

A photograph of a salmon jumping over a waterfall, with white water and dark rocks. The image is divided into geometric sections by white lines.

**2019**  
**Annual report**

**Wildlife crime  
in Scotland**



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

**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

23 December 2020

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 eighth Scottish Government annual wildlife crime report, and personally my fifth and last as Cabinet Secretary for the Environment, Climate Change and Land Reform. It covers the 2019 calendar year, using recorded statistical data from the 2018-2019 financial year.

My portfolio covers a broad range of environmental issues, including biodiversity, animal welfare and of course, wildlife crime. Scotland's rich and diverse natural environment is one of our most important national assets. It is fundamental to our health, wellbeing and our way of life.

While biodiversity and natural beauty are precious in and of themselves, we also know that our natural environment is of great economic significance, contributing to sustainable and inclusive growth in a number of different ways.

But we face significant challenges in the form of climate change and biodiversity loss. The Scottish Parliament has legislated for the world's most ambitious emissions reduction framework - with a target to reduce greenhouse gas emissions to net-zero by 2045. We recently published our Climate Change Plan update which sets out how we intend to meet these targets. We are leading the way on tackling the twin crises of climate change and ecological decline are ensuring the protection of Scotland's wonderful wildlife, including some species found only in Scotland.

Addressing wildlife crime is essential to this, making it a key priority both for this Government and for me personally. I want to see an end to the illegal persecution of our wildlife and to the outdated and selfish attitudes of people who abuse wildlife for their own ends.

In the last decade, we have developed a range of measures aimed at tackling this issue. For example we brought in vicarious liability for certain wildlife offences, we ran a very successful disposal scheme for illegal pesticides, and have introduced restrictions for users of General Licences for those operating on land where it is suspected that wildlife crime has taken place.

In June this year, the Scottish Parliament unanimously passed the Animals and Wildlife (Penalties, Protections and Powers)(Scotland) Act, that increased the maximum penalties for over 50 separate wildlife offences and allowed Police Scotland more time to investigate these crimes. The most serious wildlife crimes will now attract a maximum penalty of five years imprisonment, an unlimited fine or both, the toughest penalties in the UK.

In addition to this, we commissioned and have responded to the recommendations of Professor Werritty in his review of grouse moor management. We accepted all recommendations including that a 'licensing



scheme be introduced for the shooting of grouse' and will begin developing a licensing scheme now.

I hope that these significant actions indicate how seriously both the Government and the public view these crimes and make it clear to anyone who continues to commit these acts that it will not be tolerated in Scotland.

My thanks go to our dedicated partners in law enforcement and the members of the Partnership for Action Against Wildlife Crime Scotland for their hard work protecting and conserving our wildlife.

A handwritten signature in black ink, appearing to read 'R. Cunningham', with a stylized, cursive script.

**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 2018-19, 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 2019 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
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  Health of the species  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 2018-19. These recorded crime statistics are Scottish Government statistical output derived from Police Scotland's recorded crime database.

In 2018-19 there were 171 offences relating to wildlife recorded by the police. This is a significant decrease of 28% in comparison with 2017-18 (236 recorded offences).

While overall recorded wildlife offences dropped, crimes against birds stayed at a similar level to previous years and was the most commonly recorded type of crime in 2018-19 with 46 offences. Reported fish poaching and hunting with dogs crime saw a marked decrease in 2018-19 dropping by 47% and 46% respectively.

**Table 1: Wildlife crime recorded by Police Scotland, 2014-15 to 2018-19**

Offences relating to:	2014-15	2015-16	2016-17	2017-18	2018-19
Badgers*	5	4	6	14	15
Birds	49	46	50	45	46
Conservation (protected sites)	1	5	1	5	3
Cruelty to wild animals	38	23	24	32	31
Deer	24	13	14	18	17
Fish poaching	101	75	68	45	24
Hunting with dogs	20	42	22	41	22
Poaching and game laws	2	0	6	3	2
Other wildlife offences	44	53	40	33	11
<b>Total</b>	<b>284</b>	<b>261</b>	<b>231</b>	<b>236</b>	<b>171</b>

**Source: Recorded Crime in Scotland, 2018-19**

\* 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 2018-19.



**Table 2: Wildlife crime recorded, by Police Scotland Division, 2018-19**

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	2	0	1	1	3	1	2	0	0	0	1	0	7	15
Birds	6	0	4	7	1	2	3	3	11	3	0	2	4	46
Conservation (protected sites)	0	0	0	0	0	0	0	0	0	0	0	1	2	3
Cruelty to wild animals	2	0	2	2	1	1	9	0	5	3	1	0	5	31
Deer	2	2	0	0	0	3	0	1	2	1	3	0	3	17
Fish poaching	2	2	3	0	0	1	1	0	13	0	1	0	1	24
Hunting with dogs	5	2	0	0	1	3	0	0	0	0	0	9	2	22
Poaching and game laws	0	0	0	0	0	0	0	0	1	0	0	1	0	2
Other wildlife offences	1	0	0	0	0	1	1	2	0	2	0	3	1	11
<b>Total</b>	<b>20</b>	<b>6</b>	<b>10</b>	<b>10</b>	<b>3</b>	<b>12</b>	<b>16</b>	<b>6</b>	<b>32</b>	<b>9</b>	<b>6</b>	<b>16</b>	<b>25</b>	<b>171</b>

Source: Recorded Crime in Scotland, 2018-19

The highest number of wildlife offences in 2018-19 was recorded in Highland & Islands (32), followed by the Lothians & Scottish Borders (25), and North East (20). Table 2 also shows that over half of all fish poaching offences were recorded in the Highland & Islands (13 of 24).

## 2.2 Crown Office and Procurator Fiscal Service Statistics

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 2018-19

Table 3 shows the breakdown of wildlife cases received by COPFS in each of the financial years 2014-15 to 2018-19, following the standard categories used elsewhere in this report. Notes and Definitions on the COPFS data are available in Appendix 2 – Notes and Definitions for COPFS Data.

**Table 3: Wildlife cases received by COPFS in 2014-15 to 2018-19**

Offence relating to:	2014-15	2015-16	2016-17	2017-18	2018-19
Badgers	*(*)	*	*	*	*
Birds	17(*)	15(*)	24(*)	13	12
Cruelty to wild animals	11(*)	*(*)	8(*)	0	*(*)
Deer	*	*	*	*	*
Fish poaching	38	30	35	18	15(*)
Hunting with dogs	6	15	7	22	7
Other wildlife offences	17	20	14(*)	*	11
Other conservation offences	0	*	*	0	0
<b>Total</b>	<b>98(7)</b>	<b>90(9)</b>	<b>94(5)</b>	<b>67</b>	<b>54(*)</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 a specialist reporting agency: in the case of fish poaching offences, by the River Tweed Commissioners and in the remaining categories, by the Scottish SPCA. Where fewer than five cases were reported in any category either in total or by a specialist reporting agency, 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 2014-15 to 2018-19**

All reports	2014-15	2015-16	2016-17	2017-18	2018-19
No action	24	40	27	30	19(*)
Alternative to prosecution	34	27	35	23	18(*)
Prosecuted	40	23	32	14	17
<i>of which convicted</i>	28	16	25	*	11
No. of reports received	98(7)	90(9)	94(5)	67	54(*)

Source: Crown Office and Procurator Fiscal Service

The figures in brackets in Table 4 indicate the number of reports submitted by a specialist reporting agency: in the case of fish poaching offences, by the River Tweed Commissioners and in the remaining categories, by the Scottish SPCA. Where fewer than five cases were reported in any category either in total or by a specialist reporting agency, the figures have been removed from the table.

The following information relates to cases reported in 2018-19:

Prosecution in court was undertaken in 17 cases (31% of cases received):

- 11 cases resulted in a conviction (65% of cases prosecuted).
- 6 cases resulted in acquittals (35% of cases prosecuted). In some cases this reflects the verdict following trial and in others, the result of a plea adjustment.

18 cases were dealt with by an alternative to prosecution (33% of cases received). Warning letters were issued in the majority of those cases. Other disposals included fiscal fines and referral for diversion.

No action was taken in 19 cases (35% of cases received). In the majority of those cases, no action was taken for legal reasons and in fewer than five cases was in the exercise of the prosecutor's discretion.

The legal reasons included:

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

Further information about cases received in 2018-19 is as follows:

- A total of 7 reports (13% of cases received) involved activity targeting hares or rabbits.
- 5 reports (9% of cases received) related to circumstances involving badgers.
- 11 cases (20% of cases received) involved dogs.
- 5 cases (9% of cases received) involved the use of traps and snares.
- The cases in the "Hunting with dogs" category related to allegations of hare coursing and fox hunting.

"Other wildlife offences" included alleged COTES offences and alleged contraventions of section 4 of the Wildlife and Countryside Act 1981, namely damaging, destroying, or obstructing access to any structure or place used by a wild animal for shelter or protection, or disturbing a wild animal while it is occupying such a place.

Other reports included circumstances involving red squirrels, water voles and lizards, and the use of firearms.

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

## Notable cases

### Fish Poaching

- Four individuals were caught fishing for salmon without permission and pleaded guilty to various contraventions of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 and the Conservation of Salmon (Scotland) Regulations 2016. One of them was fined £400 and community payback orders were imposed in respect of the other three with a requirement to carry out unpaid work.
- An individual was fined £300 after being found in possession of a spear gun, a wet suit and a snorkel mask in circumstances which afforded reasonable grounds for suspecting that they had been obtained for the purpose of committing an offence under provisions of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003, contrary to section 9(1) of that Act.

### Other Categories

- An individual pleaded guilty to multiple wildlife offences spanning a period of 15 months. These included killing two goshawks, three common buzzards, three badgers, and an otter with a shotgun. Other charges involved the setting of illegal snares, possessing illegal pesticides, as well as possession of devices designed to catch raptors, traps, an Eagle Owl and a number of shotguns, rifles and snares. The Sheriff imposed a community payback order with a requirement to carry out 225 hours of unpaid work and a restriction of liberty order.
- An individual was fined £335 for shooting a herring gull in contravention of section 1(1)(a) of the Wildlife and Countryside Act 1981 and a related firearms offence.
- An individual pleaded guilty to disturbing a swan whilst on its nest, grabbing it by the neck and causing it to leave its nest in contravention of section 1(1)(b) of the Wildlife and Countryside Act 1981. The Sheriff imposed a community payback order with a three year supervision requirement.
- An individual was fined £300 after pleading guilty to repeated use of an illegally set snare in which a cat became entangled contrary to section 11(1)(aa) of the Wildlife and Countryside Act 1981 and section 19(1) of the Animal Health and Welfare Act 2006.
- An unlicensed dealer in second hand goods was fined £450 for displaying for sale a taxidermy kestrel and two taxidermy red squirrels contrary to the Control of Trade in Endangered Species (Enforcement) Regulations 1997, section 9(5)(a) of the Wildlife and Countryside Act 1981 and the Civic Government (Scotland) Act 1982.

- An individual found guilty of attempting to take rabbits using ferrets and a dog in terms of section 11G(1) and 18(1) of the Wildlife and Countryside Act 1981, was fined £150.

## 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 2014-15 and 2018-19. 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>, 2014-15 to 2018-19**

Offences relating to:	2014 -15	2015 -16	2016 -17	2017 -18	2018 -19	Last five financial years	
						Total proceedings	Conviction rate
Badgers	2	-	-	-	-	2	100%
Birds	8	5	4	3	2	22	91%
Cruelty to wild animals	3	6	2	5	-	16	75%
Deer	2	-	1	1	-	4	75%
Hunting with dogs	3	5	8	4	6	26	73%
Poaching and game laws	-	-	-	-	-	-	-
Fish poaching	19	8	5	5	3	40	78%
Other wildlife offences	14	1	3	9	4	31	77%
<b>Total proceeded against</b>	<b>51</b>	<b>25</b>	<b>23</b>	<b>27</b>	<b>15</b>	<b>141</b>	<b>79%</b>
<b>Total guilty</b>	<b>35</b>	<b>20</b>	<b>22</b>	<b>24</b>	<b>10</b>		
<b>% guilty</b>	<b>69%</b>	<b>80%</b>	<b>96%</b>	<b>89%</b>	<b>67%</b>		
<i>Total number of offences proceeded against<sup>2</sup></i>	158	73	59	52	43		
<i>Total number of offences found guilty<sup>2</sup></i>	66	33	32	25	15		
<i>% guilty<sup>2</sup></i>	42%	45%	54%	48%	35%		

**Source: Scottish Government Criminal Proceedings Database**

<sup>1</sup> Where main charge

<sup>2</sup> All charges

There were 25 people proceeded against for wildlife related offences in 2018-19, a 44% decrease from 2017-18 (27 people). The largest decrease for specific categories was in 'cruelty to wild animals' and 'other wildlife offences' (each with five fewer persons proceeded against compared to five and nine respectively in 2016-17). There was, however, an increase in the number of proceedings for 'hunting with dogs', up to six in 2018-19 from four in 2017-18.

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 conviction rates are broadly similar among these categories, varying from 73% to 100%.

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 2018-19 court proceedings were held covering a total of 43 wildlife crime offences, in comparison to the 15 proceedings where wildlife crime was the main charge in a case.

Tables 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 70% of convictions receiving this type of penalty in 2018-19, up from 67% to 2017-18.

**Table 6: People with a charge\* proved for wildlife crimes in Scottish Courts, by main penalty, 2014-15 to 2018-19**

	2014-15	2015-16	2016-17	2017-18	2018-19
<b>People proceeded against</b>	<b>51</b>	<b>25</b>	<b>23</b>	<b>27</b>	<b>15</b>
<b>People with a charge proved</b>	<b>35</b>	<b>20</b>	<b>22</b>	<b>24</b>	<b>10</b>
<b>Of which received:</b>					
Custody	1	1	1	2	-
Community sentence	2	4	5	3	1
Monetary	28	11	15	16	7
Other	4	4	1	3	2

**Source: Criminal Proceedings Statistics**

\* Where main charge

In Table 7, aggregate totals for the five years from 2014-15 to 2018-19 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 4.5% 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, 2014-15 to 2018-19**

Offences relating to:	2014-15 to 2018-19 totals					Average	
	Total with a charge proved	Custody	Community sentence	Monetary	Other	Custodial sentence length (days)	Monetary fine (£)
Badgers	2	-	2	-	-	-	-
Birds	20	1	2	13	4	122	973
Cruelty to wild animals	12	1	2	7	2	126	563
Deer	3	-	-	3	-	-	308
Hunting with dogs	19	3	4	12	-	135	924
Poaching and game laws	-	-	-	-	-	-	-
Fish poaching	31	-	2	22	7	-	203
Other wildlife offences	24	-	3	20	1	-	689
<b>Totals</b>	<b>111</b>	<b>5</b>	<b>15</b>	<b>77</b>	<b>14</b>	<b>131</b>	<b>608</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:

- 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
- There may be discontinuity when comparing between the National Statistics data and Police Scotland data as any information provided by Police Scotland is taken from a 'live' system which is continually being updated as investigations progress. Whereas, the data provided by Police Scotland for the production of the National Statistics on Recorded Crime is extracted at the same time each year and is not back-revised. As a result, a reduction of in the number of crimes and offences recorded is expected due to two main scenarios:
  1. Crimes and offences can be reclassified to a different crime or offence type i.e. from a wildlife crime to a different kind of crime, or
  2. they can be re-designated as not being a crime following additional investigations.

### **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 non-Government organisations. 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.

### 3.1 SASA

SASA, formerly known as Science and Advice for Scottish Agriculture, 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 throughout the UK. Table 8 provides a summary of the range of Scottish casework received in the five financial years ending 30<sup>th</sup> March 2019, divided into the UK wildlife crime priorities.

**Table 8: Scottish wildlife DNA Forensic Unit cases, 2014-15 to 2018-19**

Category	Scottish cases				
	2014-15	2015-16	2016-17	2017-18	2018-19
Badger persecution	1	0	0	1	5
Bat persecution	0	0	0	0	0
CITES	0	2	1	1	1
Freshwater pearl mussels	0	0	0	0	0
Poaching and coursing	1	0	3	3	2
Raptor persecution	10	5	4	5	8
Other wildlife crime	0	0	4	1	2
Other (e.g. animal cruelty)	2	0	2	0	3
<b>Total</b>	<b>14</b>	<b>7</b>	<b>14</b>	<b>11</b>	<b>21</b>

Source: SASA

Over the 2018-19 period we saw a rise in the number of submissions relating to badger persecution. Badger cases can lead to the submission of a large number of items for testing – from clothing and tools to swabs taken from dogs or the badger victim. We have had success recovering badger DNA from the wounds of dogs, clothing and also from tools such as spades, forks and nets that are believed to have been used when offences have been committed. These results link the suspect to badger remains and can be very important in prosecutions.

The largest category for submissions continues to be raptor persecution and over this period almost all cases were to identify the meat species from the last meal eaten by a poisoned bird of prey. Our hen harrier DNA database project, funded by PAW Scotland, was launched in early 2019 to collect reference DNA samples from chicks before fledging. Should these birds be victims of persecution, any remains that are recovered in an investigation can be linked back to specific birds.

We are always looking to increase the range of tests we can offer to wildlife crime investigations. Over this period there were a couple of cases where fox DNA profiling– matching a sample from a crime scene to samples taken from a suspect using a DNA profile from a specific fox – could have been very

informative. We are collaborating with a student in Belarus, alongside colleagues at the University of Edinburgh, to validate a forensic DNA profiling method for foxes. We hope to make this method available for wildlife crime casework soon.

## 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 between 2014-15 to 2018-19 and summarises those incidents, categorised as abuse†, that are considered to be wildlife crimes because of the species or pesticide involved. Annually, the branch investigates in the region of 170-230 incidents.

The number of poisoning abuse incidents in 2018-2019 decreased by 2 from 2017-18. While the poisoning of a companion animal is not a wildlife crime, these incidents are included here as the companion animal may have been the accidental victim of an illegal poison intended to target wildlife, while wildlife could also be put at risk by poisons placed to target pets.

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 (23) followed by companion animals (17). Bird of prey poisoning incidents are covered further in the Raptor Persecution section of this report.

**Table 9: Pesticide incidents in Scotland 2014-15 to 2018-19**

	2014-15	2015-16	2016-17	2017-18	2018-19
Number of incidents investigated during financial year *	192	215	205	184	175
Number of incidents attributed to pesticides	16	27	20	17	14
<b>Category – Abuse</b>	<b>9</b>	<b>15</b>	<b>10</b>	<b>10</b>	<b>8</b>
% abuse	5	7	5	5	5
No. of abuse incidents involving birds of prey	6	5	3	4	5
No. of abuse incidents involving other birds **	2	0	0	1	0
No. of abuse incidents involving suspicious baits/substances	4	1	3	3	3
No. of abuse incidents involving companion animals	1	2	7	3	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**

SRUC Veterinary Services is a division of Scotland's Rural College (SRUC). While not a government agency, the work of the 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 RSPB and the SSPCA. 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 2018-19, a total of 195 cases were submitted, of which 53 cases involved mammals and 142 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.

There are several factors which may contribute to this difference. Firstly, buzzards tend to predominate the avian submissions by police - these birds are very 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, 2014-15 to 2018-19**

	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Total wildlife cases examined as possible wildlife crimes	158	225	172	135*	195
Total mammal cases	41	45	49	31*	53
Total mammal cases identified by postmortem as crime related	26	23	11	13*	21
% of mammal cases identified by post mortem as crime related	63%	51%	22%	42%	40%
Total bird cases	117	180	123	104	142
Total bird cases identified by post mortem as crime related	30	22	13	18	22
% of bird cases identified by post mortem as crime related	26%	12%	11%	17%	15%

**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 2018-2019 has covered a wide range of species including squirrels, hares, otters, badgers, foxes, and deer. With regard to the causes of death or injury, shooting was the most common this year.

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, and suspected intentional attack by a person or persons.

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

### **3.3 NatureScot (formerly Scottish Natural Heritage) – General Licence Restrictions and protected species licensing**

As part of a package of anti-wildlife crime measures announced by the Minister for Environment and Climate Change, NatureScot 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 NatureScot 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. NatureScot 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.

NatureScot 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.

Three General Licence restrictions ended in 2018 and a further two were in effect from 2017; one over an area of land in Perthshire, and another to an individual, prohibiting them from using the relevant General Licences for a period of 3 years.

One new General Licence restriction was implemented on an area of land in South Lanarkshire in late 2019. Details of these can be found on the NatureScot website; [www.nature.scot](http://www.nature.scot)

### **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

The Scottish Society for the Prevention of Cruelty to Animals (Scottish SPCA) and their Special Investigations Unit (SIU) can 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. The SIU has a slightly different remit dealing with cases which are linked to illegal activities often involving serious and organised crime groups. The 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 156,000 calls between April 2018 and March 2019. Although the number of calls to the animal helpline has decreased by almost 25% the increase in public knowledge of the work of the SIU, brought about by marketing campaigns and media focusing on the results of a number of high profile cases, has resulted in the volume of information being passed to the SIU increasing based on the previous year.

The SIU estimate that between April 2018 and March 2019 they received:

- 639 pieces of information for consideration from the Scottish SPCA helpline
- 586 pieces of information from other sources. Some pieces of information may relate to incidents that after investigation are found to not 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 2018 to March 2019**

Type of wildlife crime	Pieces of information identified as crime	Reported to COPFS
Badger persecution	21	6
Illegal trade (CITES)	1	0
Raptor Persecution	13	0
Bat Persecution	0	0
Poaching and coursing	10	0
Freshwater pearl mussels	0	0
Other	25	3
<b>TOTAL</b>	<b>70</b>	<b>9</b>

Source: Scottish Society for the Prevention of Cruelty to Animals

The statistic in Table 11 regarding reports submitted to COPFS in relation to badger persecution reflect the number of reports that were submitted following investigations carried out within the year (April 2018 – March 2019) although these reports may have been submitted to the fiscal after 31<sup>st</sup> March 2019. The incidents in Table 11 also included ten relating to trapping or snaring offences.

Significant wildlife cases in 2018-19 included an individual acquiring domestic cats via free online advertising sites for the purposes of training his dogs to kill (animal fighting). Mobile phone analysis estimated that this individual was responsible for acquiring and killing 70 domestic cats. They also captured footage of their own dogs baiting and killing badgers. The investigation into this individual resulted in another case being brought against a known associate responsible for causing unnecessary suffering to a dog by not seeking treatment to an injury. The animal also had injuries consistent with badger fighting.

SIU attended a locus following on from a call from a member of the public to Police Scotland, as they suspected an individual was digging a badger sett. Two terriers were inside the sett when the police and SIU attended the locus. A joint police SIU investigation resulted in three dogs being seized, two terriers recovered from within the badger sett, one of which was humanely destroyed due to the severity of injuries it had suffered from being involved in an animal fight (badger). This resulted in a warrant being executed at the individual's home address where a further six dogs were seized due to the presence of injuries consistent with face to face animal fighting, digital forensics recovered numerous images from a mobile phone of the individual involved using dogs for animal fighting. The individual was found guilty of animal fighting and causing unnecessary suffering and awaits sentence.

The SIU report cases directly to 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 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 number of investigations where the SIU supported investigations led by Police Scotland.

**Table 12: Wildlife crime investigations dealt with by SIU, 2014-15 to 2018-19**

	2014-15	2015-16	2016-17	2017-18	2018-19
Incidents investigated solely by SIU	92	96	73	88	112
Number of cases reported to COPFS	6	10	4	0	9
% reported to COPFS	7%	10%	5%	0%	8%
Police Scotland-led investigations assisted by SIU	49	19	42	37	42
<b>Total</b>	<b>141</b>	<b>115</b>	<b>115</b>	<b>125</b>	<b>154</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 2018-19 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.
- Quarterly submission of reports to the Acquisitive Crime Threat Group which includes all links to Scottish investigations.
- Bespoke Geographical Information Services (GIS) maps to assist active investigations.
- Provision of two Tactical Assessments to the UK Tasking & Coordination Group for Wildlife Crime, including analysis of all Scottish Wildlife intelligence logs.
- Response to the UK Government in relation to the enforcement of the illegal wildlife trade across the UK.
- Response to the National Crime Agency for their annual threat assessment in relation to trafficking in endangered species across the UK.
- Consultation on the use of illegal wildlife trade seizure data that NWCU supply to the EU-TWIX<sup>1</sup> network on behalf of all UK police forces.
- Responses to statistical queries from academics/media organisations.
- Responses to Freedom of Information Act requests that relate to Scotland.

In addition, the NWCU's Scottish Investigative Support Officer (SISO) provides advice and 'on the ground' support for wildlife crime investigations. In 2018-2019, the NWCU ISO 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 crimes against raptors, bats, non-native species, freshwater pearl mussels, traps, snares, wildlife disturbance, coastal crime, hare coursing, venison dealing and trading in endangered species (CITES).

Throughout the year, contributions were provided to several operations involving raptor crime and the annual delivery of Operation Easter to target egg thieves and nest disturbance during the bird breeding season. Crime prevention measures to mitigate the risks that persecution posed to the South of Scotland Golden Eagle project on both sides of the border continued and similar measures were taken in partnership with the Cairngorm National Park Authority to safeguard satellite tagged eagles in the Cairngorms. Operations and searches were undertaken around venison dealing and raptor crime.

The SISO gave presentations at several events throughout the year including local and national police training, Sharing Good Practice events, PAW Scotland partners and the UK Wildlife Crime Enforcer's Conference. An on-going element of the role continues to include participation in several PAW Scotland groups

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<sup>1</sup> EU trade in wildlife information exchange' group facilitated by TRAFFIC



(Poaching & Coursing, Media, Freshwater Pearl Mussel and Raptor), Heads up for Harriers project and General Licence restrictions. The SISO also facilitated and presented at the very successful satellite tag awareness training event in February 2019.

Charlie Everitt retired from the SISO role at the end of January 2020 and was succeeded by PC Gavin Ross.

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** 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 2018-19**

Keyword	Intelligence logs	% of total
Hare	109	24.7%
Deer	93	21.1%
Fish	49	11.1%
Badger	27	6.1%
Raptor/Bird of Prey	15	3.4%
CITES	2	0.5%
FWPM/Pearl Mussel	2	0.5%
Bat	0	0.0%
All 'other' wildlife	144	32.7%
<b>Total</b>	<b>441</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 2014-15 to 2018-19.

**Table 14: Most common priority NWCU intelligence logs 2014-15 to 2018-19**

Year	Three most common priority intelligence types (as a percentage of the total number of intelligence logs)
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%)
2017-18	Hare (29%), deer (15%) and fish (13%)
2018-19	Hare (25%), deer (21%) and fish (11%)

**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 2017-18:

- 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.

NatureScot have provided a 'Health of Species' appraisal in Appendix 4, for those priority species that fall within NatureScots 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

The data shown in Figure 1, table 15 and table 16 has been presented by Police Scotland. 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.

**Table 15: Police Scotland offence data from 2014-15 to 2018-19**

Type of crime	Number of offences				
	2014-15	2015-16	2016-17	2017-18	2018-19
Badger persecution	4	7*	6	15	16
Bat persecution	0	2	0	1	0
CITES	10	5	6	2	1
Freshwater pearl mussels	5	1	2	1	1
Poaching and coursing	159	140	115	127	69
Raptor persecution	31	25	11	24	17
Not related to Priority Area	69	78	91	63	59
No crime recorded	0	3	0	2	0
<b>Total</b>	<b>278</b>	<b>261</b>	<b>231</b>	<b>235</b>	<b>163</b>
<i>Additional breakdowns</i>					
Trapping/snaring (all species)*	27	15	15	15	28
Fox hunting	2	4	2	6	2
Hunting with dogs (all Protection Wild Mammals Act offences)	-	44	22	41	22
<b>Total</b>	<b>29</b>	<b>63</b>	<b>39</b>	<b>62</b>	<b>52</b>

**Source: Police Scotland**

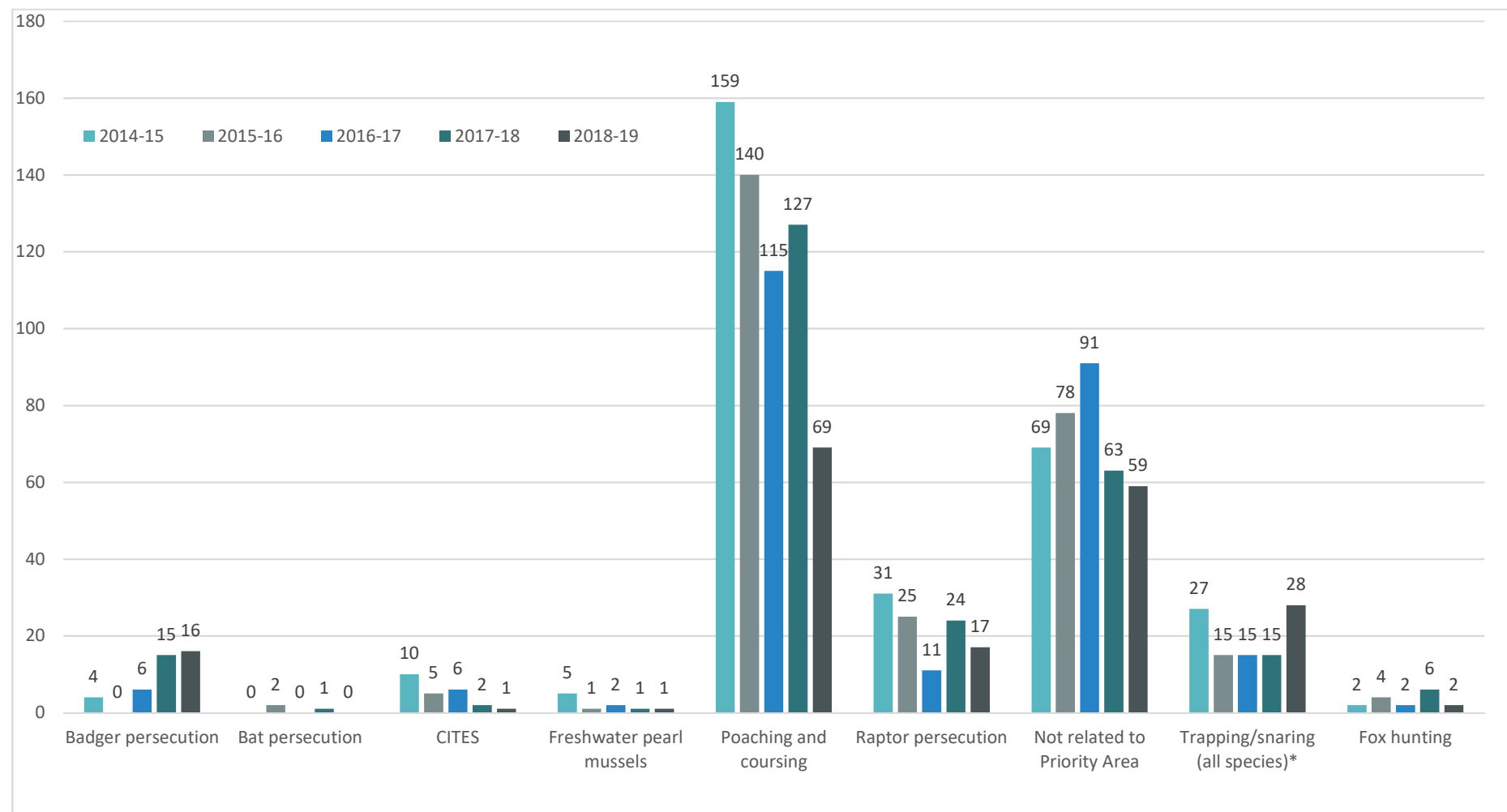
\* All Offences involving badgers. These offences may be duplicated elsewhere, e.g. illegal killing of a badger by snaring would be recorded in 'Badger persecution' and 'Trapping/snaring'

**Table 16: Quarterly Police Scotland data for 2018-2019**

Type of crime	Number of offences			
	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar
Badger persecution	10	0	4	2
Bat persecution	0	0	0	0
CITES	0	0	1	0
Freshwater pearl mussels	1	0	0	0
Poaching and coursing	16	26	14	13
Raptor persecution	7	3	3	4
Not related to Priority Area	25	16	10	8
<b>Total</b>	<b>59</b>	<b>45</b>	<b>32</b>	<b>27</b>
<i>Additional breakdowns</i>				
Trapping/snaring (all species)*	10	6	6	6
Fox hunting	0	0	0	2
Hunting with dogs (all Protection Wild Mammals Act offences)	5	2	9	6
<b>Total</b>	<b>15</b>	<b>8</b>	<b>15</b>	<b>14</b>

**Source: Police Scotland**

**Figure 1: Police Scotland offence data from 2014-15 to 2018-19**



**Source: Police Scotland**

## 4.2 Badger persecution

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 and figure 2 show that there were 16 offences relating to badger persecution recorded by Police Scotland in 2018-19, compared to 15 in 2017-18. Table 18 provides a quarterly breakdown of offences.

**Table 17: Badger offences 2018-19 by Police Scotland Division**

Police Division	Type of offence	Number of offences
Ayrshire	Disturbance	1
Dumfries and Galloway	Disturbance	1
Fife	Digging, damage and obstruction to sett	1
Forth Valley	Digging, damage and obstruction to sett	1
	Disturbance	1
Lothians and Scottish Borders	Killing	4
	Digging, damage and obstruction to sett	3
	Disturbance	1
North East	Killing	1
	Disturbance	1
Renfrewshire and Inverclyde	Disturbance	1
<b>Total</b>		<b>16</b>

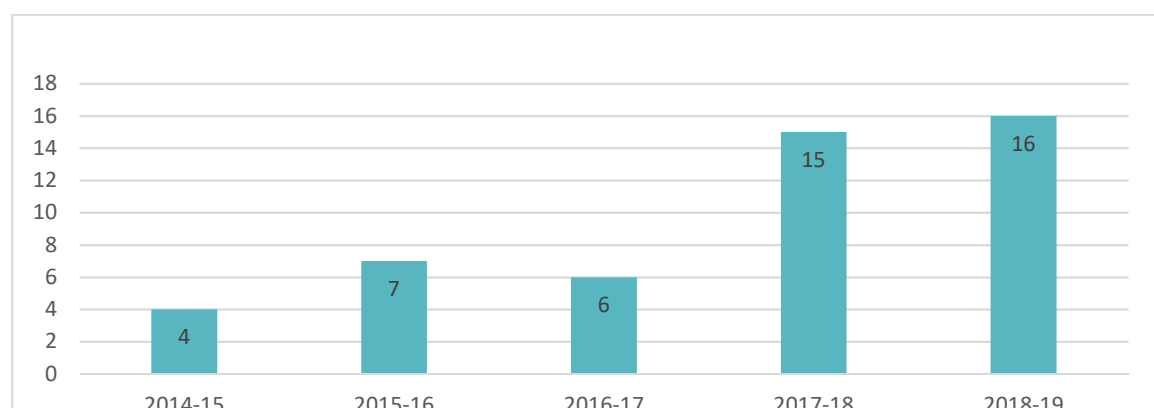
Source: Police Scotland

**Table 18: Badger offences 2018-19 by species and quarterly breakdown**

Type of Crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Digging, damage and obstruction to sett	3	0	1	1	5
Killing	4	0	1	0	5
Disturbance	3	0	2	1	6
<b>Total</b>	<b>10</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>16</b>

Source: Police Scotland

**Figure 2: Police Scotland offence data for badger persecution 2014-15 to 2018-19**



Source: Police Scotland

### 4.3 Bat persecution

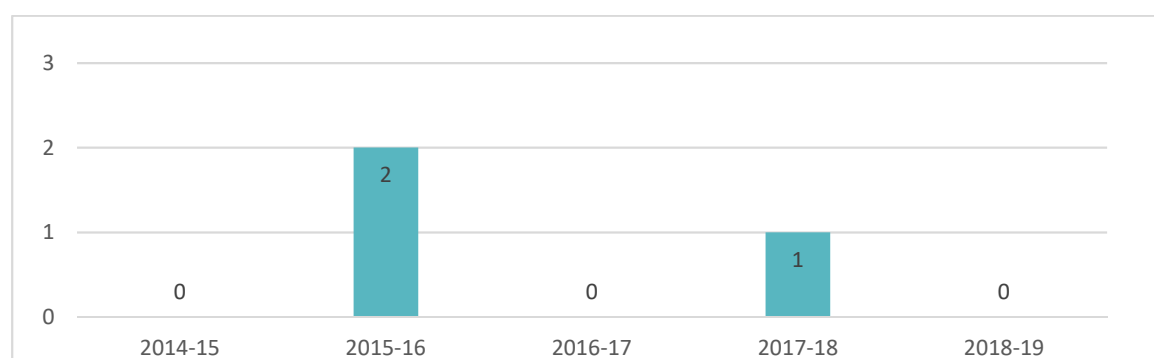
Bats and their roosts are protected by the Conservation (Natural Habitats, &c.) Regulations 1994), which gives strict legal protection to all species listed under Annex IV of the EU Habitats Directive – known as European Protected Species (EPS). Scotland's bat population is relatively small compared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

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.

#### Recorded crimes

There were no offences involving bat persecution recorded by Police Scotland in 2018-19.

**Figure 3: Police Scotland offence data for bat persecution 2014-15 to 2018-19**



Source: Police Scotland

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

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

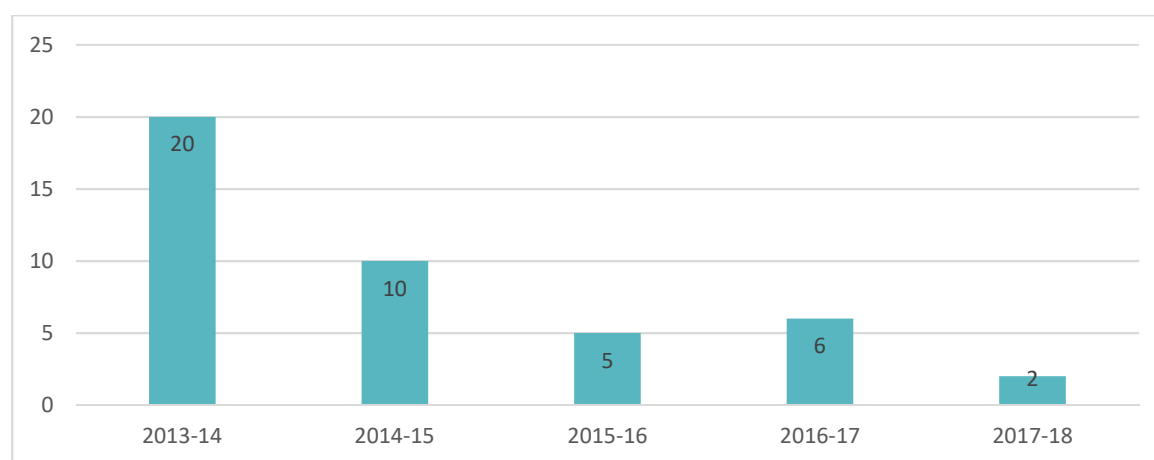
Table 19 and figure 4 show that one CITES-related offence was recorded by Police Scotland in 2018-19

**Table 19: Summary of 2018-19 CITES offences**

Police Division	Type of Offence	Date
Glasgow	Offer for sale stuffed protected animals without relevant permit.	Dec-18

Source: Police Scotland

**Figure 4: Police Scotland offence data for CITES 2014-15 to 2018-19**



Source: Police Scotland

## 4.5 Freshwater Pearl Mussels

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

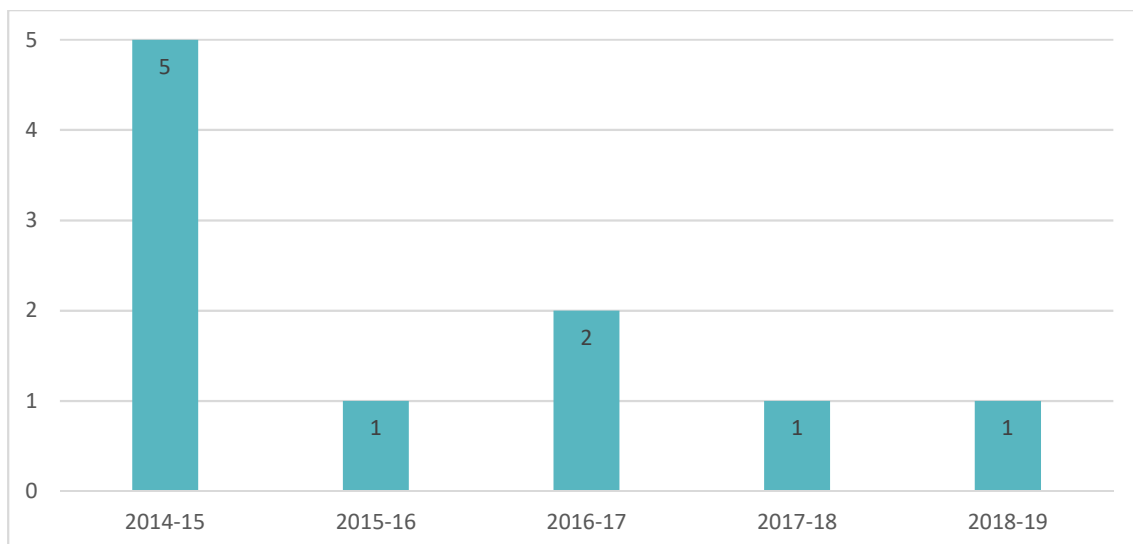
Police Scotland recorded one offence in relation to FWPM during 2018-19.

**Table 20: Summary of 2017-18 FWPM offences**

Police Division	Type of Offence	Date
Highland and Islands	FWPM fishing	Jun-18

Source: Police Scotland

**Figure 5: Police Scotland offence data for freshwater pearl mussels for 2014-15 to 2018-19**



Source: Police Scotland



## 4.6 Poaching and coursing

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 2018-19, 69 poaching and coursing offences were recorded by Police Scotland, compared to 127 offences in 2017-18. Table 21 shows the Highlands and Islands Division has the highest number of recorded hare coursing offences at 20.

Table 22 shows that fish poaching offences are the most commonly recorded at 23 offences, while hare coursing accounted for a further 20 offences.

**Table 21: Poaching and coursing offences 2018-19 by Police Scotland Division**

Police Division	Target Species	Number of offences
Argyll and West Dunbartonshire	Deer	2
	Fish	2
	Hare	2
Dumfries and Galloway	Deer	1
Edinburgh	Deer	1
Fife	Deer	3
	Fish	1
	Hare	3
Forth Valley	Goose	1
Glasgow	Deer	1
Highland and Islands	Deer	2
	Fish	13
	Rabbit	4
	Unknown	1
Lanarkshire	Deer	1
	Fish	3
North East	Deer	2
	Fish	2
	Hare	6
Renfrewshire and Inverclyde	Deer	3
	Fish	1
Tayside	Hare	9
The Lothians and Scottish Borders	Deer	3
	Fish	1
	Rabbit	1
Grand total		69

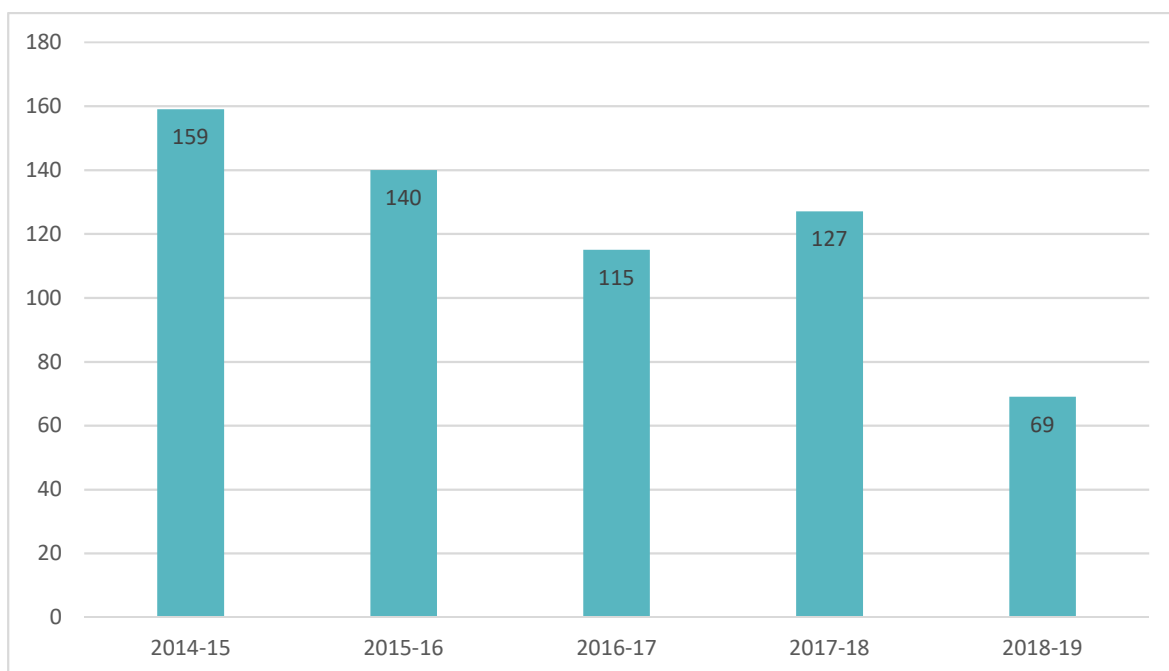
Source: Police Scotland

**Table 22: Poaching offences 2018-19 by species and quarterly breakdown**

Target Species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Deer	5	8	3	3	19
Fish	6	0	16	1	23
Goose	0	0	1	0	1
Hare	5	3	3	9	20
Rabbit	0	2	3	0	5
unknown	0	0	0	1	1
<b>Total</b>	<b>16</b>	<b>13</b>	<b>26</b>	<b>14</b>	<b>69</b>

Source: Police Scotland

**Figure 6: Police Scotland disaggregated offence data for poaching and coursing 2014-15 to 2018-19**



Source: Police Scotland

## 4.7 Raptor persecution

The persecution of raptors, or birds of prey, is the most high-profile type of wildlife crime in Scotland and it can have a serious impact on the populations of some raptor 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.

### Poisonings and other recorded crimes

Table 23 and figure 7 show the numbers of birds of prey confirmed by SASA as illegally poisoned between 2014-15 and 2018-19, alongside the number of incidents which resulted in these poisonings. The figures show that buzzards (15) remain the most commonly recorded victim of illegal poisoning over the five year period.

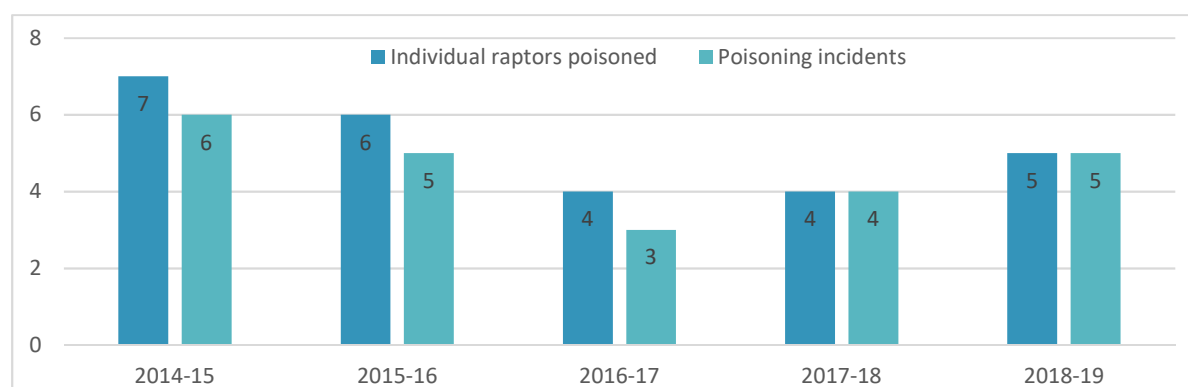
**Table 23: Bird of prey poisonings, Scotland, 2014-15 to 2018-19**

Year	Number of Birds of Prey Poisoned (By Species)				Number of Incidents
	Buzzard	Red kite	Peregrine falcon	All	
2014-15	3	3	1	7	6*
2015-16	5	1	-	6	5
2016-17	3	1	-	4	3
2017-18	3	1	-	4	4
2018-19	1	3	1	5	5
<b>Total</b>	<b>15</b>	<b>9</b>	<b>2</b>	<b>26</b>	<b>23</b>

Source: Science and Advice for Scottish Agriculture (SASA)

\*One incident may involve more than one bird

**Figure 7: Bird of prey poisonings 2014-15 to 2018-19**



Source: SASA

## Recorded crimes

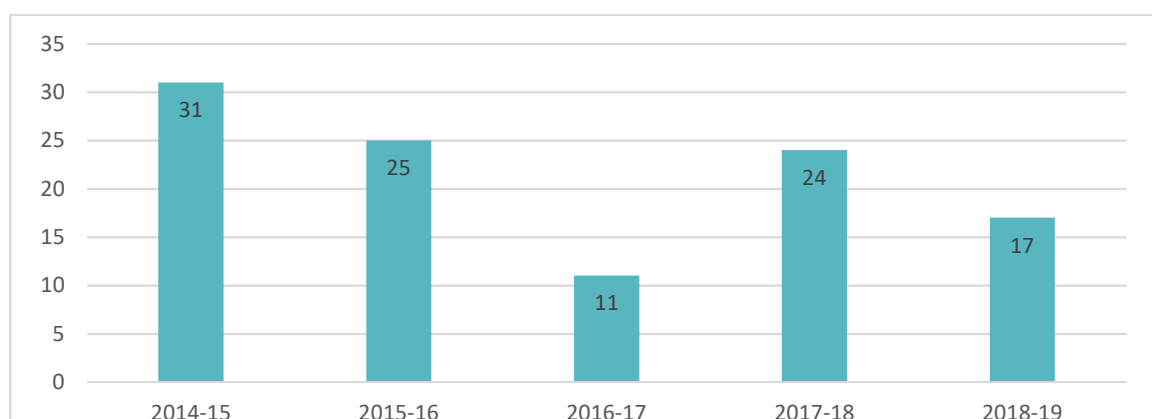
While recorded raptor persecution offences dropped from 24 in 2017-18 to 15 in 2018-19, they represent a similar percentage of recorded crime (10% and 9% respectively).

Figure 8, table 24 and table 25 show a summary of bird of prey incidents and offences recorded by Police Scotland between 2014-19. 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 32 of the 95 cases) was the species most commonly affected over the five year period.

Shooting remains the highest recorded crime type for the period (25), followed by poisoning (23). It should be noted that one incident in this period in The Lothians and Scottish Borders involved the persecution of 10 raptors.

Figures in tables 24 and 25 from 2014-2015 relates to incident data, which may include multiple offences and victims. Figures from 2015-16 onward relates to offence data, which relates to individual offences.

**Figure 8: Recorded Bird of prey incidents 2014-15 to 2018-19**



Source: Police Scotland

**Table 24: Recorded bird of prey cases in Scotland, 2014-15 to 2018-19 by species involved**

	Number of Cases (by species involved)																
	Buzzard	Hen Harrier	Peregrine	Red Kite	Eagle	Sea Eagle	Golden Eagle	Goshawk	Merlin	Osprey	Red Kite & Buzzard	Barn Owl	Short Eared Owl	Tawny Owl	Unknown	Sparrowhawk	Total
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
2017-18	1	2	1	1	1	1	1	-	1	1	-	1	1	-	12	-	24
2018-19	9	-	1	2	-	-	1	1	-	1	-	-	-	-	1	1	17
<b>Total</b>	<b>32</b>	<b>5</b>	<b>7</b>	<b>11</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>7</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>15</b>	<b>1</b>	<b>95</b>

Source: Police Scotland

**Table 25: Recorded bird of prey cases in Scotland, 2014-15 to 2018-19 by type of crime**

	Number of Cases (by type of crime)						
	Disturbance	Egg Theft	Other	Poisoning	Shooting	Trapping	Total
2014-15	1	-	2	6	8	1	18
2015-16	3	-	3	6*	8	6*	25
2016-17	4	1		3	2	1	11
2017-18	3	1	11	2	5	2	24
2018-19	-	1	3	6	2	5	17
<b>Total</b>	<b>11</b>	<b>3</b>	<b>19</b>	<b>23</b>	<b>25</b>	<b>15</b>	<b>95</b>

Source: Police Scotland

\* one incident involved both trapping and poisoning

**Table 26: Summary of recorded bird of prey offences in Scotland 2018-19 by Police Scotland Division**

Police Division	Target Species	Number of offences
Dumfries and Galloway	Buzzard	1
	Red Kite	2
Fife	Unknown	1
Forth Valley	Sparrowhawk	1
Highland and Islands	Buzzard	2
	Golden Eagle	1
Lanarkshire	Buzzard	3
	Osprey	1
North East	Goshawk	1
Tayside	Buzzard	1
The Lothians and Scottish Borders	Buzzard	2
	Peregrine Falcon	1
<b>Total</b>		<b>17</b>

Source: Police Scotland

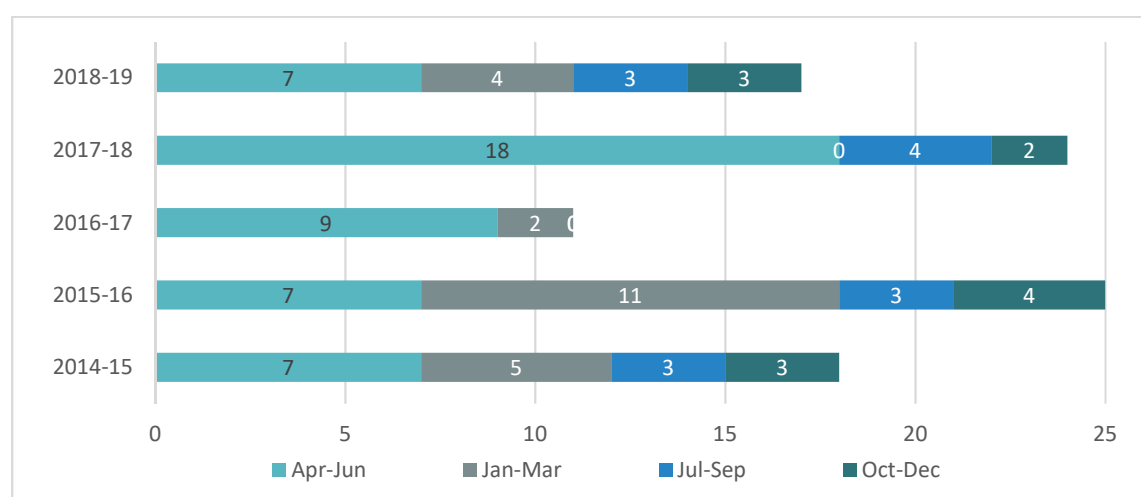
Table 27 and Figure 9 shows a majority of recorded bird of prey offences occurring during April to June, with 7 of the 17 total offences.

**Table 27: Bird of prey offences 2018-19 by species and quarterly breakdown**

Target species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Buzzard	5	1	1	2	9
Golden Eagle	1	-	-	-	1
Goshawk	-	-	-	1	1
Osprey	1	-	-	-	1
Peregrine Falcon	-	-	1	-	1
Red Kite	-	1	1	-	2
Sparrowhawk	-	1	-	-	1
Unknown	-	-	-	1	1
<b>Total</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>17</b>

Source: Police Scotland

**Figure 9: Bird of prey offences quarterly breakdown 2014-15 to 2018-19**



Source: Police Scotland

Table 28 provides a detailed breakdown of bird of prey incidents for the financial year 2018-19. One incident may involve more than one bird.

**Table 28: Details of recorded bird of prey incidents in Scotland 2018-19**

Species targeted	Police Division	Type of offence	Month and year
Buzzard	Dumfries and Galloway	Poisoning	May 2018
	Highland and Islands	Trapping	Aug 2018
	Highland and Islands	Trapping	Feb 2019
	Lanarkshire	Shooting	Apr 2018
	Lanarkshire	Poisoning	Nov 2018
	Lanarkshire	Trapping	Mar 2019
	Tayside	Poisoning	Apr 2018
	The Lothians and Scottish Borders	Other	Jun 2018
	The Lothians and Scottish Borders	Shooting	Jun 2018
Golden Eagle	Highland and Islands	Egg theft	Jun 2018
Goshawk	North East	Trapping	Jan 2019
Osprey	Lanarkshire	Other	May 2018
Peregrine Falcon	The Lothians and Scottish Borders	Poisoning	Oct 2018
Red Kite	Dumfries and Galloway	Poisoning	Jul 2018
	Dumfries and Galloway	Poisoning	Nov 2018
Sparrowhawk	Forth Valley	Other	Sep 2018
Unknown	Fife	Trapping	Feb 2019

**source: Police Scotland**

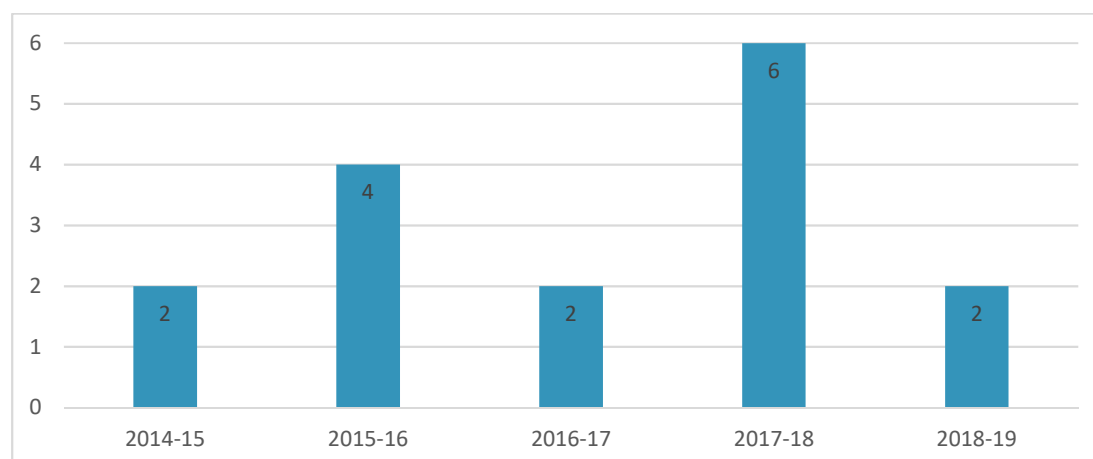
## 4.8 Fox Hunting and the Protection of Wild Mammals (Scotland) Act 2002

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

Table 29 and figure 10 shows from the disaggregated data from Police Scotland, two of the 22 hunting with dogs cases related to fox hunting offences, rather than activities such as hare coursing. The total number of “hunting with dogs offences” recorded in 2018-19 (22) fell from 2017-18 (41). Hare coursing makes up the majority of these offences (19).

**Figure 10: Police Scotland offence data for fox hunting 2014-15 to 2018-19**



Source: Police Scotland

**Table 29\*: Protection of Wild Mammals (Scotland) Act 2002 ‘hunting with dogs’ offences 2018-19 by Police Scotland Division**

Police Division	Target species	Number of offences
Argyll and West Dunbartonshire	Hare	2
Edinburgh	Deer	1
Fife	Hare	3
North East	Hare	5
Tayside	Hare	9
The Lothians and Scottish Borders	Fox	2
Total		22

Source: Police Scotland

\*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.



**Table 30: Protection of Wild Mammals (Scotland) Act 2002 ‘hunting with dogs’ offences 2018-19 by species and quarterly breakdown**

Target species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Deer	-	-	-	1	1
Fox	-	-	-	2	2
Hare	5	2	9	3	19
<b>Total</b>	<b>5</b>	<b>2</b>	<b>9</b>	<b>6</b>	<b>22</b>

Source: Police Scotland

### Prosecutions

For the period 2018-2019, fewer than 5 cases were reported to COPFS containing a charge under Section 1 of the 2002 Act specifically in connection with allegations of hunting foxes with dogs.

## 4.9 Trapping and Snaring

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 28 offences were recorded for 2018-19, nearly double that of the previous year with 15 offences recorded in 2017-18.

Table 31 shows that over half (15) of the recorded trapping and snaring offences in 2018-19 occurred between Forth Valley and the Lothians and Scottish Borders divisions.

**Table 31: Trapping and snaring offences 2018-19 by Police Scotland Division**

Police Division	Type of offence	Target Species	Number of offences
Dumfries and Galloway	Larsen trap	Crow	1
Fife	Snare	Unknown	1
Forth Valley	Fenn trap	Red squirrel	1
	Live trap	Rabbit	2
	Snare	cat	2
		Unknown	3
Highland and Islands	Clam trap	Buzzard	1
	Fenn trap	Buzzard	1
	Gin trap	Unknown	1
	Snare	Fox	1
		Rabbit	1
Lanarkshire	Crow cage trap	Buzzard	1
	Larsen trap	Unknown	1
	Snare	Fox	1
North East	Snare	cat	1
Tayside	Fenn trap	Unknown	1
	Larsen trap	Crow	1
The Lothians and Scottish Borders	Snare	Badger	2
		Deer	1
		Unknown	4
Total			28

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 2018-19 by quarterly breakdown**

Type of crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Bycatch	-	-	1	-	1
Clam trap	-	1	-	-	1
Crow cage trap	-	-	-	1	1
Fenn trap	-	-	-	2	2
Gin trap	-	-	1	-	1
Larsen trap	1	-	1	1	3
Live trap	-	-	2	-	2
Snare	9	5	1	2	17
<b>Total</b>	<b>10</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>28</b>

Source: Police Scotland

## Prosecutions

In 2018-19, 5 cases related to trapping and snaring were reported to COPFS.

## 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 in February 2019, the Plenary group met in June 2019.

PAW Scotland operates a number of sub-groups focusing on a particular aspect of wildlife crime work. A summary of the 2019 work of these groups is provided below.

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

The Group met in May and November 2019. In May we welcomed a representative from Marine Scotland as a new member and our discussions identified the wide scope of Marine Scotland's power to issue Fixed Penalty Notices, covering many wildlife offences. There is thus a considerable mismatch between the enforcement options made available to Marine Scotland and those available to SNH and the police, all the more so since Marine Scotland's powers extend to many offences which are purely terrestrial. This is yet another example of where our wildlife law is currently fragmented and inconsistent.

Further items discussed at the meetings included:

- the fact that hardly any reports of incidents affecting bats lead to crime reports - the strictness of the legal provisions contrasts with the shared view that most incidents do not justify intervention through the criminal law;
- the phrasing of police reporting of incidents where "no crime recorded" can be taken as suggesting a clear decision that no offence has taken place whereas the position may be that there is insufficient evidence to determine whether or not an offence has been committed;
- the implementation of new laws affecting the sort of traps that can be used to catch stoats and certain other animals;
- concern at the scale of the by-catch of birds from traps set on planks/logs across ditches in order to catch mustelids – although the trap itself and its

setting may meet the core legal requirements, once there have been incidents of by-catch that demonstrate the risk to birds, use in this way arguably does not meet the statutory requirement that traps should not be “placed as to be likely to cause bodily injury to any wild bird”;

- DEFRA’s consultation on the import and export of hunting trophies, noting the adverse impact if overseas visitors visiting Scotland for deer stalking were not allowed to take home the heads of the deer they had lawfully killed;
- the measures contained in the Animals and Wildlife (Penalties, Protections and Powers) (Scotland) Bill, and the possibility of adding powers to impose fixed penalty notices for some technical offences;
- potential legislative changes, including changing the status of wood pigeons to become a “quarry” species and the extension of the licensable purposes for action affecting badgers to include the protection of biodiversity.

We also noted developments and continuing discussions elsewhere on:

- access to data from satellite tags attached to birds and reporting on the number of birds tagged;
- venison licensing;
- the use of thermal imaging and other devices to locate animals at night;
- progress with reports on deer and grouse moor management.

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

In January 2020, the inaugural Wildlife Crime Investigators Course took place within Detective Training at the Scottish Police Campus (SPC) Tulliallan.

Roseanna Cunningham MSP, Cabinet Secretary for Environment, Climate Change and Land Reform attended and officially opened the course in conjunction with DCS Cunningham. 18 police officers attended the 5 day course where they learned investigative techniques in relation to wildlife crime. Several partner agencies including Scottish Government, RSPB, SNH, SASA and COPFS attended and delivered presentations. The course was well received and attracted significant media attention. The course will now form part on the annual college curriculum and another course is scheduled in July 2020.

A Wildlife Crime E-learning package for Police Offices is currently being designed and work is on-going to have this launched by Spring 2020. Wildlife crime has not been taught to police officers at SPC for around 15 years and this is seen as a welcome addition in increasing the skill and knowledge base for all police officers in relation to wildlife crime.

Wildlife Crime Officers have held the numerous partnership training days:

Badger Crime Scottish Badgers and Police Scotland have jointly held several events throughout Scotland where training consisted of classroom based lectures in relation to legislation, case studies and a visit to a local active sett. These events have taken place in Ayrshire, Borders, Central Scotland, Fife

and have been attended by officers from throughout Scotland. These will continue across Scotland throughout 2020.

Deer Poaching awareness / training was provided to approximately 40 Police officers during November. SNH gave a presentation regarding licensing, legislation and firearms while Police Scotland provided a presentation on venison dealer licences and the responsibilities of licensed venison dealers. The training supported subsequent enforcement and preventative action under the banner 'Operation Moon' whereby a number of licensed venison dealers around Scotland were visited and their records inspected.

Fisheries Management Scotland have jointly held training days with Police Scotland in relation to Salmon poaching awareness. Those events have been well attended by Police Officers and also COPFS have attended. Police Scotland officers gave an input at the Annual water Bailiffs conference in December 2019. An arrangement has also been made for Police Scotland to deliver training to Fisheries Management staff in relation to confrontation management.

Fresh Water and Pearl Mussel training and awareness days have taken place by Officers in Northern Scotland in 2019.

Satellite Tag training was provided to Police officers, COPFS and SNH staff BY RSPB in February 2019 whereby every issue around satellite tags and their operation was discussed.

Fisheries Marine Scotland have engaged in management confrontation training led by Police Scotland operational support unit. Police Scotland officers have attended events in relation to South of Scotland Golden Eagle Project and Hen Harriers Life project hosted by RSPB.

Police Scotland officers and members of SGA, Scottish Land and Estates attended a meeting held at Darwyck house near Peebles in August 2019 with the focus on joint partnership working. This event was seen as a success and it is anticipated that similar events will take place in 2020 throughout the country.

Police Scotland officers attended and provided inputs to colleagues at the National Wildlife Crime enforcers conference held in November 2020 at Milton Keynes.

Police Scotland and SNH have jointly prepared a guidance document aimed at the general public providing information on fossil collecting on Skye. An awareness day for officers based in Skye regarding illegal fossil collection was held in August.

## **Funding**

The PAW Funding group met in February 2018 with another meeting scheduled for May 2019. The group made some changes to the PAW funding priorities and selection criteria including; the promotion of inclusivity; allow funding to be available to projects from public, private and voluntary sectors both within and

outwith PAW Scotland and the requirement for completed projects to report the outcomes back to the relevant PAW sub-group.

The group funded the following projects in 2018/19;

- PhD research with the University of Edinburgh to establish a hen harrier DNA database to help prove criminal 'possession' in wildlife crime investigations.
- RSPB investigations team, a specialist team delivering awareness raising, crime prevention and detection functions. Assisting Police Scotland in criminal investigations.
- A project to develop satellite tags with the ability to provide an emergency signal upon the death of the tagged bird and/or destruction of the tag.
- A project to install cameras on high persecution risk freshwater pearl mussel in partnership with the West Sutherland Fisheries Trust
- A project by SUERC to develop forensic techniques to analyse ivory samples in CITES cases
- Delivery of courtroom training covering expert witnesses and production of impact statements delivered to selected SNH staff by Police Scotland, COPFS and NWCU.

## **Media**

The Media Sub-group met in August 2019 and continued work to tighten and strengthen the protocol governing the ways in which partner organisations share news releases and respond to media enquiries. The group also focused on increasing the PAW Scotland presence on social media with reminders to partners to share stories and events for wider distribution.

The group contributed to a number of stakeholder-led social media campaigns e.g. on the NWCU #undisturbed campaign, drawing focus to the different kinds of disturbance issues faced by Scottish species; and the WDC #RudeToIntrude campaign on whale and dolphin disturbance.

## **Scientific**

The Science Group met in February and in September at SASA. Topics discussed included the value of monitoring background levels of toxicity in raptors and ongoing discussions relating to requiring those fitting satellite tags (under licence) to make an annual return and a requirement to share data with Police Scotland, if required. Earlier discussion had led to a clearer understanding of the numbers of raptors that had been satellite tagged in Scotland in previous years. The role of artificial DNA as a possible deterrent to wildlife crime was assessed. The Group also considered the possibility of crimes being committed involving beavers following their European Protected Species status in 2019. The Group will be updated on current population status and geographical range.

Finally, the Group is also considering the commissioning of an attitudinal survey to capture the current public awareness of raptor and other wildlife crime. New research techniques have indicated that such work can act as a deterrent to wildlife crime. One of the researchers will be invited to a future meeting.

## **FWPM priority delivery group**

The overall objective of the FWPM priority delivery group remains 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 2019 with several projects ongoing. CCTV and signage was installed at a number of high risk locations to deter illegal pearl fishing. Following evidence of illegal persecution during 2019 at another site, agreement has also been reached with the local landowner for further CCTV to be installed to detect and deter any future wildlife crime. In addition, during 2019 Police Scotland continued proactive, intelligence-led patrols with partner organisations to help detect and deter suspicious activity in other priority local rivers in the Highlands.

The finding of a previously unknown, breeding pearl mussel population in the Cairngorms, by a NatureScot graduate placement, received considerable media attraction including BBC TV as well as radio, online and press, and the opportunity was used to promote the work of the priority delivery group.

Priority deliver group members also led further awareness raising activity which included providing a course for Scottish fishery trust members, planning a course for environmental consultants and presenting our work at the UK Wildlife Crime enforcers conference.

## **Poaching and coursing priority group**

SNH officers assisted Police Scotland with intelligence-led visits to several venison dealers during the summer and early autumn. Some potential offences were detected, and Enquiries are ongoing.

SNH are currently developing a new on-line licensing system that is hoped will allow local authorities to perform live updates of venison dealer records. Police Scotland will be granted access to this system when it is operational, which is expected towards the end of 2020.

Deer Training was provided to approximately 40 Police officers during November 2019. SNH gave a presentation regarding licensing, legislation and firearms while Police Scotland provided a presentation on venison dealer licences and the responsibilities of licensed venison dealers.

The training supported subsequent enforcement and preventative action under the banner 'Operation Moon' whereby several licensed venison dealers around Scotland were visited and their records inspected. The operation concluded on 15th December 2019, but the results are still being collated.

SNH have granted Police Scotland direct access to DeerLine, the online repository for Fit and Competent status and authorisations. This will allow officers to access the system to perform any necessary checks, particularly for enquiries involving shooting at night.



Enforcement action in the autumn 2019 focussed on hare coursers under the banner of 'Operation Lepus.' Investigations continue into cases where coursers were traced.

Police Scotland are committed to investigating and preventing poaching and Wildlife Crime. In order to raise awareness of poaching to officers, operational guidance has recently been published and promoted via the force intranet. A Wildlife Crime E-Learning package is also currently being developed which includes a hare coursing module. This educational / guidance material is aimed at first responders to poaching to enable a prompt and effective response.

Over 30 new Wildlife Crime Officers are being recruited across the force area, and they will receive training on poaching and wildlife crime in general over the coming months.

### **PAW Scotland Raptor group**

The raptor group met on 14th December 2019. DCS Gary Cunningham replaced DCS David McLaren as chair and proposed the circulation of a draft terms of reference for comment and discussion at the next meeting to allow the group to be task driven with focus on the "Prevention, Intelligence and Enforcement" approach.

Heads Up for Harriers continued through 2019 with the number of participating estates having risen from 5 to 28 since 2015. Out of 15 nests, 8 were successful with 26 chicks fledging. Natural failures recorded for others include predation, wild fires, and infertility. Issues identified include no involvement from some estates within the project when hen harriers are known to be on site, restriction of access to Project Officers, suspicious disappearances of satellite tagged birds including hen harriers and confirmed raptor crime.

Heads Up for Harriers plan for 2020 is to concentrate on estates where meaningful involvement is hoped, focussing on areas of concern and building on area where successes have been noted. Project Officers will focus on early intervention and increased communication with estate management. A multi-agency Prevention Intelligence Enforcement (PIE) approach will be adopted.

2019 saw increased positive engagement with land managers, Scottish Land and Estates and Scottish Gamekeepers Association, data tag holders and other key partners. It proved to be beneficial in terms of highlighting key issues for all parties, raising trust with all organisations and individuals and diminishing any perception of organisational bias.

The Raptor Group have been provided with updated guidance for the PAW Scotland satellite tag recovery protocol. A training event focussing on the understanding of satellite tagging and interpretation of its data was held early in 2019. NWCU and SNH provided training in relation to satellite tag technology and interpretation of the data to help assist Police officers in their understanding and confidence in dealing with such incidents. The day included key speakers from RSPB, Raptor Study Groups and NWCU

DCS Cunningham and CS Nick Lyall (UK lead for raptor persecution) met to discuss a coordinated UK wide approach for tackling raptor persecution.

Police Scotland continue to assist Scottish Natural Heritage (SNH) in consideration to imposing General Licence restrictions on estates causing concern.

### **PAW Scotland Badger group**

The group met on two occasions, in May and December. The first meeting was mainly concerned with introductions and explanations of roles. The minutes of the second meeting have not yet been agreed by the Group members

The group observed that badger crime to be either increasing, or is being more reported. The normal annual total of 50-60 suspected crimes (mainly dug or damaged badger setts) appears to be staying at the same level. The SSPCA Special Investigation Unit, with whom Scottish Badgers work closely, reported a marked increase in dog fighting and subsequent badger harm. Badger baiting now occurs in every local authority area in Scotland, both urban and rural.

We have had a successful year in mounting training for Police Scotland Officers in badger awareness, consisting of a half day classroom presentation, and an afternoon visit to a badger sett. With funding from PAW, there were courses held in Inverness and Ayrshire early in 2019, and latterly in Haddington, Dalkeith, Galashiels, Dumfries, Livingston and Renfrew.

Scottish Badgers is currently examining the working of the Protection of Badgers Act (1992) (As amended in Scotland). This is being carried out by a Scottish-wide expert group of experienced badger consultants, aided by a QC working in environmental matters. Useful feedback was obtained by PAW Group members at the December meeting. The examination is concentrated upon the definition of a badger sett, and the treatment of this in court.

## 6. Police Scotland



In October, Police Scotland commenced Operation Wingspan, a year-long wildlife crime operation that will focus on each of the six priorities in turn. The first priority addressed throughout October and November was the trade in endangered species. Around 60 officers received specialist training with regards to this crime. Officers thereafter visited business premises including antique shops, vintage clothing shops and pet shops where they distributed educational material and posters to staff and reviewed open display, seizing items they suspected may be being sold illegally.

The next phase of Operation Wingspan is Badger Persecution. During this phase, officers will receive specialist training with regards to this crime type.

The Wildlife Crime Investigators course continues to be delivered at the Scottish Police College, while updated guidance has recently been published for officers. An electronic learning package aimed at first responders to wildlife crime is currently under construction.

Further to this over 50 new Wildlife Crime Officers have been recruited nationally.

## 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.

### **Animals and Wildlife (Penalties Protections and Powers) Bill**

Following a consultation on wildlife penalties over the summer of 2019, the Animals and Wildlife (Penalties, Protections and Powers)(Scotland) Bill was introduced to Parliament on 30 September 2019 by Roseanna Cunningham, the Cabinet Secretary for Environment, Climate Change and Land Reform.

The Bill amends various pieces of legislation to increase the maximum penalties for certain wildlife offences and to increase the time available for the police to investigate these crimes.

The Environment, Climate Change and Land Reform Committee held six evidence sessions, concluding on 17 December 2019.

### **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 final report of the group made a number of recommendations, including the introduction of a licensing scheme and was published on 19 December 2019.

## 8. Legislative Changes

### **Spring Traps Approval (Scotland) Amendment Order 2019**

Changes to the Spring Trap Approval Order in Scotland came about because of requirements in the Agreement on International Humane Trapping Standards (AIHTS). AIHTS is an attempt to establish and enforce an international standard on humaneness for traps. It requires signatory countries to prohibit traps for fur-bearing species that will not pass a clearly specified humaneness test.

The Spring Traps Approval (Scotland) Amendment Order 2018 was laid before the Scottish Parliament on Friday 21st December and came into force on 3 January 2019. Several traps were removed from the approval order and others will be removed for use with stoats from 1 April 2020.

## 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	Legislation
Badgers	Protection of Badgers Act 1992
Birds	Wildlife & Countryside Act 1981
Cruelty to wild animals	Wild Mammals (Protection) Act 1996; Wildlife & Countryside Act 1981
Deer	Deer (Scotland) Act 1996
Hunting with dogs	Protection of Wild Mammals (Scotland) Act 2002
Conservation (e.g. protected sites, conservation orders)	Nature Conservation (Scotland) Act 2004
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	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
Other wildlife offences (e.g. European Protected Species, CITES, attempts to commit 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

- COPFS does not provide statistical information for groups of fewer than five and relevant numbers are replaced with an asterisk. Some values of five or more may also be replaced with an asterisk to ensure that no suppressed values can be deduced by subtraction from a total. COPFS applies this approach, where appropriate, to requests for data including Freedom of Information requests, parliamentary questions and other statistical reports. This practice best meets the COPFS legal responsibilities under the Data Protection Act 2018 and the General Data Protection Regulation implemented in 2018. COPFS should not be providing information that identifies, or potentially allows to be identified, an individual person or some personal information about that individual. COPFS can receive separate requests over a period of time for related but slightly different information, e.g. by age, sex, location, crime, etc. and for overlapping time periods or geographies. These separate pieces of information taken together, for numbers fewer than five, could create the potential risk of identifying individuals.
- The information provided was compiled on 03 November 2020.
- 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.
- 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**

	2014-15	2015-16	2016-17	2017-18	2018-19
No action	9	10	8	5	*
Alternative to prosecution	21	15	20	*	10
Prosecuted	8	5	7	*	*
<i>of which convicted</i>	8	*	*	*	*
No. of reports received	38	30	35	18	15

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

	2014-15	2015-16	2016-17	2017-18	2018-19
No action	15	30	19	25	16
Alternative to prosecution	13	12	15	*	8
Prosecuted	32	18	25	*	15
<i>of which convicted</i>	20	*	*	*	9
No. of reports received	60	60	59	49	39

### Outcomes by Individual Case Category

**Table C: Offences relating to badgers**

For the period 2014-2019, a total of 10 cases relating to badgers were reported to COPFS.

**Table D: Offences relating to birds**

	2014-15	2015-16	2016-17	2017-18	2018-19
No action	*	9	10	*	*
Alternative to prosecution	*	*	5	*	*
Prosecuted	10	*	9	*	6
<i>of which convicted</i>	*	*	*	*	*
No. of reports received	17	15	24	13	12

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

	2014-15	2015-16	2016-17	2017-18	2018-19
No. of reports received	11	*	8	0	*

**Table F: Offences relating to deer**

	2014-15	2015-16	2016-17	2017-18	2018-19
No. of reports received	5	*	*	*	*



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

	2014-15	2015-16	2016-17	2017-18	2018-19
No action	*	8	*	*	*
Alternative to prosecution	0	*	*	*	0
Prosecuted	*	*	*	9	*
<i>of which convicted</i>	*	*	*	*	0
No. of reports received	6	15	7	22	7

**Table H: Other wildlife offences**

	2014-15	2015-16	2016-17	2017-18	2018-19
No action	*	9	*	5	*
Alternative to prosecution	*	6	*	*	5
Prosecuted	7	5	6	*	*
<i>of which convicted</i>	*	*	*	0	*
No. of reports received	17	20	14	10	11

**Table I: Other conservation offences**

For the period 2014-19, 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 2014-15 to 2018-19

Main crime group	Main Charge	2014-15	2015-16	2016-17	2017-18	2018-19
<b>Total prosecuted</b>		<b>51</b>	<b>25</b>	<b>23</b>	<b>27</b>	<b>15</b>
<b>Badgers</b>	<b>Sub-Total</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Protection Of Badgers Act 1992 Section 11a(1)	2	-	-	-	-
<b>Birds</b>	<b>Sub-Total</b>	<b>8</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>
	Wildlife & Countryside Act 1981 Section 1(1)(A)	5	5	3	1	2
	Wildlife & Countryside Act 1981 Section 1(1)(C)	-	-	1	-	-
	Wildlife & Countryside Act 1981 Section 1(2)(A)	1	-	-	2	-
	Wildlife & Countryside Act 1981 Section 5(1)(B)	2	-	-	-	-
<b>Cruelty to wild animals</b>	<b>Sub-Total</b>	<b>3</b>	<b>6</b>	<b>2</b>	<b>5</b>	<b>-</b>
	Wild Mammals (Protection) Act 1996 Section 1	-	-	-	1	-
	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(2)(A)	1	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(2)(A) & (F)	-	1	-	-	-
	Wildlife And Countryside Act 1981 Section 11(G)(1)	-	-	1	4	-
	Wildlife And Countryside Act 1981 Section 11a(2)&(6)	-	1	-	-	-
	Wildlife And Countryside Act 1981 Section 11(1)(Aa)	1	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11c(B)	-	1	-	-	-
	Wildlife And Countryside Act 1981, Section 11a(2)(B)&(6)	-	1	-	-	-
<b>Deer</b>	<b>Sub-Total</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>-</b>
	Deer (Scotland) Act 1996 Section 21(3)	-	-	-	1	-
	Deer (Scotland) Act 1996 Section 22	2	-	-	-	-
	Deer (Scotland) Act 1996 Section 23(1)	-	-	1	-	-
<b>Hunting with dogs</b>	<b>Sub-Total</b>	<b>3</b>	<b>5</b>	<b>8</b>	<b>4</b>	<b>6</b>
	Protection Of Wild Mammals (Scotland) Act 2002 Section 1(1)	3	5	8	4	6
<b>Fish poaching</b>	<b>Sub-Total</b>	<b>19</b>	<b>8</b>	<b>5</b>	<b>5</b>	<b>3</b>
	Salmon And Freshwater Fisheries (Consolidation) (Scot) Act 2003 S1(2)(A)(B)(C)	1	-	-	-	-
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.11(1)	4	-	-	1	1
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.6(1)&(2)	3	1	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	-	-	-
	Salmon And Freshwater Fisheries (Consolidation)(Scotland) Act 2003 S.13(3)&(4)	2	-	-	-	-

	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.17(2)(A)	-	-	1	1	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.58	1	-	-	-	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.7	-	3	-	-	1
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 Sec 9(1)&(2)	6	2	3	2	1
	Salmon And Freshwater Fisheries(Consolidation)(Scotland)Act 2003 S.1(1)(A)&(B)	1	-	-	-	-
	Scotland Act 1998 (River Tweed) Order Article 22(1)	-	1	-	-	-
<b>Other wildlife offences</b>	<b>Sub-Total</b>	<b>14</b>	<b>1</b>	<b>3</b>	<b>9</b>	<b>4</b>
	The Conservation (Natural Habitats, &C.) Regulations 1994 Reg 39(1)(A/B/C/D)	1	-	-	-	-
	The Control Of Trade In Endangered Species (Enforcement) Regs 1997 Reg 8(1)	1	-	1	1	1
	Wildlife And Countryside Act 1981 Section 13(1)(B)	-	-	1	-	-
	Wildlife And Countryside Act 1981 Section 18(1)	3	-	1	5	2
	Wildlife And Countryside Act 1981 Section 18(2)	8	-	-	3	1
	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 2014-15 to 2018-19**

Main crime group	Main Charge	2014-15	2015-16	2016-17	2017-18	2018-19
<b>Total convicted</b>		<b>35</b>	<b>20</b>	<b>22</b>	<b>24</b>	<b>10</b>
<b>Badgers</b>	<b>Sub-Total</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	Protection Of Badgers Act 1992 Section 11a(1)	2	-	-	-	-
<b>Birds</b>	<b>Sub-Total</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>
	Wildlife & Countryside Act 1981 Section 1(1)(A)	3	5	3	1	2
	Wildlife & Countryside Act 1981 Section 1(1)(C)	-	-	1	-	-
	Wildlife & Countryside Act 1981 Section 1(2)(A)	1	-	-	2	-
	Wildlife & Countryside Act 1981 Section 5(1)(B)	2	-	-	-	-
<b>Cruelty to wild animals</b>	<b>Sub-Total</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>5</b>	<b>-</b>
	Wild Mammals (Protection) Act 1996 Section 1	-	-	-	1	-
	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(2)(A)	1	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(G)(1)	-	-	1	4	-
	Wildlife And Countryside Act 1981 Section 11a(2)&(6)	-	1	-	-	-
	Wildlife And Countryside Act 1981, Section 11a(2)(B)&(6)	-	1	-	-	-
<b>Deer</b>	<b>Sub-Total</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>1</b>	<b>-</b>
	Deer (Scotland) Act 1996 Section 21(3)	-	-	-	1	-
	Deer (Scotland) Act 1996 Section 22	1	-	-	-	-
	Deer (Scotland) Act 1996 Section 23(1)	-	-	1	-	-
<b>Hunting with dogs</b>	<b>Sub-Total</b>	<b>2</b>	<b>3</b>	<b>8</b>	<b>4</b>	<b>2</b>
	Protection Of Wild Mammals (Scotland) Act 2002 Section 1(1)	2	3	8	4	2
<b>Fish poaching</b>	<b>Sub-Total</b>	<b>11</b>	<b>8</b>	<b>5</b>	<b>4</b>	<b>3</b>
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.11(1)	-	-	-	1	1
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.6(1)&(2)	2	1	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	-	-	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.17(2)(A)	-	-	1	1	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.58	1	-	-	-	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.7	-	3	-	-	1
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 Sec 9(1)&(2)	6	2	3	1	1
	Salmon And Freshwater Fisheries(Consolidation)(Scotland)Act 2003 S.1(1)(A)&(B)	1	-	-	-	-
	Scotland Act 1998 (River Tweed) Order Article 22(1)	-	1	-	-	-

Other wildlife offences	Sub-Total	11	1	2	7	3
	The Conservation (Natural Habitats, &C.) Regulations 1994 Reg 39(1)(A/B/C/D)	1	-	-	-	-
	The Control Of Trade In Endangered Species (Enforcement) Regs 1997 Reg 8(1)	1	-	1	1	1
	Wildlife And Countryside Act 1981 Section 13(1)(B)	-	-	1	-	-
	Wildlife And Countryside Act 1981 Section 18(1)	3	-	-	3	2
	Wildlife And Countryside Act 1981 Section 18(2)	5	-	-	3	-
	Wildlife And Countryside Act 1981 Section 18a(1)&(2)	1	1	-	-	-

**Source: Scottish Government Criminal Proceedings Database**

## Appendix 4 - Health of the species

Common name	Badger	Brown long eared bat	Common Pipistrelle bat
Species name	<i>Meles meles</i>	<i>Plecotus auritus</i>	<i>Pipistrellus pipistrellus</i>
Summary	Badgers are a member of the mustelid family and live in networks of underground tunnels called setts. Setts feature large entrances and mounds of excavated earth outside. Cubs are born in January or February but spend the first two or three months underground, emerging in the spring. Their ideal habitat is deciduous woodland with grazed pasture nearby, but they will use most open habitats	Long-eared bats roost in tree holes and loft voids in old buildings. Strongly associated with woodland. They feed in large gardens, along hedgerows, in parks and in woodland. They hibernate over winter, between November and April.	Pipistrelles often roost in the roof spaces of houses and can often be seen in gardens at dusk. Pipistrelles hibernate over winter, usually between November and April, although they may come out to feed on warm days.
Diet	They mainly feed on earthworms, but also eat small mammals, birds' eggs, fruit and roots and bulbs.	They feed on flying insects especially moths which they find in the dark using echolocation.	They feed on flying insects including midges and moths which they find in the dark using echolocation.
Appearance	Badgers are large and grey, with a short fluffy tail, black belly and paws and the distinctive black and white-striped face	The brown long-eared bat has greyish-brown fur and characteristically big ears. It shows a relatively slow, fluttery flight.	Pipistrelles have dark, golden-brown fur, a slightly paler underside and a darker mask around the face. Their flight is rapid with lots of twists and turns.
Size	Length: up to about 1m including tail, weight: 7-17kg	Length: 9cm Weight: 5-11g Wingspan: 25cm	Length: 3-5cm Weight: 4-8g Wingspan: 20cm
Lifespan	Average of 3 years (up to 14)	Average of 4-5 years (up to 30)	Average of 4-5 years (up to 16)
Status	Protected in the UK by the Protection of Badgers Act, 1992, and the Wildlife and Countryside Act, 1981.	Protected in the UK under the Wildlife and Countryside Act, 1981 (England and Wales) and the Conservation (Natural Habitats etc) Regulations 1994 (as amended) in Scotland and classified as a Priority Species in the UK Biodiversity Action Plan.	Protected in the UK under the Wildlife and Countryside Act, 1981 (England and Wales) and the Conservation (Natural Habitats etc) Regulations 1994 (as amended) in Scotland and classified as a Priority Species in the UK Biodiversity Action Plan.
Distribution	Found throughout most of mainland Scotland. Absent from most Scottish Islands.	Widespread throughout the country, but absent from most Scottish Islands	Widespread, found throughout the country, only absent from Shetland and some other Scottish islands.
Population	The available evidence indicates that the badger population is rising in England, although the trend in Scotland is less clear.	National data shows both the GB and Scottish brown long eared bat populations to be stable	The population of common pipistrelle in Scotland is stable, whilst that of the soprano pipistrelle has increased since 1999. Both species collectively account for over 80% of Scotland's bats.
Monitoring	<i>Scottish Badgers</i> collates distribution data collected by volunteers. Disease monitoring in badgers is largely carried out via road casualties.	Monitored via the National Bat Monitoring Programme, using data from roost counts in Scotland.	Monitored via the National Bat Monitoring Programme, using data from field surveys and roost counts.
Threats	Construction of roads, housing and other developments may have a direct impact on badger habitat, this should be mitigated by planning control. A major cause of mortality in badgers is road accidents. Illegal persecution is also an issue in some areas.	On-going threats to Scottish bats include pressure from human disturbance to roosting sites and foraging grounds. Roosts may be lost during development through demolition or renovation of buildings without provisions to replace roosting sites	On-going threats to Scottish bats include pressure from human disturbance to roosting sites and foraging grounds. Roosts may be lost during development through demolition or renovation of buildings without provisions to replace roosting sites

Common name	FWPM	Red deer	Roe Deer
Species name	<i>Margaritifera margaritifera</i>	<i>Cervus elaphus</i>	<i>Capreolus capreolus</i>
Summary	Freshwater pearl mussels live in the bottom of fast-flowing streams and rivers where they may be completely or partially covered in sand or gravel. They need water of the highest quality as they spend their first year harmlessly attached to the gills of either salmon or trout before dropping off onto the river bed.	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.	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.
Diet	They feed by filtering food particles out of the river water, filtering up to 50l a day	Red deer graze and browse a wide variety of plants including grasses, red deer heather, shrubs and trees.	Their diet includes a variety of woodland plants including herbs, brambles, ivy, heather, bilberry & coniferous tree shoots
Appearance	They are dark brown to black and much larger than their marine relatives	Red Deer are dark russet-brown in colour, with a paler buff rump patch and a pale tail. Males have large, branching antlers, increasing in size as they get older.	Roe deer are small with a summer coat of reddish brown turning to grey, pale brown or black in winter. They have a black nose, white chin and white rump patch with a short tush in females. Antlers are rough, short and have three tines on each.
Size	Shell length: 80-145mm	Length: 1.7-2.6m Weight: 100-340kg Height: 1.2m at the shoulder	Length: 0.9-1.3m Weight: 10-25kg Height: 60-75cm at the shoulder
Lifespan	Over 100 years	16-18 years	Average 7 years (up to 16)
Status	Critically endangered in Europe(IUCN), Classified as a Priority Species in the UK Biodiversity Action Plan.	Common protected under the Deer (Scotland) Act 1996.	Common protected under the Deer (Scotland) Act 1996.
Distribution	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	Common throughout Scotland	Common throughout Scotland
Population	Declining in Scotland	Evidence suggests that population level is stable.	Evidence suggests that population level is stable.
Monitoring	National survey published in 2009 and 2015. Our most critical freshwater pearl mussel populations are monitored every six years as part of NatureScot's Site Condition Monitoring programme.	Actions to monitor the numbers and impacts of red deer in the uplands are included in the Deer Management Plans produced by Deer Management Groups	Actions to monitor the numbers and impacts of roe deer in the uplands are included in the Deer Management Plans produced by Deer Management Groups
Threats	Illegal pearl-fishing invariably kills mussels. Water pollution and damage to river beds and banks can seriously affect populations	Disease and poaching will have an impact on the health of deer, although there is no evidence to suggest that either are having an impact at the population level.	Disease and poaching will have an impact on the health of deer, although there is no evidence to suggest that either are having an impact at the population level.

<b>Common name</b>	<b>Brown Hare</b>	<b>Atlantic Salmon</b>	<b>Golden eagle</b>
<b>Species name</b>	<i>Lepus europaeus</i>	<i>Salmo Salar</i>	<i>Aquila chrysaetos</i>
<b>Summary</b>	Hares shelter in a 'form', a shallow depression in the ground or grasses. They are most common in grassland and at woodland edges. Often associated with cultivated areas. In early spring, brown hares are at their most visible as the breeding season encourages fighting or 'boxing'.	Atlantic salmon enter rivers throughout the year and travel upstream from November to February, to breed in gravel-bottomed headwaters. Most, but not all, fish die after spawning. In Scotland, juveniles will typically stay in freshwater for up to 2 years, then migrate to the sea as smolts – physiological changes allow them to survive in saltwater.	A bird mainly of the mountains and moorlands in Scotland, golden eagles have large territories, nesting on rocky cliff faces and in trees where it builds a nest or 'eyrie'. Most pairs have several alternative nests within their territory. These nests are often used by successive generations to rear their own young. Golden eagles form long term pair bonds.
<b>Diet</b>	They eat grasses and other herbaceous vegetation including various crops. Shrubs may be browsed in winter.	Atlantic salmon feed on invertebrates and small fish in the sea.	A wide range of mainly medium-sized birds and mammals (inc. grouse, ducks, rabbits and hares), varying regionally. Carrion is taken to varying levels and more important in winter.
<b>Appearance</b>	Hares are russet-brown in colour, with a pale belly and a white tail. They are larger than rabbits and mountain hares, with longer legs and longer ears with black tips.	Adult Atlantic salmon are generally larger than resident trout; they are silvery with a few dark spots on the back and may have a pinkish flush to the belly. Mature males may develop a hooked lower jaw, or kype, in the breeding season.	A massive bird of prey, adults are mainly dark brown, with a golden head and neck. Young birds have white patches in their wings and a white base to the tail, these reducing over 3-4 years until they get their dark adult plumage.
<b>Size</b>	Length: 50-70cm Weight: 3-4kg	Length: up to 1.3m Weight: up to 35kg	Length: 76-90cm Wingspan: 2.1m Weight: 3.7-5.3kg
<b>Lifespan</b>	Average 2-3 years (up to 12)	Grilse may spend 1-3 years in freshwater and one year at sea. Larger multi-sea winter fish may spend 1-3 years in freshwater and 2-3 years at sea.	Typical lifespan of around 14 years
<b>Status</b>	Classified as a Priority Species in the UK Biodiversity Action Plan.	Classified as Lower Risk/Least Concern on the IUCN Red List. The long declining spring stock component is classified as a Priority Species in the UK Biodiversity Action Plan.	Protected in the UK under the Wildlife and Countryside Act, 1981, and classified in the UK as a Green List species under the Birds of Conservation Concern review.
<b>Distribution</b>	Widespread throughout Scotland including some islands, largely replaced by mountain hares in upland areas	They are mostly found rivers in the north and west and spend most of their lives out at sea.	The species can be seen widely across the Highlands and Islands primarily in upland habitats, with a very small population in the Southern Uplands, bolstered by the ongoing South Scotland Golden Eagle Project.
<b>Population</b>	Previously suffered significant declines, but the population now seems to be more stable, albeit at a lower level than formerly.	Declining globally. The total rod catch in of Atlantic salmon in 2019 was the fourth lowest recorded since records began in 1952.	The population increased between the 2003 and 2015 national surveys, up to 508 occupied territories. This passed the 500 pair target required by NatureScot to reach favourable conservation status nationally.
<b>Monitoring</b>	British Trust for Ornithology has collected data from 1995. The Game & Wildlife Conservation Trust long time-series game bag are also used for monitoring purposes.	The North Atlantic Conservation Organisation and the International Council for Exploration of the Seas Working Group on North Atlantic Salmon maintain an overview of Atlantic salmon stocks	Around half the breeding population is monitored annually under the Scottish Raptor Monitoring Scheme mainly by Scottish Raptor Study Group members.
<b>Threats</b>	Brown hares are a quarry species and driven shoots can reduce populations by 30 - 70%. Other illegal forms of hunting including hare coursing may add to this	The illegal exploitation of Atlantic salmon occurs both inland and in estuarine coastal areas. Freshwater quality, connectivity from the river mouth to potential spawning areas and predation can have a significant impact. Only 5% of fish leaving our rivers return from the sea as adults.	Natural mortality can include collisions with power lines, starvation and disease. Illegal persecution regionally remains a significant concern.



<b>Common name</b>	<b>Hen Harrier</b>	<b>Peregrine Falcon</b>	<b>Red Kite</b>
<b>Species name</b>	<i>Circus cyaneus</i>	<i>Falco peregrinus</i>	<i>Milvus milvus</i>
<b>Summary</b>	Hen harriers are medium sized, ground nesting raptors. They breed in upland areas, including open woodland, forestry and scrub, migrating 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.	The peregrine falcon suffered from persecution and pesticide poisoning in the early 20th century. Over the last couple of decades they have been doing very well at a UK level. They mainly nest on inland and coastal cliffs in Scotland, though a proportion of the population use man-made structures like buildings and quarries.	A large raptor that nests in trees mostly in 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 out with the breeding season and form communal roosts which can number scores of birds in Scotland.
<b>Diet</b>	They hunt a wide range of small to medium sized birds and mammals.	A wide range of medium sized birds with pigeons important in many areas though ducks, seabirds and waders, and some smaller birds are also taken	They have a varied diet and are an opportunist scavenger, eating both carrion and small mammals, birds and insects.
<b>Appearance</b>	Males are a pale grey colour, with black wingtips and a white rump, females and immatures are brown with a white rump and a long, barred tail which give them the name 'ringtail'.	The peregrine is Scotland's biggest falcon; dark grey above with black barred white underparts. It has a white throat and cheeks and a black 'moustache' and mask.	Red kites are large, have largely reddish-brown plumage with a pale whitish head and a deeply forked tail
<b>Size</b>	Length: 45-50cm Wingspan: 1-1.2m, Weight: 300-600g	Length: 40-54cm Wingspan: 1m Weight: 670g-1,1kg	Length: 60-66cm, Wingspan: 1.75-1.95m, Weight: 800g-1.3kg
<b>Lifespan</b>	Typical lifespan of 7-8 years	Typical lifespan of 7 years	Average 8-10 years (up to 25)
<b>Status</b>	Protected in the UK under the Wildlife and Countryside Act, 1981, and classified in the UK as a Red List species under the Birds of Conservation Concern review.	Protected in the UK under the Wildlife and Countryside Act, 1981, and classified in the UK as a Green List species under the Birds of Conservation Concern review.	Protected in the UK under the Wildlife and Countryside Act, 1981, and classified in the UK as a Green List species under the Birds of Conservation Concern review.
<b>Distribution</b>	The species is found widely across the country but has breeding concentrations in Orkney, some west coast islands and Argyll mainland.	Can be found throughout Scotland. Generally, the species is more common in the south and east of the country	There are four main population centres based around original reintroductions areas; Black Isle, those in Aberdeenshire, Perthshire/Stirlingshire and Dumfries & Galloway have merged to cover most of that area.
<b>Population</b>	The most recent national survey was in 2016 and the population was estimated at 460 pairs, a decrease from 2010.	The most recent national survey was in 2014 and the Scottish population was estimated at 516-538 pairs, a decrease since 2002.	Increasing after successful reintroduction, however the growth of the populations is varied with the North Scotland (Black Isle) one in particular suffering slow growth due to illegal persecution.
<b>Monitoring</b>	Up to two-thirds of the breeding population is monitored annually by the Scottish Raptor Study Group. The Heads up for Harrier initiative encourages landowners to participate in a nest camera scheme. There is also annual non-breeding roost monitoring.	Between a half and two-thirds the breeding population is monitored annually under the Scottish Raptor Monitoring Scheme, mainly by Scottish Raptor Study Group members.	There is annual monitoring of a large proportion of the breeding population under the Scottish Raptor Monitoring Scheme, mainly by Scottish Raptor Study Group members and other volunteers. There is also an annual winter roost coordinated count as part of a wider European survey.
<b>Threats</b>	Natural mortality includes starvation and disease. Foxes are the main natural predator of nests. The species is at the centre of the raptor game management conflict and regionally, illegal persecution is a significant threat to the species.	Natural mortality can include collisions with power lines, starvation and disease. Illegal persecution from both pigeon fanciers and game management interests remains a regional concern for some inland and upland populations.	Red kites are subject to natural mortality and their scavenging habits can make them vulnerable to collisions with vehicles and power lines. Growth of the North Scotland (Black Isle) population in particular has been hampered by illegal persecution.



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