in Appendix 2A - Further information on COPFS Case Outcomes.

### **Notable cases**

Two individuals were fined £1000 and £500 each for offences under section 1(1)(a) of the Wildlife and Countryside Act 1981. On one occasion, a gull was chased by an individual who repeatedly fired a slingshot at it, injuring the bird and leaving it unable to fly. They then stood on its head before picking up the bird and returning with it to a car which was then driven off. Later, a slingshot was fired from the same vehicle and the second individual left the car, returning with an oystercatcher which he swung around by the neck.

Two individuals were each fined £360 for an offence under section 9(1) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003. They were found in possession of a fish and tackle in circumstances which afforded reasonable grounds for suspecting that they had obtained possession of the items as the result, or for the purpose, of committing an offence under provisions of the Act.

Police responded to a report of gun shots near Eliburn Reservoir, Livingston where they found an individual carrying a magpie which had been shot with an air rifle. They were fined £200 for contravening section 1(1)(a) of the Wildlife and Countryside Act 1981 and the air rifle was forfeited by the court.

An individual advertised for sale a tiger's head, tiger claws and leopard claw on the Gumtree and eBay websites, in contravention of the Control of Trade in Endangered Species (Enforcement) Regulations 1997. They were fined £1,000 and the court ordered the forfeiture of the tiger's head.

An individual was fined £5,000 for hare coursing in contravention of the Protection of Wild Mammals (Scotland) Act 2002. They were also disqualified from having custody of any dog for five years. Two others were involved and fined £1,200 and £600 respectively.

An individual killed three rabbits by "lamping" i.e. shining a torch on them and causing dogs to pursue and kill them. The Sheriff imposed a community payback order with a requirement to carry out 40 hours unpaid work.

An individual was fined £350 for using a .22 rifle in connection with the killing or taking of a roe deer which is not permitted by the Deer (Firearms etc.) (Scotland) Order 1985.

## 2.3 Criminal proceedings statistics

Table 5 shows the number of people proceeded against in Scottish courts and the relevant conviction rates for wildlife offences between 2012-13 and 2016-17. Please note that this table is a summary and a breakdown of proceedings for specific offences is provided at Appendix 3 - Court proceedings and penalties data by specific offence.

Criminal Proceedings statistics are not directly comparable with the recorded crime or COPFS figures presented above for a number of reasons. Please see section 2.4 for further explanation.

**Table 5: People proceeded against in Scottish Courts for wildlife crimes<sup>1</sup>, 2012-13 to 2016-17**

Offences relating to:	2012 -13	2013 -14	2014 -15	2015 -16	2016 -17	Last five financial years	
						Total proceedings	Conviction rate
Badgers	-	-	2	-	-	2	100%
Birds	19	10	8	5	4	46	83%
Cruelty to wild animals	9	4	3	6	2	24	67%
Deer	3	5	2	-	1	11	64%
Hunting with dogs	11	9	3	5	8	36	69%
Poaching and game laws	1	-	-	-	-	1	100%
Fish poaching	23	43	19	8	5	98	79%
Conservation (protected sites)	-	-	-	-	-	-	-
Other wildlife offences	11	9	14	1	3	38	71%
<b>Total proceeded against</b>	<b>77</b>	<b>80</b>	<b>51</b>	<b>25</b>	<b>23</b>	<b>256</b>	<b>75%</b>
<b>Total guilty</b>	<b>56</b>	<b>60</b>	<b>35</b>	<b>20</b>	<b>22</b>		
<b>% guilty</b>	<b>73%</b>	<b>75%</b>	<b>69%</b>	<b>80%</b>	<b>96%</b>		
<i>Total number of offences proceeded against<sup>2</sup></i>	168	168	158	75	59		
<i>Total number of offences found guilty<sup>2</sup></i>	75	100	66	35	32		
<i>% guilty<sup>2</sup></i>	45%	60%	42%	47%	54%		

**Source: Scottish Government Criminal Proceedings Database**

<sup>1</sup> Where main charge

<sup>2</sup> All charges

There were 23 people proceeded against for wildlife related offences in 2016-17, an 8% decrease from 2015-16 (25 people). The largest decrease for specific categories was in 'cruelty to wild animals' (two persons proceeded against compared to six in 2015-16). There was, however, a small increase in the number of proceedings for hunting with dogs offences, up to eight in 2016-17 from five in 2015-16.

Table 5 also shows that the conviction rate for all wildlife offences once again increased and is now the highest it has been in the last five years, reaching 96% in 2016-17. Conviction rates for individual wildlife crime categories have been

presented as a five year average due to the small numbers of proceedings for some categories. This shows that the highest conviction rates were for offences involving badgers, along with poaching and game laws (both 100%) although it should be noted that these were very small sample sizes. The lowest conviction rate over the five year period was for offences involving deer.

Although a single court proceeding can involve a number of different offences, it should be noted that Criminal Proceedings statistics only report on the 'main charge'. Unless otherwise stated, proceedings and convictions for wildlife crimes referred to in this section are for when the wildlife crime was the main charge in a single court proceeding. For example, if a shotgun offence receives a higher penalty than a wildlife offence in the same proceeding, the shotgun offence would be counted, not the wildlife offence. To illustrate the difference, the total number of individual wildlife offence convictions in each year, regardless of whether the wildlife offence was the main charge or not, are presented at the bottom of Table 5. In 2016-17 court proceedings were held covering a total of 59 wildlife crime offences, in comparison to the 23 proceedings where wildlife crime was the main charge in a case.

Table 6 and 7 present information on penalties issued for wildlife crime convictions and have been presented as aggregate figures due to the small numbers of proceedings for some crime categories in individual years.

Table 6 shows that the most common punishment for a wildlife crime conviction is still a monetary fine, with 68% of convictions receiving this type of penalty in 2016-17, this up from 55% in 2015-16.

**Table 6: People with a charge\* proved for wildlife crimes in Scottish Courts, by main penalty, 2012-13 to 2016-17**

	2012-13	2013-14	2014-15	2015-16	2016-17
People proceeded against	77	80	51	25	23
People with a charge proved	56	60	35	20	22
<i>Of which received:</i>					
Custody	1	1	1	1	1
Community sentence	8	4	2	4	5
Monetary	33	43	28	11	15
Other	14	12	4	4	1

**Source: Criminal Proceedings Statistics**

\* Where main charge

In Table 7, aggregate totals for the five years from 2012-13 to 2016-17 show that monetary punishments are mostly likely to be given for nearly all wildlife crime types, with the exception of offences relating to badgers, where community sentences were the more commonly given. Only 2.5% of all wildlife crime convictions resulted in a custodial sentence.

Average fines and custodial sentences are also presented in Table 7. It is not possible to establish the average number of Community Payback Order (CPO) hours as this information is not held in the Criminal Proceedings database nor is it available for other types of crime.

**Table 7 People with a charge\* proved for wildlife crimes in Scottish Courts, by main penalty and wildlife crime, 2012-13 to 2016-17**

Offences relating to:	2012-13 to 2016-17 totals					Average	
	Total with a charge proved	Custody	Community sentence	Monetary	Other	Custodial sentence length (days)	Monetary fine (£)
Badgers	2	-	2	-	-	-	-
Birds	38	2	7	23	6	152	928
Cruelty to wild animals	16	-	4	8	4	-	404
Deer	7	-	1	6	-	-	517
Hunting with dogs	25	3	6	13	3	131	393
Poaching and game laws	1	-	-	-	1	-	-
Fish poaching	77	-	2	59	16	-	253
Other wildlife offences	27	-	1	21	5	-	485
<b>Totals</b>	<b>193</b>	<b>5</b>	<b>23</b>	<b>130</b>	<b>35</b>	<b>139</b>	<b>445</b>

Source: Criminal Proceedings Statistics

\* Where main charge

## 2.4 Comparing data sources

While the criminal justice IT systems represented in Tables 1 to 7 have common standards in terms of classifying crimes and penalties, care should be taken when comparing the different sets of statistics (Tables 1 to 7):

- Prosecutions may not happen or be concluded in the same year as a crime was recorded by Police Scotland. Timing is also an issue when comparing COPFS figures (which refer to prosecutions brought in respect of cases reported to COPFS in each financial year) and Criminal Proceedings statistics (which represent only prosecutions commenced and, of those, prosecutions concluded to the point of conviction, in each financial year)
- In the Police Scotland recorded crime statistics, a single crime or offence recorded by the police may have more than one perpetrator. By comparison the court statistics measure individuals who are proceeded against, which may be for more than one crime. As outlined above, only the main charge in a prosecution is presented for criminal proceeding statistics
- There is the possibility that the crime or offence recorded by Police Scotland may be altered e.g. when Police Scotland submit a report of alleged offending to COPFS, and COPFS may alter the charges during their case marking process, which makes it difficult to track crimes through the criminal justice process
- Additionally, crimes and offences alleged to have been committed by children less than 16 years old are not included in the criminal proceedings statistics as these are representative of activity in the adult courts. Juveniles are generally processed through the children's hearings system

### **3. Additional data sources**

Chapters three and four include commentary and data provided by other bodies involved in the investigation of wildlife crime in Scotland including government departments, agencies and NGOs. The data provides additional detail on incidents or investigative work to complement the data presented in Chapter two and to help fill in gaps where disaggregation of that data is not possible.

Some of these data sources include incidents that have been reported to stakeholders or detected using their specific expertise.

Police Scotland operate to the Scottish Crime Recording Standard which sets criteria for recording an incident as a crime. There is no requirement for other stakeholders to adhere to the Scottish Crime Recording Standard, therefore there may be variability in the way in which crimes are recorded between the various organisations.

It is possible that, if reported to the Police, some of these incidents would not have been recorded as a crime, or would have been recorded as environmental offences or firearms/shotgun offences depending on the nature of the crime.

Work is on-going to standardise the criteria used among stakeholders for recording of incidents.

### 3.1 Science and Advice for Scottish Agriculture (SASA)



Science and Advice for Scottish Agriculture (SASA) is a Scottish Government department based in Edinburgh, which as part of its remit, provides several services for wildlife crime investigation.

#### Wildlife DNA Forensic Unit

Evidence seized by enforcement officers in the course of wildlife crime investigations often contain animal DNA evidence that can be crucial to an investigation – from confirming whether a crime has taken place, to linking a suspect directly to a specific crime scene. The Wildlife DNA Forensic Unit at SASA provides accredited forensic analysis of animal DNA evidence recovered by wildlife crime investigations. Table 8 provides a summary of the range of Scottish casework received in the financial years 2013-14 to 2016-17, divided into the UK wildlife crime priorities.

**Table 8: Wildlife DNA Forensic Unit cases from Scotland, 2013-14 to 2016-17**

Category	Scottish cases			
	2013-14	2014-15	2015-16	2016-17
Badger persecution	4	1	0	0
Bat persecution	0	0	0	0
CITES	1	0	2	1
Freshwater pearl mussels	0	0	0	0
Poaching and coursing	6	1	0	3
Raptor persecution	4	10	5	4
Other wildlife crime	2	0	0	4
Other (e.g. animal cruelty)	1	2	0	2
<b>Total</b>	<b>18</b>	<b>14</b>	<b>7</b>	<b>14</b>

Source: SASA

From the most recent set of cases, there were several interesting investigations involving animal DNA analysis. One case recovered dog DNA from a hare that had been coursed, and this could be matched using dog DNA profiling to a suspect's dog – linking them directly to the crime. Similar techniques were used to link a deer poacher to a crime scene, providing a red deer DNA profile match between carcass remains found at the poaching site to a carcass found at the suspect's home. Finally, from a raptor persecution case, buzzard DNA was identified within the jaws of a Larsen-mate trap. The results of DNA analysis in these cases can provide investigative leads and answers to investigative questions all of which play a crucial role in advancing an investigation towards prosecution.

## Chemistry Branch

The Chemistry Branch at SASA investigates suspected animal poisoning incidents, as part of the Wildlife Incident Investigation Scheme. Table 9 provides details of suspected pesticide incidents investigated in Scotland (2012-13 to 2016-17) and summarises those incidents, categorised as abuse<sup>†</sup>, that are considered to be wildlife crimes because of the species or pesticide involved. Annually, the branch investigates around 170-230 incidents.

The number of poisoning abuse incidents decreased from 15 in 2015-16 to ten in 2016-17.

Table 9 also includes the numbers of abuse incidents involving suspicious baits or other substances, even if no creature was actually poisoned. Over the five year period, the highest number of recorded abuse incidents involved birds of prey (24) followed by companion animals (17). Bird of prey poisoning incidents are covered further in section 4.7.

**Table 9: Pesticide incidents in Scotland 2012-13 to 2016-17**

	2012-13	2013-14	2014-15	2015-16	2016-17
Number of incidents investigated during financial year *	172	194	192	215	205
Number of incidents attributed to pesticides	22	18	16	27	20
<b>Category - Abuse</b>	<b>14</b>	<b>13</b>	<b>9</b>	<b>15</b>	<b>10</b>
% abuse	8%	7%	5%	7%	5%
No. of abuse incidents involving birds of prey	4	6	6	5	3
No. of abuse incidents involving other birds **	1	2	0	0	1
No. of abuse incidents involving suspicious baits/substances	5	4	1	3	3
No. of abuse incidents involving companion animals	4	1	2	7	3
No. of abuse incidents involving wild mammals	0	0	0	0	0

**Source: SASA**

\* Excludes honeybees and incidents where no analyses were undertaken

\*\* No birds of prey associated with these incidents

† **Abuse:** An investigation into the circumstances of the case concluded that the pesticide(s) involved had been used in breach of their authorisation conditions and that this has been done with the deliberate intent of harming or attempting to harm wildlife or other animals. Where an animal is involved the cause of death has been established as pesticide poisoning.

### 3.2 SAC Consulting Veterinary Services



SAC Consulting: Veterinary Services (SAC C VS) is a division of Scotland's Rural College (SRUC). While not a government agency, the work of their Veterinary Services team includes post mortem examinations on wild birds (under the Wild Bird Disease Surveillance budget) and on wild mammals (under the Animal Welfare budget). These budgets are funded by Advisory Activity grants-in-aid from the Scottish Government.

Carcase submissions for this wildlife crime summary come, in the main, from Police Scotland. Other substantial contributions come from the Scottish SPCA and RSPB. Small numbers of carcasses come from other sources, such as Scottish Natural Heritage, other conservation or wildlife charities, or members of the public. Where the presence of wildlife crime is suspected following post mortem examination in cases submitted by non-law-enforcement agencies, the Police are notified of the outcome to allow investigation to proceed.

In addition to wildlife crime investigation, wild bird carcase submissions in Scotland are used for disease surveillance, notably exotic zoonotic diseases such as avian influenza or West Nile virus. The recent outbreaks of avian influenza in commercial units are an illustration of the need for surveillance for diseases of concern which may be carried by wild birds, particularly given the very long distances involved in migration patterns in some species.

In 2016-17, a total of 172 cases were submitted, of which 49 involved mammals and 123 involved birds. These are shown in Table 10 below. As can be seen from the data in Table 10, the percentage of wild bird submissions suspected to be crime related following post-mortem examination is usually lower than the comparable percentage of mammal cases, which is in accordance with previous trends. There are several factors which may contribute to this difference. Firstly, buzzards tend to predominate the avian submissions by Police - these birds are numerous, and they are also a species known to be persecuted, which may lead to a high rate of report for this particular species by members of the public. Secondly, large bird of prey carcasses are noticeable and recognisable for some time after death: the feathers over the carcase can survive for long periods in apparently good condition after death, which can give a superficial appearance of an intact and potentially usable carcase even where there is little to no soft tissue left within. This leads to a higher rate of bird submission in a state of decay beyond analysable viability, leading to a report of "insufficient evidence to ascertain cause of death".

**Table 10: Wildlife cases examined by SAC Consulting Veterinary Services under advisory activity funding, 2012-13 to 2016-17**

	2012-13	2013-14	2014-15	2015-16	2016-17
Total wildlife cases examined as possible wildlife crimes	137	199	158	225	172
Total mammal cases	48	50	41	45	49
Total mammal cases identified by post mortem as crime related	22	25	26	23	11
% of mammal cases identified by post mortem as crime related	46%	50%	63%	51%	22%
Total bird cases	89	149	117	180	123
Total bird cases identified by post mortem as crime related	16	21	30	22	13
% of bird cases identified by post mortem as crime related	18%	14%	26%	12%	11%

**Source: SAC Consulting Veterinary Services**

It should be noted that the number of carcasses submitted as potential wildlife crimes, and then identified as likely to be such, can depend on many factors, including environmental conditions suitable for preservation of carcasses, public awareness of issues surrounding wildlife crime, level of scavenging activity, etc., in addition to levels of wildlife crime committed.

Wild mammalian work in the year 2016-17 has covered a wide range of species including squirrels, hares, otters, badgers, pine martens, foxes, and deer, with dog attack being the most common cause of death or injury. This included suspected badger baiting, hare coursing, hunting deer with dogs, and potentially unintended loss of control of a pet around wildlife.

The avian cases have covered a range of species, though raptors always tend to predominate in cases submitted as suspected wildlife crimes. Causes of death or injury included shooting, poisoning, potential misuse of traps, suspected intentional attack by a person, and similarly via vehicle, and dog attack.

In cases where the cause of death was recorded as "shooting", a mixture of suspected rifle, shotgun and air rifle injuries were represented. Poisoning abuse incidents are confirmed by testing at SASA and so the same cases referred to here also appear in **Table 9**.

### 3.3 Scottish Natural Heritage (SNH) – General Licence Restrictions and protected species licensing



#### Scottish Natural Heritage Dualchas Nàdair na h-Alba

All of nature for all of Scotland  
Nàdar air fad airson Alba air fad

As part of a package of anti-wildlife crime measures announced by the Minister for Environment and Climate Change, SNH announced in 2014 that they would prevent the use of general licences to trap or shoot wild birds on land where there is evidence of wildlife crime against birds. Police Scotland

will share information with SNH where it may prove to be of assistance in deciding on the use of these restrictions. The measures were back-dated to 1 January 2014, allowing action to be taken where there is evidence of relevant offences from that date onwards.

SNH published their framework for implementing restrictions on the use of General Licences in October 2014, which was part of a package of measures aimed at tackling raptor persecution. The rationale behind the restriction process was that the light-touch approach to regulation offered by General Licences (where there is no application process, and no significant registration or reporting requirements) would not be appropriate where there has been a loss of confidence, usually in situations where there has been evidence to show that crimes against wild birds have taken place.

SNH meet with Police Scotland and the National Wildlife Crime Unit every three months to review new information on bird crimes in Scotland and to identify any possible cases for future restrictions. Possible cases are reviewed against the criteria set out in the framework document and must be based upon clear evidence of crimes being committed.

Two General Licence restrictions were imposed in November 2015 over four land holdings in the Scottish Borders and Stirlingshire following evidence being received from Police Scotland that crimes against wild birds had been committed. In both cases no criminal prosecutions were brought.

These restrictions prohibit the use of General Licences 01, 02 and 03 and remained in place until 12th November 2018. Maps showing the areas affected by the restrictions were published on the SNH website when they came into effect and remained available for the duration of the restrictions.

Two of the land holdings in the Scottish Borders affected by a General Licence restriction were granted the right to Judicial Review by the Courts. These cases were heard in January 2017, with the Court finding largely in favour of SNH in upholding the General Licence restriction decisions.

Two additional General Licence restrictions were imposed in 2017; one over an area of land in Perthshire, and another to an individual, prohibiting them from using the relevant General Licences. Details of these can be found on the SNH website.

### **3.4 Police Scotland – firearms licensing**

Police Scotland may revoke or refuse the renewal of a shotgun or firearm certificate in circumstances that demonstrate that the holder is no longer deemed to be suitable.

If a firearm certificate holder commits an offence, the Firearms and Explosives Licensing department for the relevant division in which they reside is notified of this and thereafter a report is initiated to examine the person's continued suitability to possess a shotgun or firearm. If a person subsequently has their shotgun or firearm certificate revoked, this would be in terms of the Firearms Act 1968 and not the original offence(s), regardless of the outcome at Court, as they would still have to be assessed on their suitability to possess firearms.

Accordingly revocations and refusals are currently recorded under the Firearms Act 1968 and it is not possible therefore to determine whether wildlife crime offences form part of the suitability consideration process.

### 3.5 Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA)



The Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA) and their Special Investigations Unit (SIU) are able to lead or support certain wildlife crime investigations in Scotland. Powers are granted to suitably trained staff by Scottish Ministers under the Animal Health and Welfare (Scotland) Act 2006.

Scottish SPCA inspectors deal with routine domestic and wildlife welfare cases, however the SIU has a slightly different remit dealing with cases which are linked to illegal activities often involving serious and organised crime groups. SIU deals with both wildlife incidents and incidents involving domestic animals such as dogfighting and the puppy trade. Some of the SIU's work involves incidents where there is both a domestic animal and wildlife element such as badger baiting. The SIU consists of five inspectors and one intelligence manager.

The SIU receives information (and complaints) from two main sources – the Scottish SPCA animal helpline will alert the SIU to any information that may be of interest, and some information is fed directly to the unit from intelligence sources and other agencies through intelligence logs and reports.

The Scottish SPCA's animal helpline received over 245,000 calls between April 2016 and March 2017. Through the increase in public knowledge, brought about by marketing campaigns and media focusing on the work of the SIU, an increase in calls was received relating to incidents involving possible wildlife crime. This has led to an increase in the volume of information passed to the SIU in comparison to previous years.

The SIU estimate that between April 2016 and March 2017 they received:

- 401 pieces of information for consideration from the Scottish SPCA helpline
- 475 pieces of information from other sources. Upon investigation, some pieces of information may relate to incidents that may not in fact turn out to be the result of crime, may not actually involve wildlife, or are duplicate pieces of information relating to the same incident

Table 11 provides a further breakdown of incidents where the SIU identified a crime had taken place, including those reported to COPFS, listed under the six UK wildlife crime priority areas. These incidents were for cases investigated solely by the SIU.

**Table 11: Wildlife incidents identified by SIU as crimes from April 2016 to March 2017**

Type of wildlife crime	Pieces of information identified as crime	Reported to COPFS
Badger persecution	8	0
Illegal trade (CITES)	0	0
Raptor Persecution	10	0
Bat Persecution	0	0
Poaching and coursing	5	0
Freshwater pearl mussels	0	0
Other	17	4
<b>TOTAL</b>	<b>40</b>	<b>4</b>

Source: Scottish Society for the Prevention of Cruelty to Animals

The incidents in Table 11 also included four relating to trapping or snaring offences.

Significant wildlife cases in 2016-17 included an individual reported for the illegal use of gin traps being used for the trapping of foxes. Gin traps had been used around the entrance to a fox earth. These traps were recovered from the back of the individual's vehicle. A subsequent search with the Police led to the recovery of a quantity of unsecure firearms and ammunition.

Another case centred on the recovery of illegally set snares and illegal ELgeeco trap within a sporting estate.

The SIU report cases directly to the Crown Office and Procurator Fiscal Service (COPFS). As a result, any crimes or suspected crimes investigated solely by the Scottish SPCA will not appear in the Police recorded crime statistics shown in Table 1 of this report. If reported for prosecution however, they will be included in the COPFS figures and those cases will have been given a Scottish Criminal Records Office (SCRO) number.

Not all incidents identified as crimes will provide sufficient evidence for a prosecution to be progressed to COPFS. Table 12 below shows a five year summary of wildlife related investigations led by the SIU, including those reported to COPFS.

Table 12 also shows the numbers of investigations where the SIU supported investigations led by Police Scotland. A new database was launched in December 2014 allowing more accurate collation data from that point onwards.

**Table 12: Wildlife crime investigations dealt with by SIU, 2012-13 to 2016-17**

	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
Incidents investigated solely by SIU	54	69	92	96	73
Number of cases reported to COPFS	8	10	6	10	4
% reported to COPFS	15%	14%	7%	10%	5%
Police Scotland-led investigations assisted by SIU	65	70	49	19	42
<b>Total</b>	<b>119</b>	<b>139</b>	<b>141</b>	<b>115</b>	<b>115</b>

**Source: Scottish Society for the Prevention of Cruelty to Animals**

### 3.6 National Wildlife Crime Unit (NWCU)

The National Wildlife Crime Unit has a dedicated intelligence function. In the 2016-17 year, the following bespoke intelligence analysis was provided for Scotland:



- Update of the Operation Easter target list – to support and direct proactive targeting across Scotland
- Quarterly submission of Organised Crime Groups with links to Scotland
- Five year incident analysis of Badger Persecution for the Badger Priority Delivery Group (including Scottish Badgers data)
- Initial hotspot mapping drafted for the South Scotland Golden Eagle project
- Open Source research carried out for nominals of interest to Police Scotland
- Intelligence database checks for Police Wildlife Liaison Officers across Scotland
- Bespoke Geographical Information Services (GIS) maps to assist active investigations
- Monthly Wildlife Crime Briefing Paper for interest of Police Scotland Wildlife Crime lead
- Taskings for Police Scotland out of the National Strategic Assessment for 2016
- Wildlife Crime input prepared for the Police Scotland monthly Chief Officer Tactical Assessment

In addition, the NWCU's Scottish Investigative Support Officer (SISO) provides advice and 'on the ground' support for wildlife crime investigations. In 2016-17, the NWCU SISO was involved in casework as well as the strategic development of wildlife crime enforcement and intelligence sharing. The SISO gave advice and assistance to Police Scotland Wildlife Crime Liaison Officers and other organisations on numerous occasions and on a variety of subjects including bird, badger, bat, non-native species and pearl mussel crime; traps; fox hunting; wildlife disturbance; coastal crime and issues; environmental disturbance; trading in endangered species (CITES) and the sourcing of expert witnesses.

Throughout the year, contributions were provided to several operations involving CITES and raptor crime and the annual delivery of Operation Easter to target egg thieves and nest disturbance during the bird breeding season. Crime prevention measures were initiated to mitigate the risks that persecution posed to the South of Scotland Golden Eagle project on both sides of the border. Several searches were undertaken around raptor crime and CITES.

The SISO gave presentations at several events throughout the year including local and national Police training, Sharing Good Practice events, PAW partners and the UK Wildlife Crime Enforcer's Conference. They also participated in, or

wrote, media articles regarding raptor crime and river crime. An on-going element of the role continues to include participation in several PAW Scotland groups (Poaching & Coursing, Media, Freshwater Pearl Mussel and Raptor), Heads up for Harriers project and General Licence restrictions.

The NWCU works with Police Scotland to produce intelligence products which are based upon analysis of intelligence. Table 13 **Table 14: Most common priority NWCU intelligence logs 2012-13 to 2016-17** below provides a summary of wildlife crime intelligence logs, broken down by relevant keyword. This table has been included to provide a clearer picture of the spread of wildlife crime intelligence dealt with by Police Scotland and the NWCU and reflects the kind of information which is being reported to the Police.

**Table 13: Scottish wildlife crime intelligence logs 2016-17**

Keyword	Intelligence logs	% of total
Fish	123	17.6%
Raptor/Bird of Prey	22	3.1%
Deer	117	16.7%
Hare	162	23.2%
Badger	30	4.3%
FWPM/Pearl mussel	1	0.1%
CITES	9	1.3%
Bat	0	0.0%
All 'other' wildlife	235	33.6%
<b>Total</b>	<b>699</b>	

Source: Scottish Intelligence Database/NWCU (used with permission of Police Scotland)

It should be noted that an intelligence log is not a detected crime but a tool for Police to use to establish a bigger picture of what is happening in a given area. A single incident may generate a number of pieces of intelligence. Intelligence logs cannot be used to (a) directly compare year on year or (b) comment on long term trends, as they are reviewed on a yearly basis and deleted if grounds for inclusion for policing purposes no longer exist. As a result, the number of intelligence logs for any given year decreases over time.

Table 14 provides a summary of the three most common types of priority intelligence log (i.e. not including the 'Other' category) held in the database for 2012-13 to 2016-17.

**Table 14: Most common priority NWCU intelligence logs 2012-13 to 2016-17**

Year	Three most common priority intelligence types (as a percentage of the total number of intelligence logs)
2012-13	Fish (17%), deer (17%) and hare (9%)
2013-14	Fish (20%), deer (16%) and raptor/bird of prey (10%)
2014-15	Fish (18%), raptor/bird of prey (12%) and deer (11%)
2015-16	Fish (21%), hare (17%) and deer (16%)
2016-17	Hare (23%), fish (18%) and deer (17%)

Source: Scottish Intelligence Database/NWCU (used with permission of Police Scotland)

## 4. Wildlife crime priority areas

Wildlife crime priorities are set at UK level by the Wildlife Crime Tasking and Co-ordinating Group. The group's membership includes the Police, the Partnership for Action against Wildlife Crime (PAW), National Wildlife Crime Unit (NWCU), and the Joint Nature Conservation Committee (JNCC).

The priorities remained unchanged in 2016-17:

- Badger persecution;
- Bat persecution;
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
- Freshwater pearl mussels;
- Poaching (including deer poaching, hare coursing, fish poaching);
- Raptor persecution.

Priority groups on poaching and coursing, and freshwater pearl mussel crime, continue to operate in Scotland, as well as the PAW Scotland Raptor Group (formerly the Raptor Persecution Priority Delivery Group).

The following sections provide more detail on each of these priority areas, along with the relevant data. The additional sections from the 2014 report on the Protection of Wild Mammals (Scotland) Act 2002 and Trapping and Snaring continue to be included.

SNH have provided a 'Health of Species' appraisal of for those priority species that fall within SNHs remit: badger, bats, freshwater pearl mussels, deer, brown hare and key raptors. This appraisal is intended to give an overview of current population trends, factors affecting the health of the species and the relative impact of wildlife crime on the conservation status and is in response to an Environment, Climate Change and Land Reform Committee request for this contextual information.

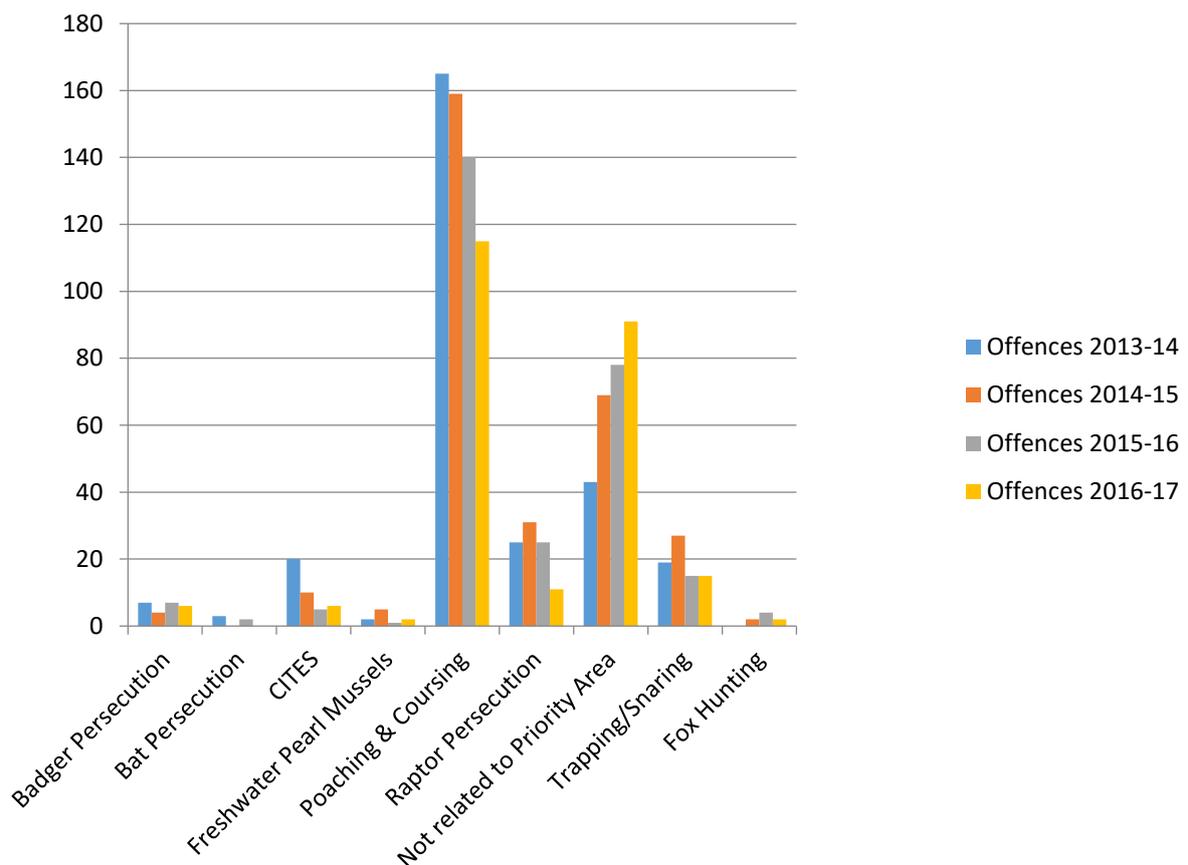
#### 4.1 Police Scotland disaggregated data

Recommendations made by the Environment, Climate Change and Land Reform Committee on improving the data presented in the annual report continue to be built upon. In this report, Police Scotland have continued to provide a manual disaggregation of wildlife crime reports. This data is shown in Figure 1, Table 15 and Table 16.

Data has been presented for each of the six priority areas, plus the two additional sections on the Protection of Wild Mammals (Scotland) Act 2002 and Trapping and Snaring, by Police Scotland Division and in a quarterly format.

Data in Table 1 is sourced from the Scottish Government Recorded Crime figures and care should be taken in comparing those figures with the disaggregated figures provided in this section.

**Figure 1: Police Scotland disaggregated offence data from 2013-14 to 2016-17**



Source: Police Scotland

**Table 15: Police Scotland disaggregated offence data from 2013-14 to 2016-17**

Type of crime	Number of offences			
	2013-14	2014-15	2015-16	2016-17
Badger persecution	7	4	7*	6
Bat persecution	3	0	2	0
CITES	20	10	5	6
Freshwater pearl mussels	2	5	1	2
Poaching and coursing	165	159	140	115
Raptor persecution	25	31	25	11
Not related to Priority Area	43	69	78	91
No crime recorded	-	-	3	-
<b>Total</b>	<b>265</b>	<b>278</b>	<b>261</b>	<b>231</b>
<i>Additional breakdowns</i>				
Trapping/snaring (all species)*	19	27	15	15
Fox hunting	0	2	4	2
Hunting with dogs (all Protection Wild Mammals Act offences)	-	-	44	22
<b>Total</b>	<b>19</b>	<b>29</b>	<b>63</b>	<b>39</b>

**Source: Police Scotland**

\* All Offences involving badgers, including Protection of Badgers Act and WCA (snaring) offences where badger is the target species. These offences may be duplicated elsewhere, for instance illegal killing of a badger by snaring would be recorded in 'Badger persecution' and 'Trapping/snaring'

**Table 16: Quarterly Police Scotland disaggregated offence data for 2016-2017**

Type of crime	Number of offences			
	2016-17			
	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar
Badger persecution	2	1	1	2
Bat persecution	0	0	0	0
CITES	0	5	1	0
Freshwater pearl mussels	0	0	1	1
Poaching and coursing	28	47	16	24
Raptor persecution	9	2	0	0
Not related to Priority Area	44	15	11	21
<b>Total</b>	<b>83</b>	<b>70</b>	<b>30</b>	<b>48</b>
<i>Additional breakdowns</i>				
Trapping/snaring (all species)*	7	2	6	0
Fox hunting	1	0	0	1
Hunting with dogs (all Protection Wild Mammals Act offences)	5	4	5	8
<b>Total</b>	<b>13</b>	<b>6</b>	<b>11</b>	<b>9</b>

**Source: Police Scotland**

## 4.2 Badger persecution



Badger © scotlandbigpicture.com

All badgers in Scotland are protected by law, but they are sometimes still illegally targeted by those who see them as a pest or for the purposes of illegal animal fights.

Reckless or intentional damage, destruction and interference to badger setts (including sett blocking) is an offence which may arise from unlicensed forestry, agricultural or construction works.

### Recorded crimes

Table 17 shows that there were six offences relating to badger persecution recorded by Police Scotland in 2016-17, compared to seven in 2015-16. Four of these offences were in relation to damage to a badger sett. Table 18 provides a quarterly breakdown of offences.

**Table 17: Badger offences 2016-17 by Police Scotland Division**

Police Division	Type of offence	Number of offences
North East	Digging, damage and obstruction to sett	1
Edinburgh	Killing	2
	Digging, damage and obstruction to sett	1
Fife	Digging, damage and obstruction to sett	1
Dumfries and Galloway	Digging, damage and obstruction to sett	1
<b>Total</b>		<b>6</b>

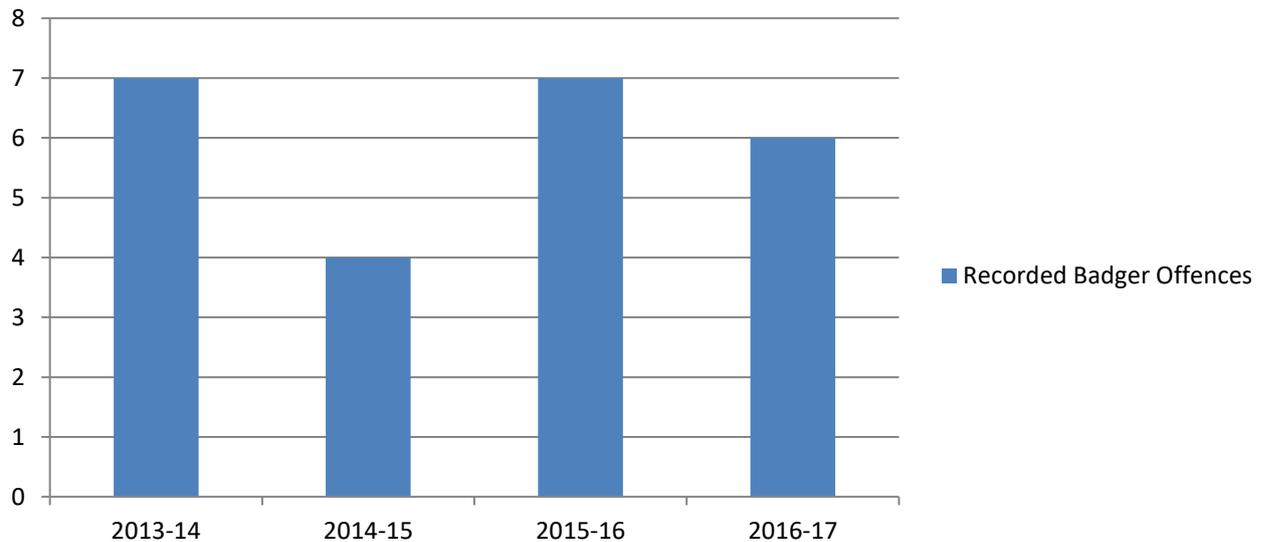
Source: Police Scotland

**Table 18: Badger offences 2016-17 by species and quarterly breakdown**

Type of Crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Killing	2				2
Digging, damage and obstruction to sett	0	1	1	2	4
<b>Total</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>6</b>

Source: Police Scotland

**Figure 2: Police Scotland disaggregated offence data for badger persecution 2013-14 to 2016-17**



Source: Police Scotland

### Health of species - Badger

#### *Basic ecology:*

At around 75cm long and between 8 – 12kg in weight, the badger is Britain's largest carnivore. They live in social groups of around six but, exceptionally, up to 23 individuals. They live in burrow systems called setts which are often large with multiple entrances.

Their ideal habitat is deciduous woodland with grazed pasture nearby, but they will use most open habitats. The main component of their diet is earthworms and other underground grubs but they will eat other prey and vegetable matter, tubers and berries especially when worms are less easy to get during drought, for instance. Badgers are largely nocturnal, but are often also active in daylight hours during the summer months.

#### *Current population in Scotland:*

Badgers occur throughout mainland Scotland (and Arran where they were introduced) but the highest densities of population occur in Lothian and the Borders, then Fife, Dumfries and Galloway and the North East. The population density is generally lower in the highlands, Tayside and Argyll and central Scotland, although there are localised areas of high density such as around Inverness. This distribution largely reflects the distribution of soil depth and type suitable for sett excavation. A survey carried out by Scottish Badgers between 2006 and 2009 estimated that there were between 7,300–11,200 social groups in Scotland.

#### *Population trends:*

Comparison of the 2009 survey with previous estimates indicate a slight rise in population. This upward trend is apparently continuing as suggested by the most

recent (2018) population estimate, which although likely to be an over-estimate, is significantly greater than previously.

*Factors affecting the health of the population:*

A major cause of mortality in badgers is road accidents. This can increase at certain times of the year when animals are dispersing as a natural part of their social organisation. It can also be made worse in periods of low food availability as the animals forage further from home. Loss of territory or sett sites due to development pressure can be an issue.

Badgers are known to be susceptible to bovine tuberculosis (bTB) and the possibility that the species might act as a reservoir for the disease has led to the control programmes in Southern England, Wales and Ireland. At present the Scottish cattle herd is free of bTB thanks largely to strict cattle import control. However, there have been recent cases of bTB in cattle and road kill badgers in the area south of Penrith and this is of concern to Scotland.

*Monitoring:*

The Scottish Badgers distribution survey is an on-going project by volunteers. Disease monitoring in badgers is largely carried out via road casualties.

*'Health' of the species:*

The available evidence indicates that the badger population is rising. The threat from development should be attenuated by planning control, though it is still possible that unforeseen problems due to loss of foraging habitat may occur.

If the population of badgers grows then higher numbers as well as greater dispersal due to social pressure will mean that road casualties will be more likely.

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*Scottish Natural Heritage (2015) About Badgers <http://www.snh.gov.uk/about-scotlands-nature/wildlife-and-you/badgers/about-badgers/>*  
*Mathews, F., Kubasiewicz, L.M., Gurnell, J., Harrower, C., McDonald, R.A., Shore, R.F (2018). A review of the population and conservation status of British Mammals. A report by the Mammal Society under contract to Natural England, Natural Resources Wales and Scottish Natural Heritage.*

### 4.3 Bat persecution



Bats and their roosts are protected by the Conservation (Natural Habitats, &c.) Regulations 1994, which gives strict legal protection to all species listed under Annex IV of the EU Habitats Directive – known as European Protected Species (EPS). Scotland’s bat population is relatively small compared to other parts of the UK.

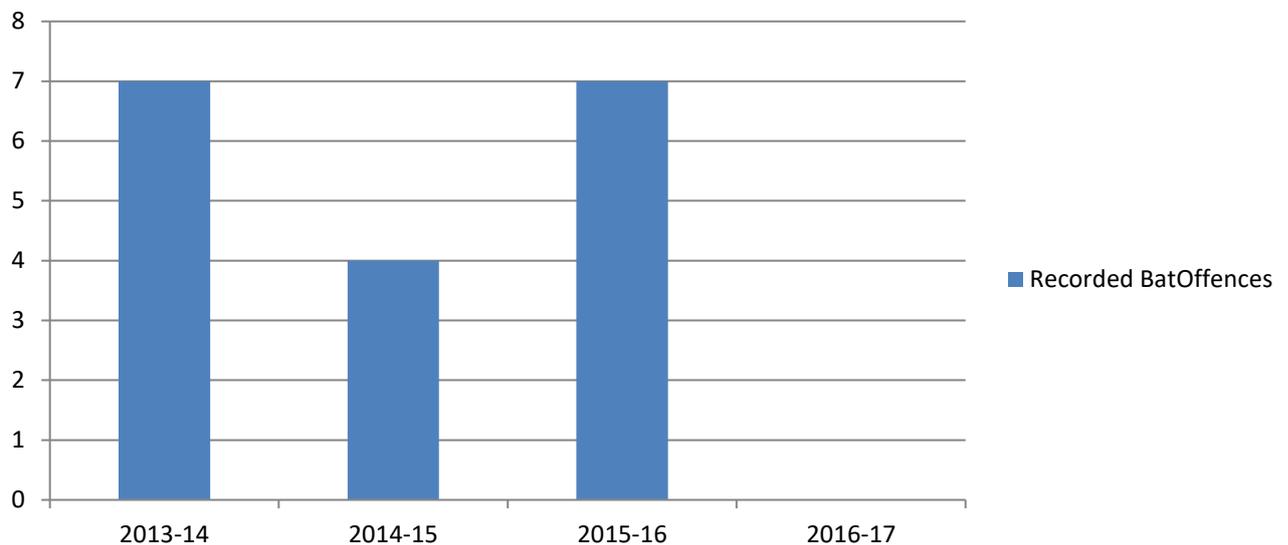
Bat roost © John Black [www.bats.org.uk](http://www.bats.org.uk)

#### Recorded crimes

There were no offences involving bat persecution recorded by Police Scotland in 2016-17.

Bats, their breeding sites and resting places are at particular risk from development works and evidencing the presence of bats in these cases can be very challenging. Police Scotland work closely with SNH bat specialists in the investigation of any alleged offences.

**Figure 3: Police Scotland disaggregated offence data for bat persecution 2013-14 to 2016-17**



Source: Police Scotland

## Health of species – Scottish bats

### *Basic ecology:*

Bats are found throughout Scotland, including on many of the islands. In Shetland they occur as vagrants only. Ten species occur in Scotland, five of which are considered to be common and/or widespread (common pipistrelle, soprano pipistrelle, Daubenton's bat, brown long-eared bat and Natterer's bat). A further five are considered rare and/or range-restricted (whiskered bat, Brandt's bat, noctule, Nathusius' pipistrelle and Leisler's bat). In Scotland, the number of bat species living in an area generally decreases with distance travelled north and west. Common and soprano pipistrelles dominate the bat fauna of Scotland, between them probably comprising over 80% of the entire bat population.

### *Current population in Scotland:*

Revised population estimates of most species have recently (2018) been published. The Scottish common pipistrelle population is currently estimated at 875,400, (but within the range 285,000 and 2,160,000). The current estimates for soprano pipistrelle and brown long-eared bat are 1,210,000 (range: 512,000 - 2,180,000) and 230,000 (range: 12,800 - 543,000), respectively<sup>1</sup>.

### *Population trends:*

Currently Scottish trends are available for three species: Daubenton's bat; common pipistrelle and soprano pipistrelle. Populations of these species are considered stable. Of the remaining seven Scottish species, GB-level trends are available for three other species and (combined) whiskered/Brandt bat. Thus, populations of brown long-eared bat, noctule and whiskered/Brandt's bat are all considered to have been stable since 1999. There is some evidence that Natterer's bat may have increased over the same period.

### *Monitoring:*

British bats are monitored via the National Bat Monitoring Programme, which uses data from four different types of annual survey bats across Britain.

### *Factors affecting the health of the population:*

The dependence of bats on a number of specific habitat types for summer roosting sites, winter hibernation sites, commuting and foraging, means that they are particularly vulnerable to land use change. Many bat populations suffered serious declines in the second half of the twentieth century, driven by habitat loss, development and disturbance or destruction of roosts. The widespread use of highly toxic timber treatment chemicals was a contributory factor to this, but fortunately much safer compounds are now commonly in use which present little or no threat to bats if used correctly. There are three main types of roost:

- Buildings such as houses, churches, farms, bridges, ancient monuments, fortifications, schools, hospitals and all sorts of industrial buildings. These are most important in summer, though some are used throughout the year

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<sup>1</sup> These values are substantially larger than previously published estimates, but do not necessarily mean the populations have increased to this extent, as the estimates have wide confidence intervals attached, within which the true population sizes are likely to be found.

- Underground places such as caves, mines, cellars, ice-houses and tunnels. These are most important for hibernation as they give the cool, sheltered and stable conditions that bats need during winter
- Tree holes - these are used by bats throughout the year

*Health' of the species:*

Common and soprano pipistrelles, and brown long-eared bats are the species that are most frequently encountered in buildings and are therefore most likely to be the subject of wildlife crime in the form of unauthorised disturbance, or damage to, and/or destruction of their roosts.

On-going threats to Scottish bats include pressure from human disturbance to roosting sites and foraging grounds. For example, changes to agricultural and forestry practices which alter landscapes, or affect the availability of insect prey, such as pesticide use, could negatively impact bat populations. Roosts may be lost during development through demolition or renovation of buildings without provisions to replace roosting sites, and there is limited information on the success of replacement roosts as part of compensation measures. Also changes in building practices to improve energy efficiency mean that new buildings may offer fewer roosting opportunities.

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#### 4.4 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)



Illegal products © Charlie Everitt

CITES is the Convention on International Trade in Endangered Species of Wild Fauna and Flora. It is an international agreement between governments, which aims to protect certain animal and plant species from over-exploitation by trade.

In Scotland and the rest of the UK, this agreement is given legal authority by the Control of Trade in Endangered Species (Enforcement) Regulations 1997, known as COTES.

#### Recorded crimes

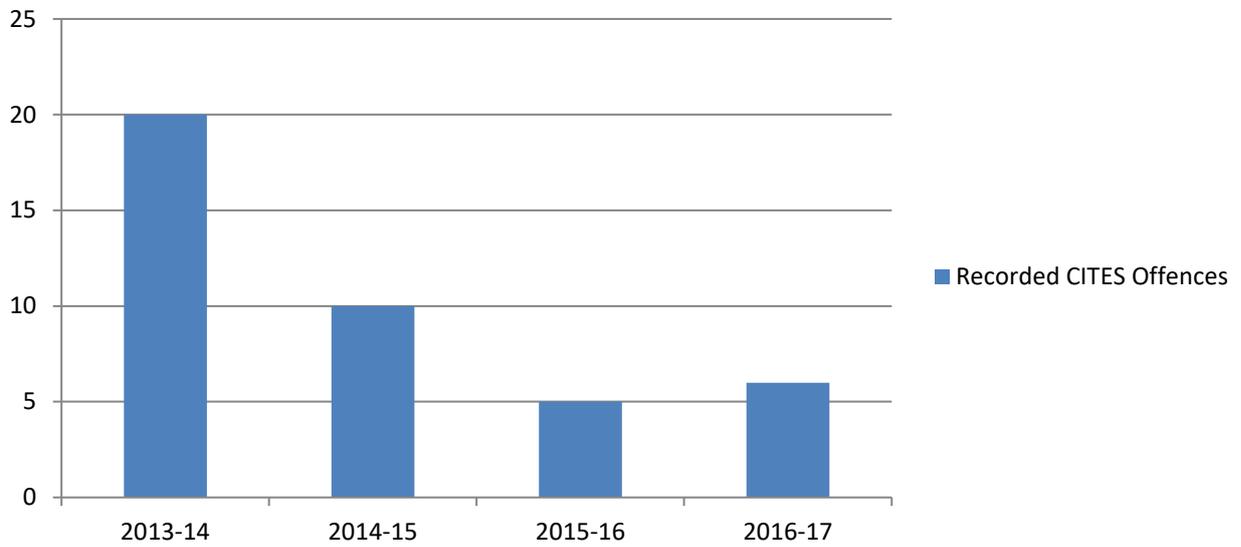
Table 19 and Figure 4 show that six CITES-related offences were recorded by Police Scotland in 2016-17, compared to five in 2015-16. These six offences related to 3 incidents, involving the trading in endangered species in Tayside, the Lothians and the Scottish Borders. These included tiger, leopard skin and elephant ivory.

**Table 19: Summary of 2015-16 CITES offences**

Police Division	Type of Offence	Date
Tayside	Unlicensed trade in taxidermy (wildcat).	July 2016
The Lothians and Scottish Borders	Trade in endangered species (tiger).	August 2016
	Trade in endangered species (elephant).	August 2016
	Trade in endangered species (Asian bear).	August 2016
	Trade in endangered species (leopard).	August 2016
	Trade in endangered species (snow Leopard skin rug).	January 2017

Source: Police Scotland

**Figure 4: Police Scotland disaggregated offence data for CITES 2013-14 to 2015-16**



**Source: Police Scotland**

Police Scotland expect the numbers of recorded offences to increase in future years, due to increased public awareness and reporting of illegal wildlife trading, particularly online.

## 4.5 Freshwater Pearl Mussels



Freshwater pearl mussels © Sue Scott SNH

Scotland supports several of the largest remaining populations of freshwater pearl mussels (FWPM) in the world some of which continue to be damaged by criminal activity. Pearl fishing continues in Scotland, almost uniquely within Europe. FWPM are also threatened by unlawful river engineering and pollution.

### Recorded crimes

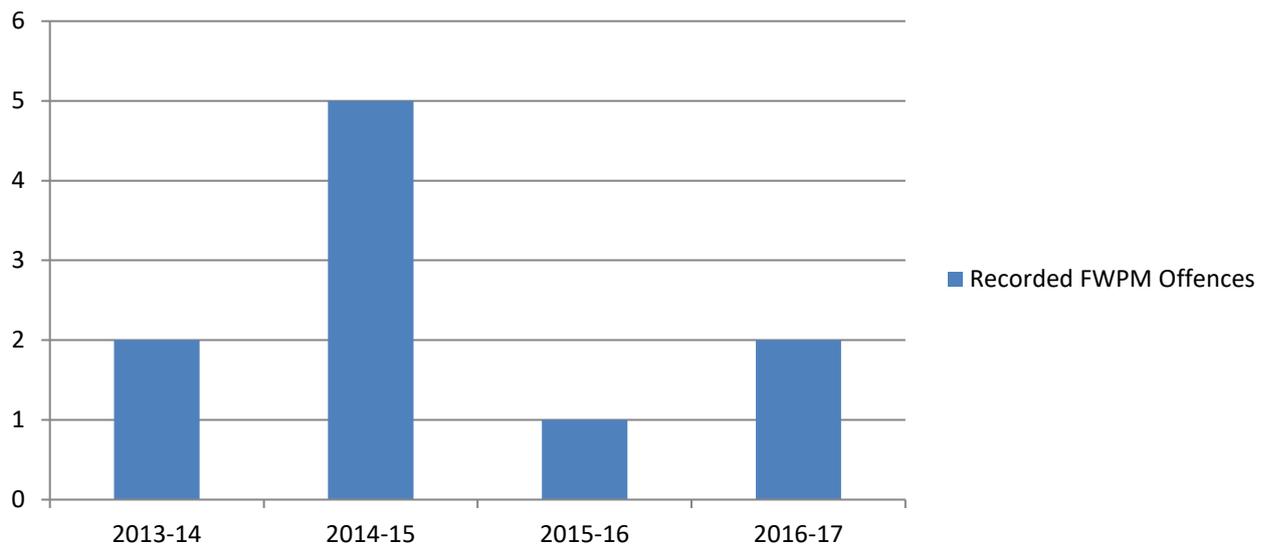
Police Scotland recorded two offences in relation to FWPM during 2016-17 both in relation to the taking of FWPM. This compares to one offence in 2015-16.

**Table 20: Summary of 2016-17 FWPM offences**

Police Division	Type of Offence	Date
Highland and Islands	Taking of FWPM	October 2016
Highland and Islands	Taking of FWPM	January 2017

Source: Police Scotland

**Figure 5: Police Scotland Disaggregated Offence Data for freshwater pearl mussels**



Source: Police Scotland

## Health of species – FWPM

### *Basic ecology:*

The freshwater pearl mussel is one of the longest-lived invertebrates known, and can survive for over 100 years. The mussels live in the gravel beds of clean rivers. They feed by filtering water, removing fine particles, which helps to keep our rivers clean and benefits other species like salmon and trout. Mussel larvae spend the first few months of their lives attached to the gills of young salmon and trout, so healthy fish populations are vital to their lifecycle. Their complex lifecycle is extremely delicate, making the freshwater pearl mussel very vulnerable to adverse conditions.

### *Current population in Scotland:*

Freshwater pearl mussels are critically endangered in Europe, with Scotland representing one of their remaining strongholds. The national survey published in 2015 found that there are freshwater pearl mussel populations in 115 watercourses in Scotland with the majority of these rivers located in the Highlands and the Western Isles. Freshwater pearl mussel populations showed evidence of recent, successful recruitment in 71 of those rivers. In the remaining rivers, only adult mussels were present with no apparent recruitment.

### *Population trends:*

Across Europe there have been dramatic declines in the distribution of freshwater pearl mussels. For example in the last century it has been estimated that there was a 95-100% decline in known populations in central and southern Europe.

Although there have not been such dramatic declines in Scotland, between the two national surveys in 1999 and 2015, freshwater pearl mussels became extinct from a total of 11 watercourses. As such, and despite considerable conservation efforts, there is an ongoing decline in the number of freshwater pearl mussel populations.

### *Factors affecting the health of the population:*

Freshwater pearl mussels have extremely demanding habitat requirements and an unusual and sensitive lifecycle. One of the main factors that affect the health of populations is wildlife crime and freshwater pearl mussels have been exploited in Scotland since Roman times. The freshwater pearl mussel was given full legal protection in 1998. But since then continued persecution has badly damaged many populations which struggle to recover because of the mussel's slow growth rate.

Water pollution and damage to river beds and banks can also seriously affect freshwater pearl mussel populations. Anything that affects the status of local salmon and/or trout stocks also has the potential to affect the mussels by interfering with their lifecycle.

### *Monitoring:*

Our most critical freshwater pearl mussel populations are monitored every six years as part of SNHs Site Condition Monitoring programme. More widely, SNH has also commissioned two national surveys in Scotland to assess the status of populations across the country.

### *'Health' of the species:*

The species is categorised as 'critically endangered' in Europe by the International Union for the Conservation of Nature (IUCN). There have also been apparent extinctions from 11 watercourses in Scotland since the start of the current century. Several populations are showing signs of recovery or are stable, principally as a result of considerable conservation efforts by a wide partnership of public, private and charitable organisations. However wildlife crime continues to pose a significant risk to these efforts and the status of vulnerable populations.

### **References**

*Cosgrove, P., Watt, J., Hastie, L., Sime, I., Shields, D., Cosgrove, C., Brown, L., Isherwood, I. and Bao, M., 2016. The status of the freshwater pearl mussel *Margaritifera margaritifera* in Scotland: extent of change since 1990s, threats and management implications. Biodiversity and Conservation, 25(11), pp.2093-2112. Moorkens, E. 2011. *Margaritifera margaritifera*. The IUCN Red List of Threatened Species 2011. Downloaded on 10 November 2017.*

*Sime I. 2015. Freshwater pearl mussel. Version 1.0. In The Species Action Framework Handbook, Gaywood MJ, Boon PJ, Thompson DBA, Strachan IM (eds). Scottish Natural Heritage, Battleby, Perth.*

*Watt, J, Cosgrove, P.J & Hastie, L.C. 2015. A national freshwater pearl mussel (*Margaritifera margaritifera*, L.) survey of Scotland. Scottish Natural Heritage Commissioned Report No. 901.*

## **FWPM priority delivery group**

The overall objective of the FWPM priority delivery group is to raise awareness of the threat posed by criminality and help communities in hotspots to prevent criminality and identify offenders.

The FWPM delivery group continued to be active in 2016-17. The Pearls in Peril LIFE+ project finished in March 2017, having established 'Riverwatch' schemes in all rivers and catchments designated as Special Areas of Conservation in Scotland. Riverwatch patrols also took place in important populations across the Highlands. These patrols were to help support wider awareness raising activities that help local communities detect suspicious activity in their local rivers and encourage them to report it to the local Police.

The National Wildlife Crime Unit and Police Scotland undertook further work to complete 'Operation Caesar', investigating potential routes for the sale of freshwater pearls collected in Scotland.

Training was also provided to fishery bailiffs and countryside rangers to continue improving awareness of the species and the threats that criminality poses to its conservation. During 2016 proactive, intelligence-led operations by Police Scotland also took place at key sites around Loch Ness and the Kyle of Sutherland to help reduce the threat posed by wildlife crime.

Investigations continued following alleged pearl fishing and pollution incidents, and news releases were also issued to the national media.

## 4.6 Poaching and coursing



Deer © Lorne Gill SNH

Poaching involves the taking of deer, fish or other game without permission, or using unlawful methods. Coursing is the hunting of animals with dogs. This section sets out the new Police Scotland disaggregated data in addition to providing an overview on the work of the Poaching & Coursing Priority Delivery Group.

### Recorded crimes

During 2016-17, 115 poaching and coursing offences were recorded by Police Scotland. This was a decrease from 140 offences recorded in 2015-16. Table 21 shows the North East Division has the highest number of recorded hare coursing offences at 10, while Highland and Islands has the highest number of recorded fish poaching offences at 21.

**Table 21: Poaching and coursing offences 2016-17 by Police Scotland Division**

Police Division	Target Species	Number of offences
North East	Deer	1
	Fish	11
	Hare	10
Forth Valley	Fish	8
	Unknown	1
Tayside	Fish	1
	Hare	8
Glasgow	Deer	1
	Fish	1
The Lothians and Scottish Borders	Deer	1
	Hare	8
K Division – Renfrewshire and Inverclyde	Deer	2
	Fish	3
	Unknown	1
Argyll and West Dunbartonshire	Deer	3
	Fish	9
Highland and Islands	Deer	6
	Fish	21
	Game bird	2
	Hare	3
Fife	Hare	2
	Fish	8
Dumfries and Galloway	Deer	2
	Hare	2
<b>Total</b>		<b>115</b>

Source: Police Scotland

Table 22 shows that fish poaching offences remain the most commonly recorded at 62 offences, while hare coursing accounts for a further 33 offences. Game bird poaching offences remain the least commonly recorded at 2.

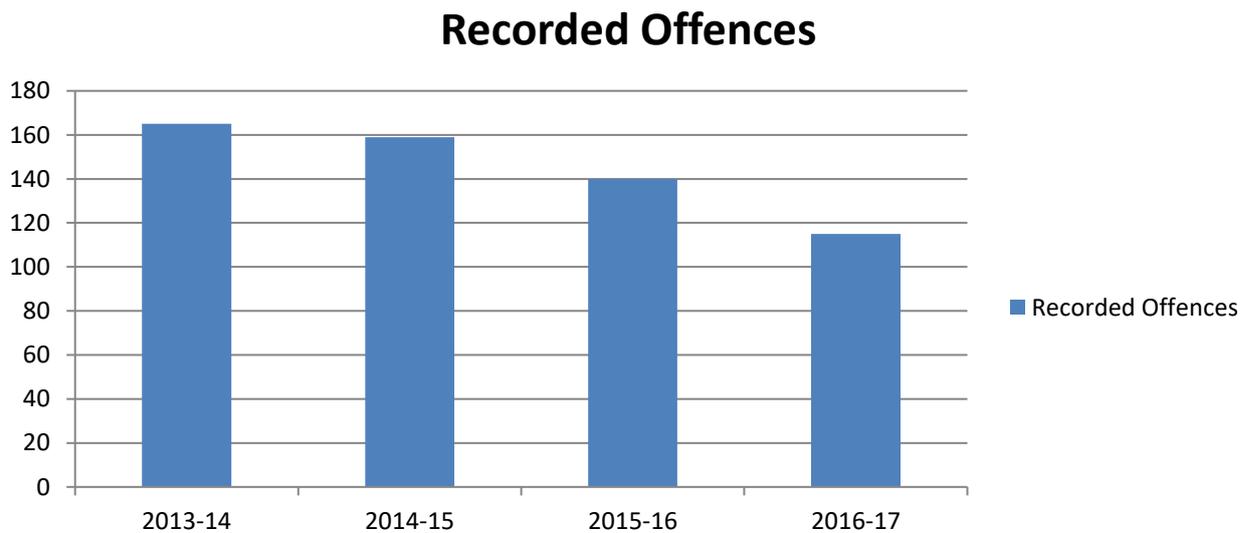
Most fish poaching offences were in relation to salmon, and show a seasonal bias towards the months from April to September.

**Table 22: Poaching offences 2016-17 by species and quarterly breakdown**

Target species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Deer	12	3	1		16
Fish	14	38	6	4	62
Game Bird				2	2
Hare	2	6	7	18	33
Unknown			2		2
<b>Total</b>	<b>28</b>	<b>47</b>	<b>16</b>	<b>24</b>	<b>115</b>

Source: Police Scotland

**Figure 6: Police Scotland disaggregated offence data for poaching and coursing 2013-14 to 2016-17**



Source: Police Scotland

## Health of species - Red and Roe deer



Deer © Lorne Gill SNH

*Basic ecology:* Red deer have adapted to living on open hillsides and moorlands throughout much of Scotland. They can also be found in coniferous and deciduous forests. Although symbolic of wild and remote areas, red deer now also occupy areas closer to people, even entering some suburbs. Red deer graze and browse a wide variety of plants including grasses, red deer heather, shrubs and trees.

Roe deer are generally seen in loose family groups or as individual animals. They are generally found in woodlands, particularly around the edges where the woodland meets open ground, including farmland. They are increasingly found in and around our towns. Their diet includes a variety of woodland plants including herbs, brambles, ivy, heather, bilberry & coniferous tree shoots<sup>2</sup>.

### *Current population in Scotland:*

Both red and roe deer are common and widespread species throughout Scotland, with the exception of some islands. Red deer are distributed across much of northern Scotland, Argyll, the Trossachs and Galloway. Up-to-date national population estimates for red and roe deer are required<sup>3</sup>. Previous estimates for red deer in 2000 were between 360,000 and 400,000<sup>4</sup>. Roe deer are particularly difficult to count because of their secretive nature and woodland habitat. The most recent estimate is 200,000 – 350,000<sup>5</sup>.

### *Population trends:*

The latest work on deer population trends is due to be published soon. Results thus far indicate that since 1960 the population of red deer on the open ground has increased but in the last 15 years the population growth has halted. National trends for deer populations within woodlands are uncertain due to the considerable challenges in counting them. Estimates for both private woodlands and the National Forest Estate suggest a decline in woodland deer populations (of which roe is the most common) in the last 15 years.

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<sup>2</sup> Wild Deer Best Practice: Ecology of Roe Deer

<sup>3</sup> Deer Management in Scotland: Report to the Scottish Government from Scottish Natural Heritage 2016

<sup>4</sup> Written submission from Scottish Natural Heritage to Rural Affairs, Climate Change and Environment Committee on 20 November 2013

<sup>5</sup> Written submission from Scottish Natural Heritage to Rural Affairs, Climate Change and Environment Committee on 20 November 2013

*Factors affecting the health of the population:*

All species of wild deer, particularly red deer on open hill ground, can be subject to winter mortality in prolonged or severe winters. This can be reduced if land managers have taken potential welfare issues into account. Deer stalking is carried out to regulate numbers. Both species of deer are subject to Deer Vehicle Collisions and whilst these appear to be increasing they are not likely to impact on the overall deer populations.

Disease and poaching may also impact on the health of deer, although there is no evidence to suggest that either are having an impact at the population level. Awareness of potential new diseases e.g. Chronic Wasting Disease is promoted through organisations such as the British Deer Society and deer poaching is a wildlife crime priority.

*Monitoring:*

Actions to monitor the numbers and impacts of red deer in the uplands are included in the Deer Management Plans (DMPs) produced by Deer Management Groups (DMGs). The next assessment of DMGs is due in 2019. Safeguarding the welfare of wild deer is one of the criterion against which their DMPs will be assessed. Safeguarding the welfare of wild deer is also included as a requirement in the Code of Practice on Deer Management (Deer Code). SNH monitors the extent of compliance with the Deer Code and presents a report to Scottish Ministers every 3 years. The first report is due in June 2019.

*'Health' of the species:*

There is no current explicit monitoring of the health of wild deer species. However, there are stop gaps in place which should highlight any issues, including standard checks at deer larders. There is also a provision in the Deer Act as amended by the WANE Act to use regulation if there is damage to deer welfare. In addition to this the Lowland Deer Network Scotland have recently launched a deer health survey to 'establish the prevalence or otherwise of a number of health risks across all of Scotland's wild deer species'. To date there is no evidence to suggest that there are any significant issues with the health of wild deer at a national or population level.

## **References**

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*Scottish Natural Heritage, 2016. Deer Management in Scotland: Report to the Scottish Government from Scottish Natural Heritage 2016*  
*Scottish Natural Heritage, 2013. Written submission from Scottish Natural Heritage to Rural Affairs, Climate Change and Environment Committee on 20 November 2013*  
*Wild Deer Best Practice Guidance*

## Health of Species - Brown hare (*Lepus europaeus*)



Brown hare © Lorne Gill SNH

### *Basic ecology:*

In Britain the brown hare is a farmland animal that thrives best on arable ground where the highest population densities are to be found. In Scotland the best habitats for brown hares are in the east, broadly corresponding with the best agricultural land. Thus, much of the area from the Moray Firth, through lowland Aberdeenshire, lowland Tayside, Fife, parts of the Central Belt, East Lothian and the Borders

contain optimum habitat for brown hares. However, the species is present elsewhere in Scotland where suitable habitat exists, generally below ~300m asl. Above this altitude, it tends to be replaced by the mountain hare, where the latter is present.

Although hares prefer open country, they tend to avoid pastures with high densities of livestock, so they are most often found in fields without stock or where the stocking densities are very light. They need cover to hide from predators (notably foxes) so arable areas with nearby hedgerows, strips of woodland or other cover (e.g. set aside) are preferred.

### *Population trends:*

There was a significant decline in the brown hares (based on the numbers shot) during the latter part of the 20<sup>th</sup> century. National Gamebag Census (NGC) data for Scotland as a whole, collected by the Game & Wildlife Conservation Trust, indicate a significant decline in the bag index between 1961 and 2009 but the trend has stabilised at a low level since 1985. However, caution is needed when interpreting game bag data because of the absence of a consistent measure of control effort. This decline resulted to the brown hare being listed as a Priority Species in the UK Biodiversity Action Plan (1995). The key causal factors were all associated with changes in agricultural land-use, specifically: the conversion of grassland to arable; loss of habitat diversity in the agricultural landscape; and changes in planting and cropping regimes.

### *Factors affecting the health of the population:*

Brown hares are a quarry species and driven shoots (mostly confined to areas with fox control and high brown hare density, i.e. 0.1 - 0.4/ha) can reduce populations by 30 - 70%. Other illegal forms of hunting including hare coursing may add to this, although mortality involving dogs has been quantified as being comparatively low, reducing the population by <7%. Other anthropogenic mortality is associated with agricultural machinery and in the form of road casualties.

### *Monitoring:*

Since 1995, data on brown hare abundance have also been collected under the Breeding Bird Survey (BBS) organised by the British Trust for Ornithology. This

has reported a relatively stable trend for the UK as a whole since the start of the survey. The NGC UK trend is broadly similar.

*'Health' of the species:*

In the mid-1990s the Scottish brown hare population was estimated to be around 187,250 (but within the range 155,813 - 218,687). The most recent estimate (2017) is 73,100, but as the true value could be between 53,700 and 301,000, it cannot be interpreted as evidence for a decline. A 2017 assessment of the future prospects of brown hares, in terms of whether the population size, range and habitat quality are likely to increase, decrease or remain stable, indicates that all of these are likely to remain stable.

## **References**

*Mathews, F., Kubasiewicz, L.M., Gurnell, J., Harrower, C., McDonald, R.A., Shore, R.F (2018). A review of the population and conservation status of British Mammals. A report by the Mammal Society under contract to Natural England, Natural Resources Wales and Scottish Natural Heritage*

## Health of species – Atlantic salmon



Salmon © Lorne Gill SNH

### *Basic ecology:*

Atlantic salmon are found in the temperate and arctic regions of the northern hemisphere. They occur in the rivers of the countries that border both sides of the North Atlantic Ocean, and the Baltic Sea. As an anadromous species, Atlantic salmon live in freshwater as juveniles but migrate to sea as adults before returning up river to spawn.

Atlantic salmon usually return to their native river, and even the same stretch of the river from which they were born. This means that many 'populations' of Atlantic salmon may exist within the same river and contribute to the overall stock of that species within a catchment.

After returning to freshwater, spawning usually occurs from November to December, but may extend from October to late February in some areas, particularly larger rivers. About 90 to 95% of all Atlantic salmon die after spawning has taken place. Those that survive migrate to sea and may spawn again on their return to freshwater.

### *Population trends:*

Atlantic salmon stocks have declined across much of their global geographical range. In Scotland, where the annual rod catch is used as a broad indicator of trends in the size of the spawning population, adult abundance is also influenced by the activity of distant water and coastal net fisheries. The latter of these (mixed stock coastal fisheries) has been placed under a three-year moratorium in Scotland to protect declining stocks. Rod-catch data, available from 1952 to the present day, show that considerable variation in annual abundance exists within each of the 109 Fishery Districts and also among individual stock components.

### *Current population in Scotland:*

While the available data suggests that the overall number of Atlantic salmon returning to Scottish rivers had increased in recent history, with the highest recorded rod catch occurring in 2010. Since 2010, however, the recorded rod catch has dropped in each subsequent year and the 2017 catch was the fourth lowest on record.

### *Factors affecting the health of the population:*

The complex anadromous life cycle means that Atlantic salmon populations can be affected by developments both in freshwater and at sea. In freshwater, issues such as water quality, connectivity from the river mouth to potential spawning areas and predation (both by predators such as piscivorous birds, otters, seals and man) can be significant. In the marine environment, poor survival of one-sea winter fish means that only 3.2% of those fish which leave Scotland return to spawn as adults.

### *Monitoring:*

NASCO (the North Atlantic Conservation Organisation) and ICES (the International Council for Exploration of the Seas) Working Group on North Atlantic Salmon maintain an overview of Atlantic salmon stocks and their management throughout their global range and this drives science and management at an international level.

Since 2015 a new system of management has come into force in Scotland. The development of Conservation Limits for each Salmon Fishery District, or each river if rod-catch data is available, determines what level of exploitation (re-assessed on an annual basis) will be allowed in order to conserve stocks. As a consequence, killing of fish is now banned in a number of rivers across Scotland. For more information see [Conservation of Wild Salmon](#).

Monitoring of the long-term decline in the spring multi-sea-winter stock component has led to the development of specific management legislation. It is now illegal to kill any Atlantic salmon (which are principally 'spring salmon') caught from January to 1 April under The Conservation of Salmon (Annual Close Times and Catch and Release) (Scotland) Regulations 2014. In three rivers (Annan, Eachaig and Esk), the annual close time extends beyond this date.

The development of an Atlantic salmon Conservation Plan is now considered mandatory for all rivers, or Atlantic salmon management units (if taking several small rivers together).

Atlantic salmon populations have been included as features within 17 Special Areas of Conservation, and these have been monitored every six years as part of SNH's Site Condition Monitoring programme.

### *'Health' of the species:*

The species is categorised as 'least concern in Europe by the IUCN, although this categorisation has not been updated since 1996.

The illegal exploitation of Atlantic salmon continues to occur in both inland and estuarine coastal areas and is carried out by both individuals and organised groups. This includes the capture of Atlantic salmon by legal and illegal methods outwith weekly and annual close times. The value of fish lost to illegal exploitation is not reported annually on a national basis, but may be significant in areas where it is known to occur. The fragile nature of some stock components, such as the declining 'spring' fish may mean that illegal exploitation could result in serious impacts at the population level.

### **References**

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Marine Scotland Science (2018). *Proposed gradings for rivers and assessment groups for the 2019 fishing season*. <https://scotland.shinyapps.io/sg-salmon-conservation/>

NASCO Salmon Rivers Database <http://www.nasco.int/RiversDatabase.aspx>

## **Poaching and coursing priority group**

The Poaching and Coursing Priority Delivery Group continued its work to advise and support the Police and others, particularly in respect of increasing of awareness of crime and promoting better reporting of offences.

Ongoing work of the Group included:

- A briefing paper titled “Hare Coursing & Deer poaching & Fresh water mussel crimes”, it exhibits photographs of evidence post scene of crime and sets out the offences related
- Venison Dealers Licences, analysis of 2017 returns data will be compared to next year’s data, enabling checks to be made with Local Authorities.
- Food Standards Scotland, consideration of “Problem Profiles” in the Game and Venison industry will be undertaken
- Analysis of hare coursing statistics
- As fish poaching Prosecutions remain high, a dedicated enforcement committee was established by Fisheries Management Scotland. Going forward, they will develop ideas for future legislative change in the 2018/19 session. The Poaching and Coursing Priority Group will assist the fishing sector to develop an increase in awareness in fishing enforcement regulations

Reports from the Courts indicated that several hare coursing cases have been prosecuted, the proceedings have been successful and sentencing in some cases has been stringent.

Fisheries Management Scotland (FMS) represent the network of 41 local district salmon fishery boards (DSFBs) who have statutory powers for delivering fisheries enforcement in Scotland. Police Scotland have collaborated on reciprocal training events with FMS and member DSFBs, with the aim of partnership working to improve detection and prevention of fish poaching at local and strategic level. The poaching of fish, particularly salmon and sea trout remains the highest volume offence.

## 4.7 Raptor persecution



Hen harrier © Sandy Sutherland SNH

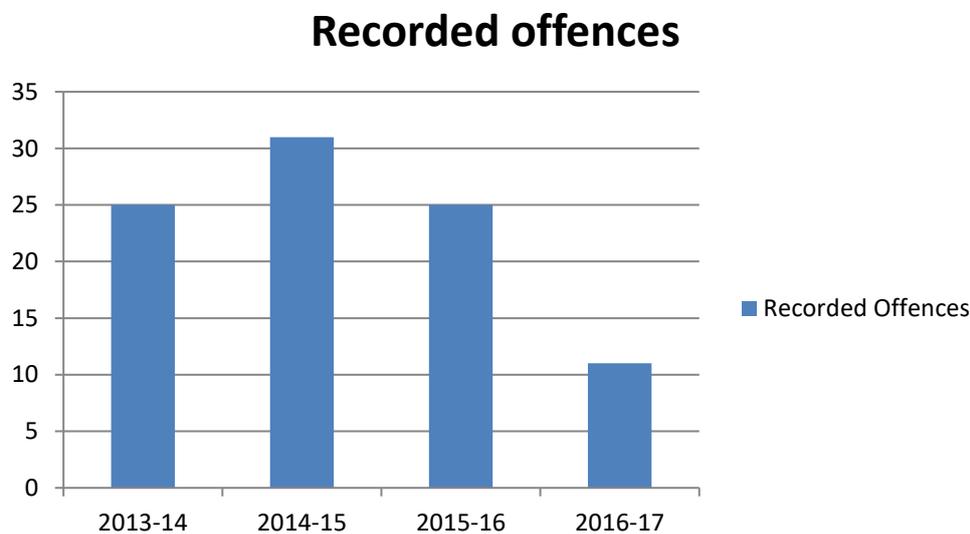
Raptor, or bird of prey, persecution is the most high profile type of wildlife crime in Scotland and it can have serious impacts on the populations of some bird of prey species at local, regional or (if carried out more widely) national level.

This section presents Police Scotland disaggregated data and SASA poisoning figures in relation to raptor offences.

### Recorded crimes

Recorded raptor persecution offences fell in 2016-17, with 11 offences recorded compared to 25 in 2015-16. Table 15 and show the numbers of recorded crimes for the period 2013-14 to 2016-17.

**Figure 7: Police Scotland disaggregated offence data for raptor persecution**



Source: Police Scotland

### Poisonings and other recorded crimes

Table 23 shows the numbers of birds of prey confirmed by SASA as illegally poisoned between 2012-13 and 2016-17, alongside the number of incidents which resulted in these poisonings. The figures show that buzzards (21) remain the most commonly recorded victim of illegal poisoning over the five year period, followed by red kites (18) and Peregrine falcons (2).

**Table 23: Bird of prey poisonings, Scotland, 2012-13 to 2016-17**

Year	Number of birds of prey poisoned (by species)					Number of Incidents
	Buzzard	Red kite	Golden eagle	Peregrine falcon	All	
2012-13	3	1			4	4
2013-14	7	12	1	1	21	6
2014-15	3	3		1	7	6
2015-16	5	1			6*	5*
2016-17	3	1			4	3
<b>Total</b>	<b>21</b>	<b>18</b>	<b>1</b>	<b>2</b>	<b>42</b>	<b>24</b>

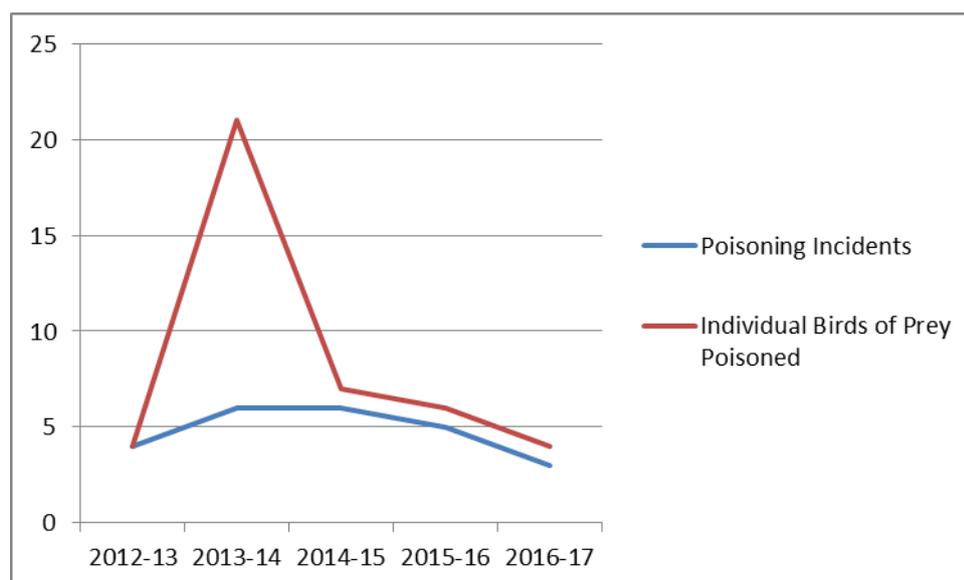
Source: Science and Advice for Scottish Agriculture (SASA)

Data for financial year period 1 April 2012 - 31 March 2017

\*One incident involved two birds

The number of poisoning incidents over the last five years has remained relatively low and has been consistently falling. However, illegal poisoning still has the capacity to kill high numbers of birds. For example, the large discrepancy in 2013-14 between the numbers of birds poisoned (21) and the number of incidents (6) was due to a single mass poisoning incident in Ross-shire, where 12 red kites and four buzzards were confirmed to have been killed with an illegal pesticide.

**Figure 8: Bird of prey poisonings 2012-13 to 2016-17**



Source: SASA

Table 24 and Table 25 show a summary of bird of prey incidents recorded by Police Scotland from 2013-17 and offences recorded in 2013-17. A direct comparison between the datasets is not possible as incidents may involve

multiple offences. However the tables do demonstrate general trends. As with the SASA poisoning data, these figures show that the buzzard (involved in 30 of the 73 cases) was the species most commonly affected.

Shooting remains the highest recorded crime type for the period (25), followed by poisoning (22).

Financial year data for wider bird of prey crime is currently only available from 2013-14 onwards. Subsequent reports will use offence data to enable direct comparisons between datasets.

**Table 24: Recorded bird of prey cases in Scotland, 2013-14 to 2016-17 by species involved**

	Number of Cases (by species involved)										
	Buzzard	Hen Harrier	Peregrine	Red Kite	Golden Eagle	Goshawk	Osprey	Red Kite & Buzzard	Tawny Owl	Unknown	Total
2013-14	8	2	2	2	1	1	1	1	1		19
2014-15	6	1	3	4	1	1			1	1	18
2015-16	12	2	1	4	1	1	2	1		1	25
2016-17	4		1		1	1	3	1			11
<b>Total</b>	<b>30</b>	<b>5</b>	<b>7</b>	<b>10</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>73</b>

Source: Police Scotland

Figures from 2013-2014 and 2014-2015 relates to incident data, which may include multiple offences and victims. Figures from 2015-16 and 2016-17 relates to offence data, which relates to individual offences.

**Table 25: Recorded bird of prey cases in Scotland, 2013-14 to 2016-17 by type of crime**

	Number of Cases (by type of crime)						Total
	Disturbance	Egg stealing	Other	Poisoning	Shooting	Trapping	
2013-14	2			6	8	3	19
2014-15	1		2	6	8	1	18
2015-16	3		3	6*	8	6*	26
2016-17	4	1		3	2	1	11
<b>Total</b>	<b>10</b>	<b>1</b>	<b>5</b>	<b>21</b>	<b>26</b>	<b>11</b>	<b>74</b>

Source: Police Scotland

\* one incident involved both trapping and poisoning

Figures from 2013-2014 and 2014-2015 relates to incident data, which may include multiple offences. Figures from 2015-16 and 2016-17 relates to offence data, which relates to individual offences.

Table 26 shows that Tayside Division recorded the highest number of offences in relation to birds of prey with three offences of the 11 total. Buzzards account for four of the 11 recorded offences.

**Table 26: Summary of recorded bird of prey offences in Scotland 2016-17 by Police Scotland Division**

Police Division	Target Species	Number of offences
North East	Eagle	1
	Goshawk	1
Forth Valley	Osprey	1
Tayside	Buzzard	2
	Osprey	1
The Lothian and Scottish Borders	Peregrine	1
Highlands and Islands	Buzzard	1
Ayrshire	Buzzard	1
Dumfries and Galloway	Osprey	1
	Red Kite/Buzzard	1
<b>Total</b>		<b>11</b>

Source: Police Scotland

Table 27 shows a majority of recorded bird of prey offences occurring during April to June, with nine of the 11 total offences.

**Table 27: Bird of prey offences 2016-17 by species and quarterly breakdown**

Target species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Buzzard	3	1			4
Eagle	1				1
Goshawk	1				1
Osprey	3				3
Peregrine	1				1
Red kite/Buzzard		1			1
<b>Total</b>	<b>9</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>11</b>

Source: Police Scotland

Table 28 provides a detailed breakdown of bird of prey offences for the period 2016-17. Buzzards are associated with all poisoning offences (buzzard/red kite in one case). Buzzards are Scotland's most common bird of prey and are carrion feeders, therefore are more likely to be susceptible to poison than other species.

**Table 28: Details of recorded bird of prey offences in Scotland 2016-17**

Species Targeted	Police Division	Type of offence	Month text and year
Goshawk	North East	Shooting	April 2016
Buzzard	Tayside	Trapping	May 2016
Eagle	North East	Disturbance	May 2016
Osprey	Tayside	Disturbance	May 2016
Osprey	Dumfries and Galloway	Disturbance	May 2016
Peregrine	The Lothians and Scottish Borders	Egg Stealing	May 2016
Buzzard	Tayside	Shooting	June 2016
Buzzard	Ayrshire	Poisoning	June 2016
Osprey	Forth Valley	Disturbance	June 2016
Buzzard	Highland and Islands	Poisoning	September 2016
Red Kite/Buzzard	Dumfries and Galloway	Poisoning	September 2016

**Source: Police Scotland**

## Health of species - Golden eagle



Golden eagle © Lorne Gill SNH

### *Basic ecology:*

Golden eagles are very large raptors which have a wide diet. Live prey consists mainly of medium sized birds and mammals although they will take smaller and larger prey too. They also scavenge carrion mostly sheep and deer in Scotland. The majority nest on cliffs although some nest in trees especially where suitable cliffs are scarce.

Whilst adults are territorial and remain on territory throughout the year, young immature birds wander widely. It takes

around five years for eagles to reach breeding age. They are primarily birds of open upland habitats.

### *Current population in Scotland:*

The most recent national survey was in 2015 with 508 territorial pairs recorded (Hayhow et al 2017). The species is found widely across the Highlands and Islands primarily in upland habitats with a small population in the Southern Uplands. Concentrations, including some of the highest densities recorded in Europe, are found in the Outer and Inner Hebrides and parts of the West Highlands.

### *Population trends:*

The population has increased since the previous national survey in 2003 and has passed the 500 pair target stated in the SNH Golden Eagle Conservation Framework report (Whitfield et al 2008) as being required to reach favourable conservation status. However there are regional differences with little change in the Southern Uplands and parts of the central and eastern Highlands from previous surveys.

### *Factors affecting the health of the population:*

Natural mortality can include collisions with power lines and starvation during the winter as well as disease. Long term changes to land management including intensive grazing reducing live prey capacity and forestry reducing open habitats have been raised as concerns. The recent national survey suggested there was no evidence of wind farm impacts on the population to date. Illegal persecution regionally remains a significant concern. The recent Scottish Government review of 'missing' satellite tagged young golden eagles highlighted four geographical areas where further action should be considered.

### *Monitoring:*

Around half the breeding population is monitored annually by Scottish Raptor Study Group members and other volunteers (Challis et al 2018). The South Scotland Golden Eagle project intends to bolster the Southern Uplands population by translocating chicks into the area for release. There is currently a PhD underway looking at the background health of raptors including golden

eagles in Scotland to better understand impacts of disease and contaminant effects.

*'Health' of the species:*

Golden eagles are doing well in parts of Scotland including signs of recovery in some areas where illegal persecution was considered an issue. However the lack of recovery in parts of the central and eastern Highlands remains a cause for concern as does the isolation of the small Southern Uplands population.

**References**

- Challis, A., Wilson, M.W., Holling, M., Roos, S., Stevenson, A. & Stirling-Aird, P. (2018). Scottish Raptor Monitoring Scheme Report 2017. BTO Scotland, Stirling.*
- Hayhow, D. B. et al 2017. Status of Golden Eagle Aquila chrysaetos in Britain in 2015. Bird Study Vol 64, Part 3, August 2017.*
- Whitfield, D.P., et al 2008. A conservation framework for Golden Eagles: implications for their conservation and management in Scotland. SNH Commissioned Report 193. SNH, Battleby.*

## Health of species - Hen harrier



Hen harrier chicks © Lorne Gill SNH

### *Basic ecology:*

Hen harriers are medium sized raptors which take a wide range of small to medium sized birds and mammals. They nest on the ground in long vegetation usually heather or other moorland vegetation. Whilst they breed in upland areas most migrate to lowland and coastal habitats for the winter. Distances vary with most staying within the UK but some reach the continent.

They form communal roosts out with the breeding season.

### *Current population in Scotland:*

The most recent national survey was in 2016 and the population was estimated at 460 pairs.

The species is found widely across the country but has breeding concentrations in Orkney, some west coast islands and Argyll mainland. The species is much scarcer elsewhere but widely distributed.

### *Population trends:*

The population has decreased since the previous national survey in 2010; however numbers are stable or have recovered in Orkney and some west coast islands. The species has recently attempted to colonise Lewis in the Outer Hebrides. There have been declines over much of the central and eastern Highlands and Southern Uplands. The numbers of birds breeding in any one year is partly influenced by the vole population which is subject to cyclical population crashes every 3-4 years. This can mean that locally or regionally harrier numbers can increase and decrease in response to these cycles.

### *Factors affecting the health of the population:*

Natural mortality can include starvation during the winter as well as disease. The factors affecting hen harrier distribution and population size have been analysed in the JNCC Hen Harrier Conservation Framework (Fielding et al 2011). Loss or degradation of breeding and foraging habitat through land use change can affect the species locally, as can predation by foxes. However, the species has been at the centre of the raptor game management conflict and regionally illegal persecution is the most significant factor affecting the species.

### *Monitoring:*

Around two-thirds the breeding population is monitored annually by Scottish Raptor Study Group members and other volunteers (Challis et al 2018). PAW Scotland run the Heads up for Harrier initiative annually to raise awareness of the

issues around the species and to encourage landowners to participate in a nest camera scheme.

*'Health' of the species:*

Whilst hen harrier numbers in Orkney have recovered from a decline caused by factors affecting their key prey Orkney voles and populations in some other areas are stable there have been declines over large areas of the range on the mainland of Scotland and the species is not fully occupying its potential range in Scotland.

**References**

*Challis, A., Wilson, M.W., Holling, M., Roos, S., Stevenson, A. & Stirling-Aird, P. (2018). Scottish Raptor Monitoring Scheme Report 2017. BTO Scotland, Stirling.*  
*Fielding et al 2011. A conservation Framework for Hen Harriers in the United Kingdom. JNCC report 441.*

## Health of species - Peregrine falcon



Peregrine © Lorne Gill SNH

### *Basic ecology:*

Peregrines are medium sized raptors which take a wide range of small to medium sized birds mainly. The majority nest on natural cliffs or crags although some nest on man-made structures and in quarries. Adults can remain on territory all year. They are widespread being found from the coast through the lowlands and into upland habitats. Some have taken to urban nesting.

### *Current population in Scotland:*

The most recent national survey was in 2014 and the population was estimated at 516-538 pairs (Wilson et al in press). The species is found widely across the country but is rare or scarce in Shetland and parts of the north and west Highlands and some islands.

### *Population trends:*

The population has decreased since the previous national survey in 2002 with some further declines in the north and west and in some upland areas. Coastal and lowland populations are generally stable or have increased marginally.

### *Factors affecting the health of the population:*

Natural mortality can include collisions with power lines and starvation during the winter as well as disease. There has been a long term decline in parts of the north and west which is continuing. Reasons for this are not fully understood but changes in prey availability and bioaccumulation of contaminants, from feeding on seabirds, are likely to be involved. It is possible that intraguild impacts of a recovering golden eagle population may be suppressing peregrine numbers locally. In other areas, changes in racing pigeon routes and timings may have affected distribution and breeding performance. Illegal persecution from both pigeon fanciers and game management interests remains a regional concern for some inland and upland populations.

### *Monitoring:*

Around half the breeding population is monitored annually by Scottish Raptor Study Group members and other volunteers (Challis et al 2018).

### *'Health' of the species:*

Whilst at a UK level the recovery of peregrine from pesticide issues in the 1950-60s has been a conservation success story the Scottish population is in decline. More study is required to better understand this decline as it is not solely due to illegal persecution.

## References

Challis, A., Wilson, M.W., Holling, M., Roos, S., Stevenson, A. & Stirling-Aird, P. (2018). *Scottish Raptor Monitoring Scheme Report 2017*. BTO Scotland, Stirling.

M. W. Wilson, D. E. Balmer, K. Jones, V. A. King, D. Raw, C. J. Rollie, E. Rooney, M. Ruddock, G. D. Smith, A. Stevenson, P. K. Stirling-Aird, C. V. Wernham, J. M. Weston & D. G. Noble (2018) *The breeding population of Peregrine Falcon Falco peregrinus in the United Kingdom, Isle of Man and Channel Islands in 2014*, *Bird Study*, 65:1, 1-19

## Health of species - Red kite



Red kite © Lorne Gill/SNH

### *Basic ecology:*

Red kites are a large raptor which has a wide diet. It is an opportunist scavenger eating a wide range of carrion and live prey, mainly comprising small mammals, small birds and insects. They nest in trees mostly on small woods or near the edges of larger woods. They are found mostly on lowland or upland edge habitats, although they will visit moorland. They are social birds especially outwith the breeding season and form communal roosts which can number scores of birds in Scotland.

### *Current population in Scotland:*

Whilst wandering kites can now be seen in almost any part of Scotland occasionally, there are four main population centres based around original release areas for the reintroduction. These are in North Scotland (Black Isle), Aberdeenshire, Central Scotland (Perthshire/Stirlingshire) and Dumfries & Galloway. The Aberdeenshire and Perthshire populations are meeting now in Angus whilst the Dumfries & Galloway population continues to spread northwards along the main river valleys. Large numbers can be seen in the winter at the feeding stations at Tollie (North Scotland), Argaty (Central Scotland) and Bellymack (Dumfries & Galloway) which are significant tourist attractions.

The majority of the breeding population is monitored annually but it is no longer full coverage due to the speed of growth of the population. In 2017 there was a minimum of 228 pairs in Scotland (Challis et al 2018), however the UK Red Kite Group estimates that the Scottish population is probably approximately 300 pairs now.

### *Population trends:*

Increasing after successful reintroduction, however the growth of the populations is varied with the North Scotland one in particular suffering slow growth due to illegal persecution. The other populations are all increasing and showing good productivity.

### *Factors affecting the health of the population:*

The reintroduced population is self-sustaining and generally increasing, however the growth of the North Scotland population has been hampered by illegal persecution. In 2016, SNH produced a commissioned report (Sansom et al 2016) assessing whether there had been improvement in the health of that population since an earlier scientific paper highlighting the issue (Smart et al 2010). It concluded that there was no evidence that the level of illegal persecution had declined since the previous study.

Red kites are subject to natural mortality and their scavenging habits can make them vulnerable to collisions with vehicles and power lines. They have also been

recorded as collision casualties at wind farms and are vulnerable to the effects of bioaccumulation of rodenticides through preying on small mammals.

*Monitoring:*

There is annual monitoring of a large proportion of the breeding population by Scottish Raptor Study Group members and other volunteers and an annual winter roost coordinated count.

*'Health' of the species:*

Red kites are currently doing well nationally but there remain concerns about impacts of illegal persecution regionally.

**References**

- Challis, A., Wilson, M.W., Holling, M., Roos, S., Stevenson, A. & Stirling-Aird, P. (2018). Scottish Raptor Monitoring Scheme Report 2017. BTO Scotland, Stirling.*
- Sansom, A., et al. 2016. Population modelling of North Scotland red kites in relation to the cumulative impacts of wildlife crime and wind farm mortality. Scottish Natural Heritage Commissioned Report No. 904.*
- Smart, J., et al. Illegal killing slows population recovery of a re-introduced raptor of high conservation concern – The red kite *Milvus milvus*. Biol. Conserv. (2010)*

## PAW Scotland Raptor group



Hen harrier © Lorne Gill SNH

involved in to tackle issues of raptor persecution.

In 2017 this included the creation of the annual bird of prey persecution maps and the on-going work on the Hen Harrier Action Plan.

As with previous years, the Heads Up for Harriers project continued to be the largest single project for the group; the aim of the project being to understand more about the distribution of hen harriers and why nests fail.

Members of the public continued to provide sightings, and several estates agreed to have cameras installed on hen harrier nests in their grounds. The project saw a sharp increase in participating estates, from five in 2016 to 21 in 2017.

The group noted that while raptor crime figures for April-August 2017 were slightly lower, one major investigation in the Scottish Borders involved multiple carcasses. They discussed the fall in the number of birds submitted for investigation of suspected criminality and reasoned that this may be due to birds being shot and carcasses removed. Intelligence on raptor crime was still coming in though, and the plan to recruit wildlife and rural special constables should help with community intelligence.

The Raptor Group, chaired by Police Scotland, continued to consider prevention, intelligence and enforcement issues regarding the persecution of birds of prey. The group met in May and November 2017. Police Scotland provided regular updates on reported crimes involving raptor species and all partners were asked to brief the group in respect of on-going work that they are

## 4.8 Fox Hunting and the Protection of Wild Mammals (Scotland) Act 2002



**Foxes at the Water of Leith © Richard Hastings**

This section highlights offences under the Protection of Wild Mammals (Scotland) Act 2002. Section 1 of the 2002 Act prohibits the deliberate hunting of a wild mammal with a dog (subject to certain exceptions). The Act is most commonly used in connection with hare coursing, although it has also been used for incidents relating to foxes, deer and badgers. It does not prohibit the hunting of rabbits or rats by dogs.

### **Recorded crime**

The recorded crime statistics in Table 29: Protection of Wild Mammals (Scotland) Act 2002 'hunting with dogs' offences 2016-17 by Police Scotland Division and Figure 9 shows the figures for 2016-17. Table 30 shows a quarterly breakdown of 2016-17.

**Table 29<sup>6</sup>: Protection of Wild Mammals (Scotland) Act 2002 ‘hunting with dogs’ offences 2016-17 by Police Scotland Division**

Police Division	Target species	Number of offences
Dumfries and Galloway	Deer	1
	Fox	1
	Hare	2
North East	Hare	3
Fife	Hare	1
Renfrewshire and Inverclyde	Deer/fox	1
Tayside	Hare	3
The Lothians and Scottish Borders	Deer	1
	Fox	1
	Hare	8
<b>Total</b>		<b>22</b>

Source: Police Scotland

**Table 30: Protection of Wild Mammals (Scotland) Act 2002 ‘hunting with dogs’ offences 2016-17 by species and quarterly breakdown**

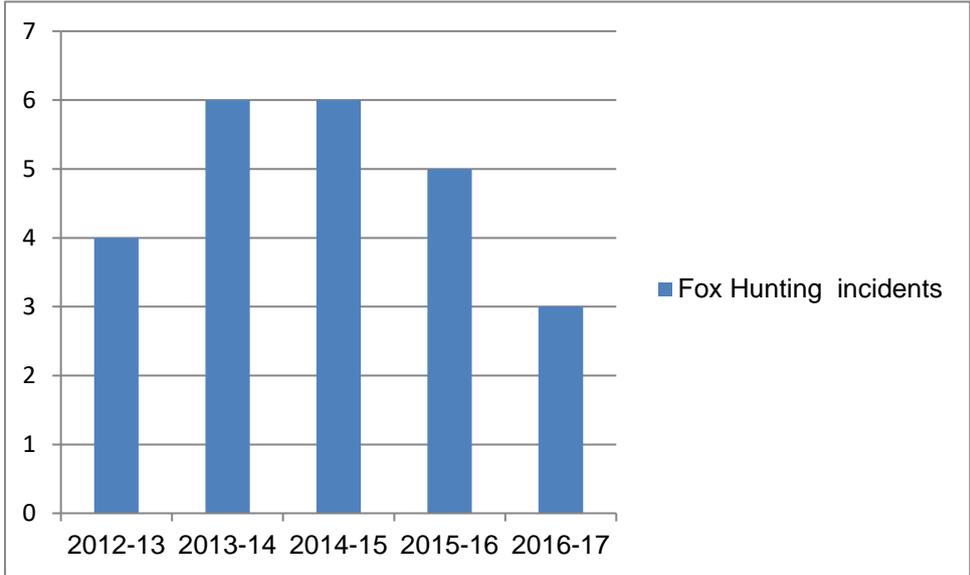
Target Species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Deer			1	1	2
Deer/fox			1		1
Fox	1			1	2
Hare	4	4	3	6	17
<b>Grand Total</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>8</b>	<b>22</b>

Source: Police Scotland

Figure 9 below shows that from the now disaggregated data from Police Scotland, three of the 22 hunting with dogs cases related to fox hunting offences, rather than activities such as hare coursing.

<sup>6</sup> The table does not show offences under Section 18(1) of the Wildlife and Countryside Act for attempts to commit an offence in relation to killing or taking a wild mammal.

**Figure 9 Police Scotland disaggregated offence data for fox hunting**



Source: Police Scotland

**Prosecutions**

For the period 2010-2017, fewer than five cases relating to fox hunting were reported to COPFS. All were prosecuted.

## 4.9 Trapping and Snaring



**Different trap sizes © Gill Hartley SASA**

Trapping and snaring are methods which can be legitimately used for the control of some types of wildlife such as corvids, rodents or foxes. This may be for conservation purposes, to protect agricultural or sporting interests or for human health and safety reasons. However, the use of traps and snares is subject to legal restrictions designed to prevent harm to non-target species or unnecessary cruelty.

### **Recorded crimes**

Trapping and snaring figures are not shown as part of the recorded crime statistics in Table 1 as the offence data cannot be broken down to that level.

The Police Scotland disaggregated offence data in Table 15 shows that 15 offences were recorded for 2016-17. This remains unchanged from the previous year with 15 offences recorded for 2015-16 but is also a decrease from the 27 offences recorded for 2014-15.

Table 31 shows that there is no spatial bias to recorded trapping and snaring offences in 2016-17.

**Table 31: Trapping and snaring offences 2016-17 by Police Scotland Division**

Police Division	Type of offence	Target Species	Number of offences
Tayside	Spring trap	Unknown	2
	Spring traps and snares	Unknown	1
Lothian and Scottish Borders	Crow cage	Crow	1
Renfrewshire and Inverclyde	Snare	Unknown	1
Argyll and West Dunbartonshire	Snare	Domestic cat	2
Highlands and islands	Snare	Fox	1
	Spring trap	Unknown	2
	Snare	Rabbit	1
Lanarkshire	Snare	Unknown	1
	Spring trap	Wild birds	1
Ayrshire	Snare	rabbit	1
	Snare	Domestic cat	1
<b>Total</b>			<b>15</b>

Source: Police Scotland

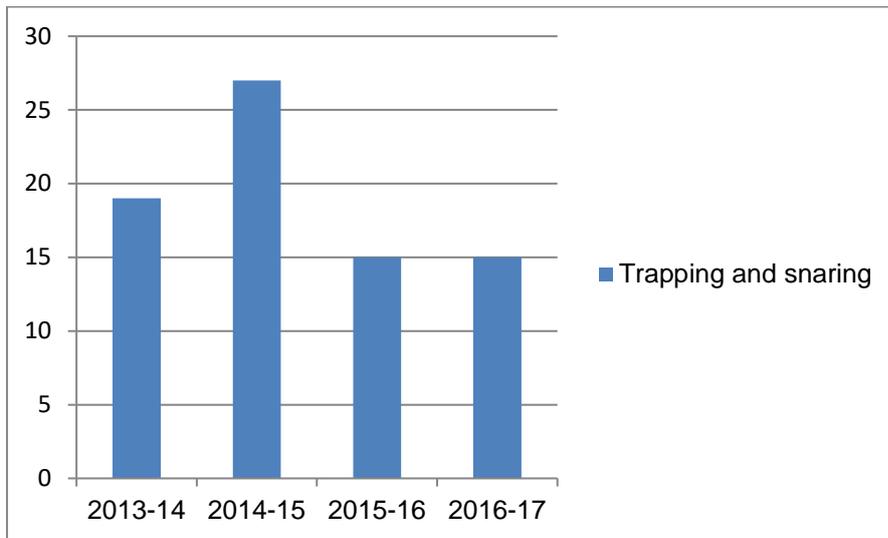
Table 32 shows a slight bias towards offences occurring from April to September. This may be associated with an increase in trapping and snaring activity during these months and/or an increase in detection due to increased recreational use of the countryside during this time.

**Table 32: Trapping and snaring offences 2016-17 by quarterly breakdown**

Type of Crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Crow cage	1				1
Snare	5		3		8
Spring trap	1	2	1		4
Spring trap and snares			1		1
Unknown			1		1
<b>Total</b>	<b>7</b>	<b>2</b>	<b>6</b>		<b>15</b>

Source: Police Scotland

**Figure 10: Police Scotland disaggregated offence data for trapping and snaring 2013-14 to 2016-17**



**Source: Police Scotland**

The Scottish SPCA identified four incidents relating to trapping or snaring offences which were investigated solely by its SIU inspectors. This compares to 35 for 2015-16.

Fifteen cases relating to trapping or snaring or both were reported to COPFS in the period 2016-17.

## 5. PAW Scotland



The Partnership for Action Against Wildlife Crime (PAW) Scotland consists of law enforcement bodies, wildlife and animal welfare charities, land management organisations and government agencies, working together to fight wildlife crime.

The partnership is supported by the Scottish Government. Its work is overseen by an Executive Group, comprising representatives of selected stakeholders and the chairs of PAW Scotland sub-groups and wildlife crime priority groups based in Scotland. A wider Plenary Group, made up of representatives of all PAW Scotland member organisations, meets to give an opportunity to all members to comment on PAW projects and raise any wildlife crime issues. Both these groups are chaired by the Cabinet Secretary for Environment, Climate Change and Land Reform.

The Executive group met twice in 2017, in March and September. The Plenary group did not meet in 2017. The latest information on the activities and membership of the partnership is available on the PAW Scotland website at [www.PAW.Scotland.gov.uk](http://www.PAW.Scotland.gov.uk).

### PAW Scotland Sub-Groups

PAW Scotland operates a number of sub-groups focusing on a particular aspect of wildlife crime work. A summary of the 2017 work of these groups is provided below.

#### Legislation, Regulation and Guidance Sub-group

With other meetings very late in 2016 and early in 2018, the Group met only once in 2017, in May.

Issues that were considered included:

- a note by Professor Reid on the ownership of carcasses etc. of wild birds and animals, noting that the position in Scots law is essentially that these are owned by the person who first takes possession of them, regardless of whether they are doing so in breach of any criminal law or the rights of anyone else;
- the recent cases where prosecutions were discontinued because of concerns over the admissibility of covertly obtained video evidence, and the consequent correspondence between the Scottish Parliament's Environment, Climate Change and Land Reform Committee and COPFS on the law regarding the admissibility of evidence surveillance evidence and covert surveillance;
- the outcome of the judicial review actions which had upheld the restrictions on using general licences to authorise action against birds in areas with a record of wildlife crime;

- a note by Professor. Reid on the legal position on the use of drones to assist in killing or capturing species, noting the potential for existing secondary legislation on approved/prohibited methods to be used to address any specific problems;
- the decision by the UK government not to take action on the Law Commission's report on Wildlife Crime (largely for Brexit-related reasons);
- the potential of any forthcoming legislative vehicles for implementing the recommendations of the Bonomy (hunting) and Poustie (penalties for wildlife crime) reviews.

### **Training and Awareness Sub-group**

The group met in Spring 2017. Partner organisations continued to work closely in 2017 to offer training to both Police Scotland and other PAW members.

A one day Wildlife Crime Officer Awareness course was held in October 2017 at Tulliallan. Forty officers from across Police Scotland (including Special Constables) received inputs covering the six priorities as well as basics on traps/snares (provided by SASA), the work of SNH Licensing and the NWCU. A member of the RSPB Investigations Team provided the raptor persecution input on this occasion. In addition to this, there was a number of local divisional training days arranged for officers in conjunction with PAW partners which proved very successful.

BASC provided a number of training inputs across the country to part time wildlife crime officers. Attendees were offered the opportunity to officially qualify in the use of snares (and thereby allowing registration).

Police Scotland, SASA and COPFS WECU representatives attended the 29th UK Wildlife Enforcers Conference in November 2017. The annual conference is where law enforcers, statutory agencies and NGOs gather to hear the latest views, approaches, successes and challenges of combating wildlife crime in the UK. Police Scotland provided an update on the position in Scotland.

### **Funding**

The PAW Funding group met in March 2017. Discussions were held to review of the existing PAW funding commitments. The Funding Group previously agreed that both the NWCU, SISO and RSPB Investigation projects should fall out with the remit of the PAW Funding Sub Group and will be developed separately, so that work is on-going in terms of planning for 18/19.

The group also previously agreed that funding should be driven by the strategic direction of PAW Scotland, that funding priorities need to be identified prior to securing funds and the existing PAW Sub Groups. With that in mind, the Funding group have contacted PAW Subgroups and local PAW Groups in Grampian and Highland to provide;

- a) an overview of all existing projects
- b) the Sub Group's priorities for intelligence, prevention and enforcement
- c) project ideas

In 2017 the PAW Funding Sub- Group continued to provide funding to support the work of both the National Wildlife Crime Unit's Scottish Investigation Support Officer, and the RSPB's Investigation Team as part of a three year funding commitment which began in 2015.

## **Media**

The Media Sub-group met in April and November 2017.

The group continued work to tighten and strengthen the protocol governing the ways in which partner organisations share news releases and respond to media enquiries. This work has continued with increasing focus on social media.

Operation EASTER celebrated 20 years protecting nests from egg collectors. Originally developed in Scotland, the operation is now facilitated by the National Wildlife Crime Unit (NWCU) in conjunction with UK Police forces and partner agencies. The operation targets egg thieves by sharing intelligence across the UK to support enforcement action.

The group focused on a number of awareness-raising pieces e.g. on the importance of buying venison from reputable dealers; on canoes and kayaks potentially disturbing wildlife and on the possible disturbance, e.g. of nesting birds, by the misuse of drones.

Members of the sub-group contributed to a news release on a number of incidents this summer involving dolphins, orcas and humpback whales, where boats have gone too close and endangered not only the animals but the boat operators. The release was coordinated and issued by Scottish Natural Heritage. It was widely covered, with prominent mention of PAW Scotland by BBC Scotland and various newspapers and websites.

## **Scientific**

The Scientific Sub group met in March and August 2017. The group welcomed new representatives from NWCU and SNH. This will enable direct contact with enforcement during meetings and also more flexibility for SNH on attendance.

Activities over 2017 included a project on the recovery of human DNA from spring traps, baits and bird carcasses, the results have given hope that this type of testing could be applied in wildlife crime investigations.

SASA and SPA were involved in writing a procedure for the collection of golden eagle blood samples to be stored for potential evidentiary purposes. Over 30 samples were collected and stored following a chain-of-custody process. These can now be used as reference samples adequate for court purposes should any golden eagle remains (feather, blood, tissue) be recovered in an investigation. The database will expand in coming years and there is the possibility to carry out a similar project for other key species.

Minutes from meetings of this group are available online within the PAW Scotland webpages.

## 6. Police Scotland



Police Scotland recognises that there remain a significant number of individuals for whom wildlife crime continues to be acceptable despite the damage to the environment and the reputation of Scotland. Some wildlife crimes continue to be committed within the context of recreational activity, for example deer poaching, hare coursing and badger baiting, whilst for others there is profit or commercial gains to be made through participation in illegal wildlife activities.

Salmon and freshwater fisheries offences continue to be the most commonly recorded wildlife crimes, although raptor persecution enquiries remain the most challenging in terms of the gathering of admissible evidence and the geographical location. The reduction in the level of recorded raptor crime is noted but this still remains unacceptable. During the reporting period the wildlife crimes investigated by Police Scotland covered a broad spectrum of offences, including some beyond the recognised wildlife crime priorities.

Police Scotland has continued to provide internal training with a further Wildlife Crime Officer Awareness Course held at Tulliallan. The course was attended by 40 officers from across all Divisions and was delivered through a combination of internal and external speakers. The one day course provided a basic introduction to wildlife crime investigation for those officers with little or no wildlife crime investigation experience.

During 2017, Detective Officers on the Initial Investigators course received an input on wildlife crime and this helped to raise the profile of wildlife crime beyond initial responders. The development of the Initial Investigators Programme by Police Scotland and the associated e-learning package which includes wildlife crime, means that wildlife crime will continue to be a part of core learning for future investigators.

A number of local training initiatives also took place in 2017 using partners from SNH, BASC, Scottish Badgers and other partner organisations. Police Scotland officers also participated in training with fishery bailiffs and BASC members. All call handlers in Police Scotland continue to have access to a PowerPoint presentation on wildlife crime which is also available on the Police Scotland intranet page so that it can be accessed by all officers and staff as a support to wildlife crime investigations.

Police Scotland's response to wildlife crime goes beyond merely the enforcement of wildlife laws and detecting offences committed by criminals. While many offences are committed by those who intentionally contravene the laws relevant to Scotland's protected species, another vital aspect of the organisation's response is increasing people's awareness of the importance of our wildlife and habitats, how they are protected, the serious impact of wildlife crime and how to remain within the law.

Once again, Police Scotland Officers provided a major contribution to the PAW Scotland presence at a range of events. Key national events included, the Royal

Highland Show and the Scottish Game Fair at Scone and at a local level, officers continued to provide a presence at events across the country.

Policing 2026 is a collaborative and strategic programme, led jointly by the Scottish Police Authority (SPA) and Police Scotland, to transform policing in Scotland over the next 10 years.

The strategy identifies ways to create operational capacity for policing to focus on investigations, prevention and protection in the public, private and virtual space. Wildlife Crime remains part of this discussion and as a consequence, is included in the National Strategic Assessment for 2017-20. Emerging issues for the period 2017 to 2020 include the potential impact of Brexit on Police Scotland's policing of wildlife crime, given the significance of key EU legislation relating to the protection of certain UK species and habitats. It is also assessed that cyber-facilitated wildlife crimes will pose a growing issue for policing to tackle, due to the internet's exponential growth and role as a driver for transnational wildlife crime and trafficking.

## **7. Scottish Government**

This section sets out details of specific projects carried out by or on behalf of the Scottish Government over the time period of this report.

### **Recommendations to improve snaring practices**

Further refinements to snaring practices were proposed following a SNH report that found snaring related incidents have reduced. They will mostly be delivered through the Snaring Code of Practice, including:

- Implement a time period for updating snare records and reduce the time allowed for producing records to the Police
- Introduce the power of disqualification for a snaring offence
- Changes to fox snares including enlarging the noose size to 26cm and increase the number of swivels to a minimum of two
- Consider how a strengthened Code of Practice can be better endorsed through legislation

### **Review of Satellite Tagging Data**

Following reports of missing satellite-tagged raptors in 2016, the Cabinet Secretary for Environment, Climate Change and Land Reform announced a review of satellite tracking data to find out more about the pattern of disappearances of satellite tagged birds of prey and whether there are any patterns of suspicious activity. The research contract was managed by SNH and the report published in May 2017 as SNH Commissioned Report 982, providing a major review of the movements and fates of golden eagles satellite tagged during 2004-2016.

### **Grouse Moor Management Group**

The Grouse Moor Management Group was established in November 2017 in response to SNH research that found almost a third of golden eagles being tracked by satellite died in suspicious circumstances and that the majority of cases were where land is intensively managed for driven grouse shooting.

The group will look at the environmental impact of grouse moor management practices such as Muirburn, the use of medicated grit and mountain hare culls and advise on the option of licensing grouse shooting businesses. The Group will consider other topics relevant to grouse moor management, referred to it by Government, or raised by the Chair.

### **Consultation on improving the protection of wild mammals**

Following a review of the operation of the Protection of Wild Mammals (Scotland) Act 2002, undertaken by the Rt Hon Lord Bonyon in 2016, a consultation on protecting wild mammals in Scotland was announced in October 2017. It looked to explore recommendations to improve animal welfare legislation.

## **Programme for Government 2017-18**

Commitments to tackle wildlife crime were set out in the Programme for Government (PfG), published on 5 September 2017.

### **Protecting our flora and fauna**

Wildlife and plant species must also be protected as key natural resources. We will:

- Take forward proposals with Police Scotland for new resources to tackle wildlife crime
- Establish an independent group to consider how to ensure that the management of grouse moors is environmentally sustainable and compliant with the law
- Commission work in relation to protecting gamekeepers' employment and other rights
- Commission a research project to examine the impact of large shooting estates on Scotland's economy and biodiversity
- Establish an independent group to advise on effective and sustainable deer management
- We will also progress Lord Bonomy's recommendations to strengthen the law on foxhunting and Professor Poustie's recommendations to increase penalties for wildlife crime

## **8. Legislative Changes**

The Air Weapons and Licensing (Scotland) Act was passed by the Scottish Parliament on 25 June 2015. Part 1 of the Act requires a person to have an air weapon certificate from 31 December 2016 if they wish to use, possess, purchase or acquire an air weapon in Scotland, unless they are exempt under the legislation.

Detailed plans for the air weapons licensing scheme were set out in 2016 and people have been able to apply for a certificate since 1 July 2016.

Anyone submitting an application for a certificate after 31 October this year will have their application determined in 2017. Until that time, they should make arrangements to place their air weapons with another certificate holder, or with a registered firearms dealer.

## Appendix 1 - Offence Categories and Legislation

This Appendix provides further detail on the offence categories used in the wildlife crime and court proceedings statistics in Chapter 2, broken down by the crime codes used to group offences and the legislation which includes these offences.

Offences relating to	Crime code (number and description)	Legislation
Badgers	605115 – Offences involving badgers	Protection of Badgers Act 1992
Birds	605104 – Birds, offences involving	Wildlife & Countryside Act 1981
Cruelty to wild animals	605114 – Cruelty to wild animals	Wild Mammals (Protection) Act 1996; Wildlife & Countryside Act 1981
Deer	605702 – Deer (Scotland) offences	Deer (Scotland) Act 1996
Hunting with dogs	605113 – Hunting with dogs	Protection of Wild Mammals (Scotland) Act 2002
Conservation (e.g. protected sites, conservation orders)	607322 – Other conservation offences	Nature Conservation (Scotland) Act 2004
Poaching and game laws	605701 – Poaching and game laws	Game (Scotland) Act 1772; Game (Scotland) Act 1832; Night Poaching Act 1828; Poaching Prevention Act 1862; Agriculture (Scotland) Act 1948
Fish poaching	605601 – Salmon and freshwater fisheries offences	Freshwater & Salmon Fisheries (Scotland) Act 1976; Salmon & Freshwater Fisheries (Protection) (Scot) Act 1951; Salmon & Freshwater Fisheries (Consol) (Scot) Act 2003; Salmon & Freshwater Fisheries Act 1975 The Fish Conservation (Fishing For Eels)(Scotland) Regulations 2008
	605603 – Possession of salmon or trout unlawfully obtained	Salmon & Freshwater Fisheries (Consolidation) (Scot) Act 2003; Salmon & Freshwater Fisheries (Protection) (Scotland) Act 1951; Scotland Act 1998 (River Tweed Order)
Other wildlife offences (e.g. European Protected Species, CITES, attempts to commit offences)	605116 – Other wildlife offences	The Conservation (Natural Habitats etc.) Regulations 1994; Wildlife & Countryside Act 1981; Control of Trade In Endangered Species (Enforcement) Regs 1997

## Appendix 2 - Notes and Definitions for COPFS Data

- Following a review of policy to take account of Data Protection considerations, COPFS does not normally disclose statistical information for data entries fewer than five to ensure it meets its obligations under the Data Protection Act 2018. As such, where the number of cases is fewer than 5, these figures have been replaced with an asterisk. In some cases, it may have been necessary to apply a further suppression to a figure equal to or higher than five to prevent other suppressed data being deduced through subtraction. This applies to all data being published by COPFS where Data Protection considerations apply
- The information provided was compiled on 6 November 2018
- The figures reflect current Scottish Government offence categories
- The figures relate to cases in which at least one statutory wildlife offence was reported to COPFS. The figures may also include those reported as animal welfare offences only or in which a common law offence with a wildlife element has been reported, such as breach of the peace or culpable and reckless conduct
- The figures represent the number of cases reported and their outcomes but where cases have been combined, only one is counted. A case may relate to multiple incidents and to multiple accused persons
- Where cases involve more than one accused person and the outcome for each person is different, they are counted at the level of the highest outcome only. For example if one person is acquitted while another is convicted, the case is shown as a conviction
- Cases which contain several charges falling into different categories are listed only once. In most cases, the category will reflect the most significant wildlife offence reported to COPFS by the investigating agency but in some the category may be adjusted to take account of the prosecution of a more appropriate charge or of the conviction recorded
- Since 2012, the poaching of game birds has been an offence under section 1 of the Wildlife and Countryside Act 1981 and is now categorised as "Birds, offences involving"
- Offences involving the poaching of mammals may be included in the categories "Hunting with Dogs", "Cruelty to wild animals", "Deer" or "Other wildlife offences" depending on the circumstances and the charges reported or prosecuted
- Alternatives to prosecution include conditional offers by the Procurator Fiscal ("fiscal fines", etc. under section 302 of the Criminal Procedure (Scotland) Act 1995) which have been accepted, or deemed to have been accepted, by the accused and warning letters, subject to one exception where a conditional offer of an alternative to prosecution was unsuccessful
- COPFS uses a live operational database and the information contained within it is structured accordingly. Information provided may therefore be subject to change as our systems are updated for operational reasons. A 'conviction' is where a case involving a wildlife offence has been prosecuted and at least one accused in the case has pleaded guilty to or been found guilty of at least one offence having an element which directly relates to a relevant wildlife offence

Further information on prosecutorial decision making is available in the COPFS Prosecution Code at [http://www.copfs.gov.uk/images/Documents/Prosecution\\_Policy\\_Guidance/Prosecution20Code20\\_Final20180412\\_1.pdf](http://www.copfs.gov.uk/images/Documents/Prosecution_Policy_Guidance/Prosecution20Code20_Final20180412_1.pdf)

## Appendix 2A - Further information on COPFS Case Outcomes

\*= data suppressed. See Appendix 2.

**Table A: Outcomes of all fish poaching cases**

	2012-13	2013-14	2014-15	2015-16	2016-17
No action	13	11	9	10	8
Alternative to prosecution	18	16	21	15	20
Prosecuted	24	33	8	5	7
<i>of which convicted</i>	19	23	8	*	*
No. of reports received	55	60	38	30	35

**Table B: Outcomes of all other wildlife cases**

	2012-13	2013-14	2014-15	2015-16	2016-17
No action	22	19	15	30	19
Alternative to prosecution	12	14	13	12	15
Prosecuted	37	32	32	18	25
<i>of which convicted</i>	25	24	20	12	20
No. of reports received	71	65	60	60	59

### Outcomes by Individual case category

#### Offences relating to badgers

For the period 2012-2017, a total of nine cases relating to badgers were reported to COPFS.

**Table C: Offences relating to birds**

	2012-13	2013-14	2014-15	2015-16	2016-17
No action	*	*	*	9	*
Alternative to prosecution	*	*	*	*	*
Prosecuted	11	12	10	*	9
<i>of which convicted</i>	*	*	*	*	*
No. of reports received	20	21	17	15	24

**Table D: Offences relating to cruelty to wild animals**

	2012-13	2013-14	2014-15	2015-16	2016-17
No. of reports received	7	10	11	*	8

**Table E: Offences relating to deer**

	2012-13	2013-14	2014-15	2015-16	2016-17
No. of reports received	8	*	5	*	*

**Table F: Offences relating to hunting with dogs**

	2012-13	2013-14	2014-15	2015-16	2016-17
No. of reports received	9	13	6	15	7

For the period 2012-2017, of the 50 cases reported, 24 (48%) were prosecuted with 17 (71%) of those prosecuted being convicted.

**Table G: Other wildlife offences**

	2012-13	2013-14	2014-15	2015-16	2016-17
No action	8	6	*	9	*
Alternative to prosecution	7	5	*	6	*
Prosecuted	8	6	7	5	6
<i>of which convicted</i>	*	*	*	*	*
No. of reports received	23	17	17	20	14

**Other conservation offences**

For the period 2012-2017, fewer than five cases relating to other conservation offences were reported to COPFS.

## Appendix 3 - Court proceedings and penalties data by specific offence

Table A: People proceeded against in Scottish Courts for wildlife offences, where main charge

Crime group	Legislation	2012-13	2013-14	2014-15	2015-16	2016-17
<b>Total prosecuted</b>		<b>77</b>	<b>80</b>	<b>51</b>	<b>25</b>	<b>23</b>
<b>Badgers</b>	<b>sub-total</b>	-	-	<b>2</b>	-	-
	PROTECTION OF BADGERS ACT 1992 SECTION 11A(1)	-	-	2	-	-
<b>Birds</b>	<b>sub-total</b>	<b>19</b>	<b>10</b>	<b>8</b>	<b>5</b>	<b>4</b>
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(A)	14	7	5	5	3
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(C)	1	-	-	-	1
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(A)	-	1	1	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(B)	-	1	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(5)(A)	2	1	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 5(1)(B)	1	-	2	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 1(5C)	1	-	-	-	-
<b>Cruelty to wild animals</b>	<b>sub-total</b>	<b>9</b>	<b>4</b>	<b>3</b>	<b>6</b>	<b>2</b>
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(1)(A)	-	-	-	1	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 10A(1)	-	-	1	1	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(1)(A)	-	1	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(1)(AA)	-	1	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(2)(A)	-	-	1	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(2)(A) & (F)	-	-	-	1	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(G)(1)	9	-	-	-	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11A(2)&(6)	-	-	-	1	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION S11(1)(AA)	-	2	1	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION S11C(B)	-	-	-	1	-
	WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 11A(2)(B)&(6)	-	-	-	1	-
<b>Deer</b>	<b>sub-total</b>	<b>3</b>	<b>5</b>	<b>2</b>	-	<b>1</b>
	DEER (SCOTLAND) ACT 1996 SECTION 17(1)	-	3	-	-	-

	DEER (SCOTLAND) ACT 1996 SECTION 17(3)	-	1	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 22	2	1	2	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 23(1)	-	-	-	-	1
	DEER (SCOTLAND) ACT 1996 SECTION 5(1),5(5) & SCHEDULE 6	1	-	-	-	-
<b>Hunting with dogs</b>	<b>sub-total</b>	<b>11</b>	<b>9</b>	<b>3</b>	<b>5</b>	<b>8</b>
	PROTECTION OF WILD MAMMALS (SCOTLAND) ACT 2002 SECTION 1(1)	11	9	3	5	8
Poaching and game laws	sub-total	1	-	-	-	-
	NIGHT POACHING ACT 1828 SECTION 1	1	-	-	-	-
Fish poaching	sub-total	23	43	19	8	5
	FRESHWATER & SALMON FISHERIES (SCOTLAND) ACT 1976 SECTION 1(8)	-	1	-	-	-
	SALMON & FRESHWATER FISHERIES(CONSOLIDATION)(SCOT) ACT 2003 SECTION 14(1)	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOT) ACT 2003 S.1(2)(A)(B)(C)	-	-	1	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.11(1)	1	12	4	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.18(1)(A)	-	2	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.6(1)&(2)	5	15	3	1	1
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOT)ACT 2003 S.1(1)(A)(B)&(3)	-	-	1	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOTLAND) ACT 2003 S.13(2)&(4)	2	2	-	1	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOTLAND) ACT 2003 S.13(3)&(4)	-	-	2	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOTLAND) ACT 2003 S.20	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES (PROTECTION)(SCOTLAND) ACT 1951 S.1	2	-	-	-	-
	SALMON AND FRESHWATER FISHERIES (PROTECTION)(SCOTLAND) ACT 1951 S.13(1)	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES (PROTECTION)(SCOTLAND) ACT 1951 S.7A(1)(B)	2	-	-	-	-

	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.17(2)(A)	-	-	-	-	1
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.26(1)	-	3	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.58	-	-	1	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.7	4	2	-	3	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 SEC 9(1)&(2)	2	2	6	2	3
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND)ACT 2003 S.1(1)(A)&(B)	3	-	1	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER 2006	-	1	-	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER S22(1)(A)&(B)	-	-	-	1	-
	THE FISH CONSERVATION (FISHING FOR EELS)(SCOTLAND) REGULATIONS 2008 REG 2	2	-	-	-	-
<b>Other wildlife offences</b>	<b>sub-total</b>	<b>11</b>	<b>9</b>	<b>14</b>	<b>1</b>	<b>3</b>
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REG 39(1)(A/B/C/D)	1	-	1	-	-
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REGULATION 39(1)(A)	1	-	-	-	-
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REGULATION 41(2)	2	2	-	-	-
	THE CONTROL OF TRADE IN ENDANGERED SPECIES (ENFORCEMENT) REGS 1997 REG 8(1)	1	-	1	-	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 13(1)(B)	-	-	-	-	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 15(A)	1	-	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18(1)	3	7	3	-	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18(2)	2	-	8	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18A(1)&(2)	-	-	1	1	-

Source: Scottish Government Criminal Proceedings Database

**Table B: People with a charge proved in Scottish Courts for wildlife offences, where main charge**

Crime group	Legislation	2012-13	2013-14	2014-15	2015-16	2016-17
<b>Total convicted</b>		<b>56</b>	<b>60</b>	<b>35</b>	<b>20</b>	<b>22</b>
<b>Badgers</b>	<b>sub-total</b>	<b>-</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>-</b>
	PROTECTION OF BADGERS ACT 1992 SECTION 11A(1)	-	-	2	-	-
<b>Birds</b>	<b>sub-total</b>	<b>16</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>4</b>
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(A)	12	5	3	5	3
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(C)	1	-	-	-	1
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(A)	-	-	1	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(B)	-	1	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(5)(A)	2	1	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 5(1)(B)	1	-	2	-	-
<b>Cruelty to wild animals</b>	<b>sub-total</b>	<b>7</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>2</b>
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(1)(A)	-	-	-	1	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 10A(1)	-	-	1	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(1)(AA)	-	1	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(2)(A)	-	-	1	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(G)(1)	7	-	-	-	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11A(2)&(6)	-	-	-	1	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION S11(1)(AA)	-	1	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 11A(2)(B)&(6)	-	-	-	1	-
<b>Deer</b>	<b>sub-total</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>-</b>	<b>1</b>
	DEER (SCOTLAND) ACT 1996 SECTION 17(1)	-	3	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 17(3)	-	1	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 22	-	-	1	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 23(1)	-	-	-	-	1
	DEER (SCOTLAND) ACT 1996 SECTION 5(1),5(5) & SCHEDULE 6	1	-	-	-	-
<b>Hunting with dogs</b>	<b>sub-total</b>	<b>7</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>8</b>
	PROTECTION OF WILD MAMMALS (SCOTLAND) ACT 2002 SECTION 1(1)	7	5	2	3	8

<b>Poaching and game laws</b>	<b>sub-total</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	NIGHT POACHING ACT 1828 SECTION 1	1	-	-	-	-
<b>Fish poaching</b>	<b>sub-total</b>	<b>16</b>	<b>37</b>	<b>11</b>	<b>8</b>	<b>5</b>
	FRESHWATER & SALMON FISHERIES (SCOTLAND) ACT 1976 SECTION 1(8)	-	1	-	-	-
	SALMON & FRESHWATER FISHERIES(CONSOLIDATION)(SCOT) ACT 2003 SECTION 14(1)	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.11(1)	-	12	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.18(1)(A)	-	2	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.6(1)&(2)	4	13	2	1	1
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOT)ACT 2003 S.1(1)(A)(B)&(3)	-	-	1	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOTLAND) ACT 2003 S.13(2)&(4)	1	2	-	1	-
	SALMON AND FRESHWATER FISHERIES (PROTECTION)(SCOTLAND) ACT 1951 S.13(1)	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES (PROTECTION)(SCOTLAND) ACT 1951 S.7A(1)(B)	2	-	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.17(2)(A)	-	-	-	-	1
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.26(1)	-	2	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.58	-	-	1	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.7	3	1	-	3	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 SEC 9(1)&(2)	2	1	6	2	3
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND)ACT 2003 S.1(1)(A)&(B)	3	-	1	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER 2006	-	1	-	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER S22(1)(A)&(B)	-	-	-	1	-

	THE FISH CONSERVATION (FISHING FOR EELS)(SCOTLAND) REGULATIONS 2008 REG 2	1	-	-	-	-
<b>Other wildlife offences</b>	<b>sub-total</b>	<b>8</b>	<b>5</b>	<b>11</b>	<b>1</b>	<b>2</b>
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REG 39(1)(A/B/C/D)	1	-	1	-	-
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REGULATION 39(1)(A)	1	-	-	-	-
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REGULATION 41(2)	-	1	-	-	-
	THE CONTROL OF TRADE IN ENDANGERED SPECIES (ENFORCEMENT) REGS 1997 REG 8(1)	-	-	1	-	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 13(1)(B)	-	-	-	-	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 15(A)	1	-	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18(1)	3	4	3	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18(2)	2	-	5	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18A(1)&(2)	-	-	1	1	-

Source: Scottish Government Criminal Proceedings Database



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