



# Wildlife Crime in Scotland

## 2018 Annual Report



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

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

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

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## Ministerial Foreword



For the seventh year, the Scottish Government annual wildlife crime report brings to the forefront an area of crime that the Scottish people want to see eradicated.

Once again, the report provides important information to the public, stakeholders and the Scottish Parliament on wildlife crime in Scotland. Building on the data provided by previous reports, it's aim is to highlight trends and encourage discussion on how best further to reduce crime in this area.

This report covers the 2018 calendar year, using recorded statistical data from the 2017-2018 financial year. Following a fall in recorded wildlife crime incidents for the last two years, it is distressing to see this number rise by 2% in 2017-18. It is disappointing that wildlife crime and raptor persecution continue to threaten Scotland's natural heritage and risk damaging the reputation of our country.

Alongside crimes against birds, fish poaching was the highest category crime although I am pleased that numbers have reduced for the third year running - down from 101 offences in 2014-15 to 45 offences in 2017-18. This underlines the continued essential work carried out through the partnership of Police Scotland, Fisheries Management Scotland and District Salmon Fisheries Boards.

While it is encouraging not to see a return to previous higher levels of wildlife crime incidents, it is important to explain that this is not the whole picture and that the Scottish Government remains committed to taking action to tackle this problem.

As with any other area, crimes recorded by the Police do not reveal the incidence of all crime committed since not all crimes are reported to the Police or Scottish SPCA. The very nature of wildlife crime does not lend itself to detection, usually occurring in remote areas where witnesses are rare and where evidence is often exposed to the elements.

It is disappointing that, again, there continues to be persecution of birds of prey. Recorded bird of prey cases more than doubled, from 11 in 2016-17 to 24 in 2017-18, with one incident accounting for almost half of this number.

In 2018, we also saw eight satellite-tagged raptors disappearing in suspicious circumstances: two golden eagles and six hen harriers. In all cases, their tags were functioning as expected, then stopped suddenly with no indications of technical malfunction. These circumstances strongly suggest that many of these incidents may be the result of illegal killing of these birds.

I have stated repeatedly that I want to put an end to this type of crime, to make Scotland a safer place for golden eagles, our iconic national bird, and for all wildlife. The Scottish Government has put in place a range of measures to tackle wildlife crime over the years, including: being the first country in the UK to prevent

the use of General Licences by those convicted of wildlife crimes; arranging a pesticide disposal scheme; commissioning a review of golden eagle disappearances; commissioning an independently-led review of grouse moor management; strengthened the resources available to law enforcement; increased the deployment of wildlife crime trained police officers; and established the specialist wildlife and environmental crime prosecution unit.

But we are not complacent. While it's for the sheriff or judge who has heard a case, acting independently of any other person, to determine what sentence should be imposed, we are increasing the maximum penalties available for the most serious wildlife crimes to give the courts enhanced powers to deal appropriately with cases such as those involving cruel and sadistic behaviour. The Animals and Wildlife (Penalties, Powers and Protections) Bill will also, in addition to a suite of measures to protect domestic and companion animals, extend the time for these crimes to be investigated.

As always, recognition and thanks must go to our key partners in law enforcement and all the others involved, including Scottish Natural Heritage and Scottish SPCA. Their ongoing commitment and hard work is crucial in our efforts to tackle wildlife crime.

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

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

# 1. Introduction

## Legislative requirement of annual report

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

## Wildlife crime

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

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

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

## Outline of report

The report is divided into two main parts:

- Chapters 2-4 contain evidence on the level and nature of wildlife crime and prosecutions, supported by additional detail where it is available and relevant. This information covers the financial year 2017-18, 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 2018 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	<p>Number of people proceeded against and those with a conviction</p> <p>Types of punishment issued in courts</p>
SASA	<p>Wildlife DNA forensic cases</p> <p>Pesticide abuse incidents including bird of prey poisoning data</p>
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)	<p>Freshwater pearl mussel (FWPM) incidents</p> <p>Health of the species</p> <p>General licence restrictions</p>
Police Scotland	<p>Disaggregated recorded crime data by species, type of wildlife crime</p> <p>Firearms restrictions</p>
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 2017-18. These recorded crime statistics are Scottish Government statistical output derived from Police Scotland's recorded crime database.

In 2017-18 there were 236 offences relating to wildlife recorded by the police. This is a slight increase of 2% in comparison with 2016-17 (231 recorded offences).

Fish poaching and crimes against birds were the most commonly recorded type of offence (45 each), although both figures were down from 2016-17 (34% and 10% respectively). Reported badger crime saw a marked increase in 2017-18 rising to 14 offences from six in 2016-17.

**Table 1: Wildlife crime recorded by Police Scotland, 2013-14 to 2017-18**

Offences relating to:	2013-14	2014-15	2015-16	2016-17	2017-18
Badgers*	7	5	4	6	14
Birds	53	49	46	50	45
Conservation (protected sites)	1	1	5	1	5
Cruelty to wild animals	22	38	23	24	32
Deer	20	24	13	14	18
Fish poaching	90	101	75	68	45
Hunting with dogs	29	20	42	22	41
Poaching and game laws	4	2	-	6	3
Other wildlife offences	29	44	53	40	33
<b>Total</b>	<b>255</b>	<b>284</b>	<b>261</b>	<b>231</b>	<b>236</b>

**Source: Recorded Crime in Scotland, 2017-18**

\* 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 2017-18.

**Table 2: Wildlife crime recorded, by Police Scotland Division, 2017-18**

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	-	-	2	-	2	1	-	-	2	1	-	4	14
Birds	6	1	2	4	-	3	3	-	10	-	-	2	14	45
Conservation (protected sites)	-	1	-	-	-	2	-	-	-	-	-	1	1	5
Cruelty to wild animals	5	4	5	-	-	6	-	-	4	2	2	1	3	32
Deer	-	1	-	2	1	-	-	-	7	3	-	1	3	18
Fish poaching	5	3	9	-	-	-	5	-	18	-	2	1	2	45
Hunting with dogs	12	-	-	1	-	9	-	-	-	1	-	7	11	41
Poaching and game laws	1	-	-	-	-	-	-	-	1	-	-	-	1	3
Other wildlife offences	9	-	-	1	1	2	3	-	1	-	-	14	2	33
<b>Total</b>	<b>40</b>	<b>10</b>	<b>16</b>	<b>10</b>	<b>2</b>	<b>24</b>	<b>12</b>	<b>0</b>	<b>41</b>	<b>8</b>	<b>5</b>	<b>27</b>	<b>41</b>	<b>236</b>

**Source: Recorded Crime in Scotland, 2017-18**

The highest number of wildlife offences in 2017-18 were recorded in Highland & Islands and the Lothians & Scottish Borders (41 each), followed by North East (40) and Tayside (27). Table 2 also shows that almost half of all fish poaching offences were recorded in the Highland & Islands (18 of 45). 31% of all offences relating to birds were recorded in the Lothians & Scottish Borders.

## 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 2017-18

Table 3 shows the breakdown of wildlife cases received by COPFS in each of the financial years 2013-14 to 2017-18, following the standard categories used elsewhere in this report. Further information on the COPFS data is available in Appendix 2 - Notes and Definitions for COPFS Data.

**Table 3: Wildlife cases received by COPFS in 2013-14 to 2017-18**

Offence relating to:	2013-14	2014-15	2015-16	2016-17	2017-18
Badgers	-	*	*	*	*
Birds	21 (6)	17	15 (5)	24	13
Cruelty to wild animals	*	11	*	8	-
Deer	*	*	*	*	*
Fish poaching	60	38	30	35	18
Hunting with dogs	13	6	15	7	22
Other wildlife offences	17	17	20	14	10
Other conservation offences	-	-	*	*	-
<b>Total</b>	<b>125 (13)</b>	<b>98 (7)</b>	<b>90 (9)</b>	<b>94 (5)</b>	<b>67</b>

**Source: Crown Office and Procurator Fiscal Service**

\*= data suppressed. See Appendix 2.

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

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

**Table 4: Outcomes of all wildlife cases reported to COPFS in 2013-14 to 2017-18**

All reports	2013-14	2014-15	2015-16	2016-17	2017-18
No action	30	24	40	27	30
Alternative to prosecution	30	34	27	35	23
Prosecuted	65 (7)	40	23	32	14
of which convicted	47	28	16	25	*
<b>No. of reports received</b>	<b>125 (13)</b>	<b>98 (7)</b>	<b>90 (9)</b>	<b>94 (5)</b>	<b>67</b>

**Source: Crown Office and Procurator Fiscal Service**

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

The following information relates to cases reported in 2017-18.

Prosecution in court was undertaken in 14 cases (21% of cases received). Of these:

- Fewer than five cases resulted in an acquittal of all charges; and
- Proceedings were not persisted with in fewer than five cases where, for example, following review, the prosecutor concluded that there was insufficient admissible evidence.

23 cases were dealt with by an alternative to prosecution (34% of cases received). Disposals of these cases included warning letters (issued in 10 cases, i.e. 15% of cases received) and fiscal fines (issued in 13 cases i.e. 19% of cases received).

No action for alleged wildlife offending was taken in 30 cases (45% of cases received). In the majority of those cases, no action was taken for alleged wildlife offences 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;
- instances where there was insufficient evidence to permit proceedings; and
- instances where the delay in reporting was such that prosecutorial action was no longer justified in the particular circumstances.

Further information about cases received in 2017-18 is as follows:

- A total of 13 reports (19% of cases received) related to incidents involving wild birds, their nests or eggs.
- 5 reports (7% of cases received) included alleged offences involving birds of prey.
- 24 cases (36% of cases received) involved dogs.
- 25 cases (37% of cases received) involved activity targeting hares or rabbits.

- The majority of cases in the "Hunting with dogs" category related to allegations of hare coursing.
- "Other wildlife offences" included alleged COTES offences, contraventions of the Conservation (Natural Habitats etc.) Regulations 1994 and releasing or allowing to escape, an animal included in Part I of Schedule 9 to the Wildlife and Countryside Act 1981.

The subject matter of other reports included circumstances involving badgers, the use of traps, allegations of fox hunting 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**

- An individual was found in possession of fishing tackle in circumstances which afforded reasonable grounds for suspecting that they had obtained possession of the items as the result, or for the purpose, of committing an offence under provisions of the Act, in contravention of section 9(1) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003. The Sheriff imposed a community payback order with a requirement to carry out 60 hours of unpaid work.
- An individual was fined £200 for an offence under section 9(1) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003 after being found in possession of an illegal fish bait containing Atlantic salmon roe.

#### **Hare Coursing**

- An individual was found guilty following trial of deliberately hunting a hare with three dogs, in contravention of section 1(1) of the Protection of Wild Mammals (Scotland) Act 2002 and fined £1500.
- An individual pleaded guilty to contravening section 11G(1) of the Wildlife and Countryside Act by hunting a hare with a lurcher type dog, which caught the hare; and section 1(1) of the Protection of Wild Mammals (Scotland) Act 2002, by deliberately hunting, on another occasion, a hare with two dogs. The individual received concurrent sentences of 75 days and 100 days imprisonment respectively for each offence.

#### **Raptor Persecution**

- An individual was found guilty following trial of recklessly shooting a buzzard whereby it was so severely injured that it required to be euthanised, in contravention of section 1(1)(a) of the Wildlife and Countryside Act 1981. The incident occurred as part of an organised shooting event. The individual indicated he thought a pheasant had been shot, not a buzzard. The court imposed a £500 fine.

## 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 2013-14 and 2017-18. 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>, 2013-14 to 2017-18**

Offences relating to:	2013 -14	2014 -15	2015 -16	2016 -17	2017 -18	Last five financial years	
						Total proceedings	Conviction rate
Badgers	-	2	-	-	2	4	75%
Birds	10	8	5	4	3	30	83%
Cruelty to wild animals	4	3	6	2	5	20	70%
Deer	5	2	-	1	1	9	78%
Hunting with dogs	9	3	5	8	4	29	76%
Fish poaching	43	19	8	5	5	80	81%
Other wildlife offences	9	14	1	3	9	36	72%
<b>Total proceeded against</b>	<b>80</b>	<b>51</b>	<b>25</b>	<b>23</b>	<b>29</b>	<b>208</b>	<b>78%</b>
<b>Total guilty</b>	60	35	20	22	25		
<b>% guilty</b>	<b>75%</b>	<b>69%</b>	<b>80%</b>	<b>96%</b>	<b>86%</b>		
<i>Total number of offences proceeded against<sup>2</sup></i>							
	168	158	73	59	55		
<i>Total number of offences found guilty<sup>2</sup></i>							
	100	66	33	32	26		
<i>% guilty<sup>2</sup></i>	60%	42%	45%	54%	47%		

**Source: Scottish Government Criminal Proceedings Database**

<sup>1</sup> Where main charge

<sup>2</sup> All charges

There were 29 people proceeded against for wildlife related offences in 2017-18, a 26% increase from 2016-17 (23 people). The largest decrease for specific categories was in 'hunting with dogs' (four persons proceeded against compared to eight in 2016-17). There was, however, an increase in the number of proceedings for other wildlife offences, up to nine in 2017-18 from three in 2016-17.

Conviction rates for individual wildlife crime categories have been presented as a five year average due to the small numbers of proceedings for some categories. This shows that conviction rates are broadly similar among these categories, varying from 70% to 83%.

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 2017-18 court proceedings were held covering a total of 55 wildlife crime offences, in comparison to the 29 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 68% of convictions receiving this type of penalty in 2017-18, identical to 2016-17.

**Table 6: People with a charge\* proved for wildlife crimes in Scottish Courts, by main penalty, 2013-14 to 2017-18**

	2013-14	2014-15	2015-16	2016-17	2017-18
People proceeded against	80	51	25	23	29
People with a charge proved	60	35	20	22	25
<i>Of which received:</i>					
Custody	1	1	1	1	2
Community sentence	4	2	4	5	3
Monetary	43	28	11	15	17
Other	12	4	4	1	3

**Source: Criminal Proceedings Statistics**

\* Where main charge

In Table 7, aggregate totals for the five years from 2013-14 to 2017-18 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 3.7% 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, 2013-14 to 2017-18**

Offences relating to:	2013-14 to 2017-18 totals					Average	
	Total with a charge proved	Custody	Community sentence	Monetary	Other	Custodial sentence length (days)	Monetary fine (£)
Badgers	3	-	2	1	-	-	300
Birds	25	1	4	16	4	122	1,113
Cruelty to wild animals	14	1	3	8	2	126	555
Deer	7	-	1	6	-	-	446
Hunting with dogs	22	4	4	14	-	147	820
Fish poaching	65	-	1	48	16	-	218
Other wildlife offences	26	-	3	21	2	-	613
<b>Totals</b>	<b>162</b>	<b>6</b>	<b>18</b>	<b>114</b>	<b>24</b>	<b>139</b>	<b>527</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 financial years 2013-14 to 2017-18, divided into the UK wildlife crime priorities.

**Table 8: Wildlife DNA Forensic Unit cases from Scotland, 2013-14 to 2017-18**

Category	Scottish cases				
	2013-14	2014-15	2015-16	2016-17	2017-18
Badger persecution	4	1	-	-	1
Bat persecution	-	-	-	-	-
CITES	1	-	2	1	1
Freshwater pearl mussels	-	-	-	-	-
Poaching and coursing	6	1	-	3	3
Raptor persecution	4	10	5	4	5
Other wildlife crime	2	-	-	4	1
Other (e.g. animal cruelty)	1	2	-	2	-
<b>Total</b>	<b>18</b>	<b>14</b>	<b>7</b>	<b>14</b>	<b>11</b>

Source: SASA

There were several cases of interest during the 2017-18 financial year. One involved the examination of various items of clothing and tools in an investigation into illegal hunting with dogs – DNA from badgers, roe deer and brown hare was recovered from several items, refuting the suspect's claim that they had only been in contact with rabbits.

Another investigation into a fishing offence recovered a suspected fish roe bait, and analysis confirmed the presence of Atlantic salmon DNA in the roe bait. Finally, one case brought a completely new species to the unit – an investigation into the illegal hunting of a bean goose, *Anser fabilis*. Standard tests could not differentiate bean goose from other, unprotected goose species – in spite of the generous provision of reference material by the Wildfowl and Wetlands Trust - and so unfortunately no DNA evidence could assist with this investigation.

The range of offences that could require analysis of animal DNA evidence require this unit to continually assess their capability with new species. In some instances it is possible to work with new species using standard tests, and in other cases new tests must be developed and validated in order to be used in a forensic investigation. A balance must be struck between the cost of developing new tests and the frequency the new test may be used in casework.

In this instance, the cost of development of a bean goose test would have been too high for this one case, but if further cases are identified this decision may be revised.

In June 2017, we organised Society for Wildlife Forensic Sciences meeting in Edinburgh, bringing colleagues from over 30 countries together to share knowledge and develop this relatively new field of forensic investigation.

## **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 2013-14 to 2017-18 and summarises those incidents, categorised as abuse<sup>†</sup>, that are considered to be wildlife crimes because of the species or pesticide involved. Annually, the branch investigates in the region of 170-230 incidents.

The number of poisoning abuse incidents did not change from 2016-17 to 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 (24) followed by companion animals (16). Bird of prey poisoning incidents are covered further in the Raptor Persecution section of this report.

**Table 9: Pesticide incidents in Scotland 2013-14 to 2017-18**

	2013-14	2014-15	2015-16	2016-17	2017-18
Number of incidents investigated during financial year *	194	192	215	205	184
Number of incidents attributed to pesticides	18	16	27	20	17
<b>Category – Abuse</b>	<b>13</b>	<b>9</b>	<b>15</b>	<b>10</b>	<b>10</b>
% abuse	7	5	7	5	5
No. of abuse incidents involving birds of prey	6	6	5	3	4
No. of abuse incidents involving other birds **	2	-	-	1	-
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	-	-	-	-	-

**Source: SASA**

\* Excludes honeybees and incidents where no analyses were undertaken

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

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

### 3.2 SAC Consulting Veterinary Services



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

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

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

In 2017-18, a total of 135 cases were submitted, of which 31 cases involved mammals and 104 involved birds. These are shown in Table 10 below.

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 carcass can survive for long periods in apparently good condition after death, which can give a superficial appearance of an intact and potentially usable carcass 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, 2013-14 to 2017-18**

	2013-14	2014-15	2015-16	2016-17	2017-18
Total wildlife cases examined as possible wildlife crimes	199	158	225	172	135*
Total mammal cases	50	41	45	49	31*
Total mammal cases identified by postmortem as crime related	25	26	23	11	13*
% of mammal cases identified by post mortem as crime related	50%	63%	51%	22%	42%
Total bird cases	149	117	180	123	104
Total bird cases identified by post mortem as crime related	21	30	22	13	18
% of bird cases identified by post mortem as crime related	14%	26%	12%	11%	17%

**Source: SAC Consulting Veterinary Services**

\*Please note: One further submission, not included in the statistics above, involved a number of meat balls composed of ground red meat, which were found to contain poison. The intended target, whether wild mammals or pets, was not known, so this is included as an addendum: intentional harm to companion animals is not included in the SAC wildlife crime statistics.

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 2017-2018 has covered a wide range of species including squirrels, hares, otters, badgers, foxes, and deer. With regard to the causes of death or injury, dog attack 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, suspected intentional attack by a person or persons, and dog attack.

In cases where the cause of death was recorded as "shooting" either for birds or mammals, a mixture of suspected rifle, shotgun, air gun and crossbow injuries were represented. Poison abuse incidents are confirmed by testing at SASA and so the same cases referred to here also appear in Table 23.

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



## Scottish Natural Heritage Dualchas Nàdair na h-Alba

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

As part of a package of anti-wildlife crime measures announced by the Minister for Environment and Climate Change, SNH announced in 2014 that they would prevent the use of general licences to trap or shoot wild birds on land where there is evidence of wildlife crime against birds. Police Scotland will share information with SNH where it may prove to be of assistance in deciding on the use of these restrictions. The measures were back-dated to 1 January 2014, allowing action to be taken where there is evidence of relevant offences from that date onwards.

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

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

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. Details of these can be found on the SNH 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 (Scottish SPCA)

# SCOTTISH SPCA

## Scotland's Animal Welfare Charity

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

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

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

The Scottish SPCA's animal helpline received over 210,000 calls between April 2017 and March 2018. Although the number of calls to the animal helpline has decreased by almost 15% 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 remaining roughly the same as the previous year.

The SIU estimate that between April 2017 and March 2018 they received:

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

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

**Table 11: Wildlife incidents identified by SIU as crimes from April 2017 to March 2018**

Type of wildlife crime	Pieces of information identified as crime	Reported to COPFS
Badger persecution	23	6
Illegal trade (CITES)	-	-
Raptor Persecution	7	-
Bat Persecution	-	-
Poaching and coursing	8	-
Freshwater pearl mussels	-	-
Other	45	-
<b>TOTAL</b>	<b>52</b>	<b>6</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 2017 – March 2018) although these reports were submitted to the fiscal after 31<sup>st</sup> March 2018.

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

Significant wildlife cases in 2017-18 included an individual reported for the illegal use of Carbofuran, illegal snaring and shooting. This was carried out as a joint case with Police Scotland investigating a gamekeeper based on a shooting estate. The individual was also keeping a European Eagle Owl in unacceptable living conditions and was believed to be using this as a decoy bird. He was reported for the killing of over 20+ animals including several species afforded special conditions under the Wildlife and Countryside Act 1981.

Another case focused on an individual responsible for causing animals to fight. The investigation into this individual revealed that he was responsible for the killing of a number of species including badgers, foxes and deer. This investigation also led to a further 2 cases being identified where individuals were found to be responsible for keeping or training animals for the purpose of an animal fight. Through the analysis of phone footage and seized evidence it is understood that these individuals are responsible for killing over 30 wild animals in Scotland.

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

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

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

**Table 12: Wildlife crime investigations dealt with by SIU, 2013-14 to 2017-18**

	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>
Incidents investigated solely by SIU	69	92	96	73	88
Number of cases reported to COPFS	10	6	10	4	-
% reported to COPFS	14%	7%	10%	5%	0%
Police Scotland-led investigations assisted by SIU	70	49	19	42	37
<b>Total</b>	<b>139</b>	<b>141</b>	<b>115</b>	<b>115</b>	<b>125</b>

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

### 3.6 National Wildlife Crime Unit (NWCU)



## uk | National Wildlife Crime Unit

The National Wildlife Crime Unit has a dedicated intelligence function. In the 2017-18 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
- Hotspot mapping completed for the South Scotland Golden Eagle project.
- Hare Coursing analysis for Police Scotland to provide focus for their proactive days of action.
- 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.
- Responses to statistical queries from academics/media organisations where possible.

In addition, the NWCU's Scottish Investigative Support Officer (SISO) provides advice and 'on the ground' support for wildlife crime investigations. In 2017-18, the NWCU SISO was involved in casework as well as the strategic development of wildlife crime enforcement and intelligence sharing. The SISO gave advice and assistance to Police Scotland Wildlife Crime Liaison Officers and other organisations on numerous occasions and on a variety of subjects including bird, badger, bat, non-native species, freshwater pearl mussel crime, traps, snares, fox hunting, wildlife disturbance, coastal crime and trading in endangered species (CITES).

Throughout the year, contributions were provided to several operations involving CITES and raptor crime and the annual delivery of Operation Easter to target egg thieves and nest disturbance during the bird breeding season. Crime prevention measures were initiated to mitigate the risks that persecution posed to the South of Scotland Golden Eagle project on both sides of the border. Several searches were undertaken around raptor and badger 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 (Poaching & Coursing, Media, Freshwater Pearl Mussel and Raptor), Heads up for Harriers project and General Licence restrictions.

The NWCU works with Police Scotland to produce intelligence products which are based upon analysis of intelligence. Table 13 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 2017-18**

<b>Keyword</b>	<b>Intelligence logs</b>	<b>% of total</b>
Hare	156	28.6%
Deer	84	15.4%
Fish	70	12.8%
Badger	26	4.8%
Raptor/Bird of Prey	24	4.4%
CITES	10	1.8%
FWPM/Pearl Mussel	1	0.2%
Bat	-	0.0%
All ‘other’ wildlife	174	31.9%
<b>Total</b>	<b>545</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 2013-14 to 2017-18.

**Table 14: Most common priority NWCU intelligence logs 2013-14 to 2017-18**

<b>Year</b>	<b>Three most common priority intelligence types (as a percentage of the total number of intelligence logs)</b>
2013-14	Fish (20%), deer (16%) and raptor/bird of prey (10%)
2014-15	Fish (18%), raptor/bird of prey (12%) and deer (11%)
2015-16	Fish (21%), hare (17%) and deer (16%)
2016-17	Hare (23%), fish (18%) and deer (17%)
2017-18	Hare (29%), deer (15%) and fish (13%)

**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.

SNH have provided a 'Health of Species' appraisal in Appendix 4, for those priority species that fall within SNHs remit: badger, bats, freshwater pearl mussels, deer, brown hare and key raptors. This appraisal is intended to give an overview of current population trends, factors affecting the health of the species and the relative impact of wildlife crime on the conservation status and is in response to an Environment, Climate Change and Land Reform Committee request for this contextual information.

#### 4.1 Police Scotland disaggregated data

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 2013-14 to 2017-18**

Type of crime	Number of offences				
	2013-14	2014-15	2015-16	2016-17	2017-18
Badger persecution	7	4	7*	6	15
Bat persecution	3	-	2	-	1
CITES	20	10	5	6	2
Freshwater pearl mussels	2	5	1	2	1
Poaching and coursing	165	159	140	115	127
Raptor persecution	25	31	25	11	24
Not related to Priority Area	43	69	78	91	63
No crime recorded	-	-	3	-	2
<b>Total</b>	<b>265</b>	<b>278</b>	<b>261</b>	<b>231</b>	<b>235</b>
<i>Additional breakdowns</i>					
Trapping/snaring (all species)*	19	27	15	15	15
Fox hunting	-	2	4	2	6
Hunting with dogs (all Protection Wild Mammals Act offences)	-	-	44	22	41
<b>Total</b>	<b>19</b>	<b>29</b>	<b>63</b>	<b>39</b>	<b>62</b>

**Source: Police Scotland**

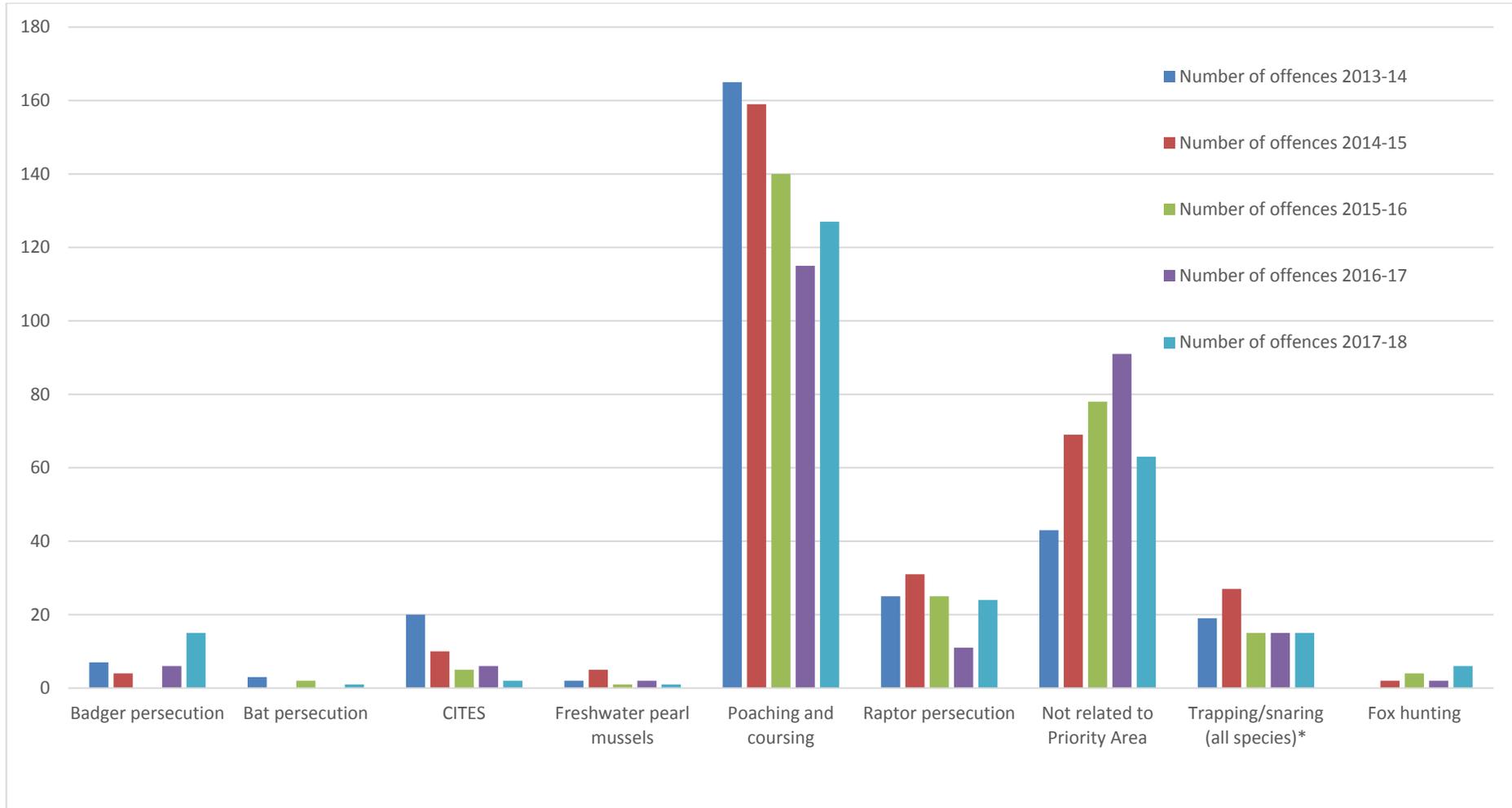
\* All Offences involving badgers. These offences may be duplicated elsewhere, e.g. illegal killing of a badger by snaring would be recorded in 'Badger persecution' and 'Trapping/snaring'

**Table 16: Quarterly Police Scotland data for 2017-2018**

Type of crime	Number of offences			
	2017-18			
	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar
Badger persecution	7	1	5	2
Bat persecution	-	-	1	-
CITES	2	-	-	-
Freshwater pearl mussels	-	-	-	1
Poaching and coursing	50	34	24	19
Raptor persecution	18	-	4	2
Not related to Priority Area	28	14	11	10
<b>Total</b>	<b>105</b>	<b>49</b>	<b>45</b>	<b>34</b>
<i>Additional breakdowns</i>				
Trapping/snaring (all species)*	8	2	1	4
Fox hunting	-	1	3	2
Hunting with dogs (all Protection Wild Mammals Act offences)	13	9	12	7
<b>Total</b>	<b>21</b>	<b>12</b>	<b>16</b>	<b>13</b>

**Source: Police Scotland**

**Figure 1: Police Scotland disaggregated offence data from 2013-14 to 2017-18**



**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 15 offences relating to badger persecution recorded by Police Scotland in 2017-18, compared to six in 2016-17. Eight of these offences were in relation to damage to a badger sett. Table 18 provides a quarterly breakdown of offences.

**Table 17: Badger offences 2017-18 by Police Scotland Division**

Police Division	Type of offence	Number of offences
Argyll and West Dunbartonshire	Killing	2
Dumfries and Galloway	Digging, damage and obstruction to sett	1
	Killing	1
Fife	Digging, damage and obstruction to sett	1
	Killing	1
Forth Valley	Killing	1
Lanarkshire	Digging, damage and obstruction to sett	1
Lothians and Scottish Borders	Digging, damage and obstruction to sett	2
	Killing	2
North East	Digging, damage and obstruction to sett	2
Renfrewshire and Inverclyde	Digging, damage and obstruction to sett	1
<b>Total</b>		<b>15</b>

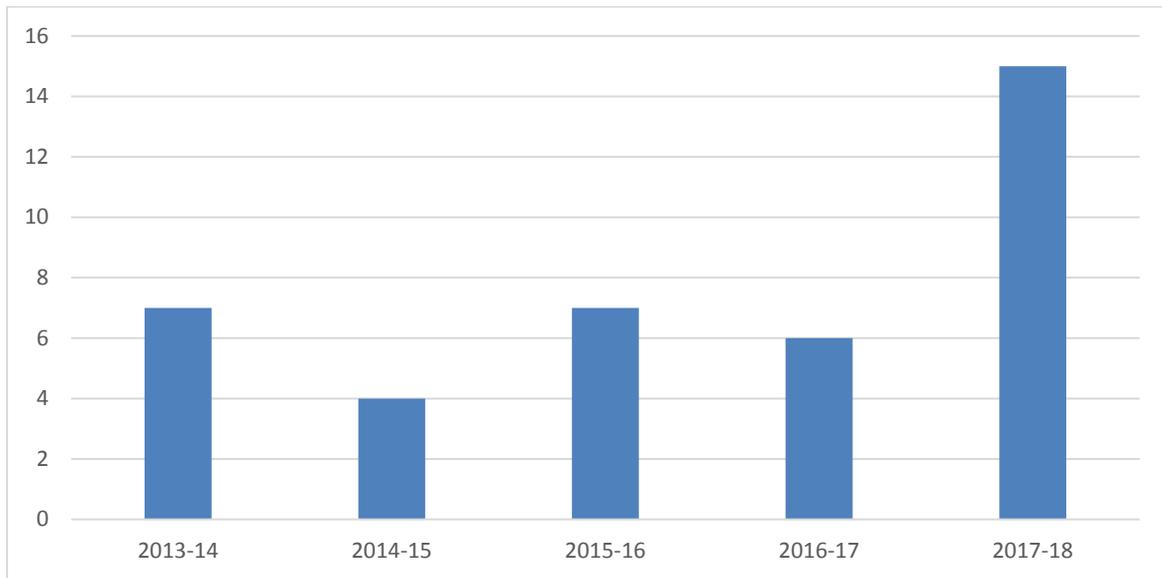
Source: Police Scotland

**Table 18: Badger offences 2017-18 by species and quarterly breakdown**

Type of Crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Digging, damage and obstruction to sett	1	1	4	2	8
Killing	6	-	1	-	7
<b>Total</b>	<b>7</b>	<b>1</b>	<b>5</b>	<b>2</b>	<b>15</b>

Source: Police Scotland

**Figure 2: Police Scotland disaggregated offence data for badger persecution 2013-14 to 2017-18**



**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

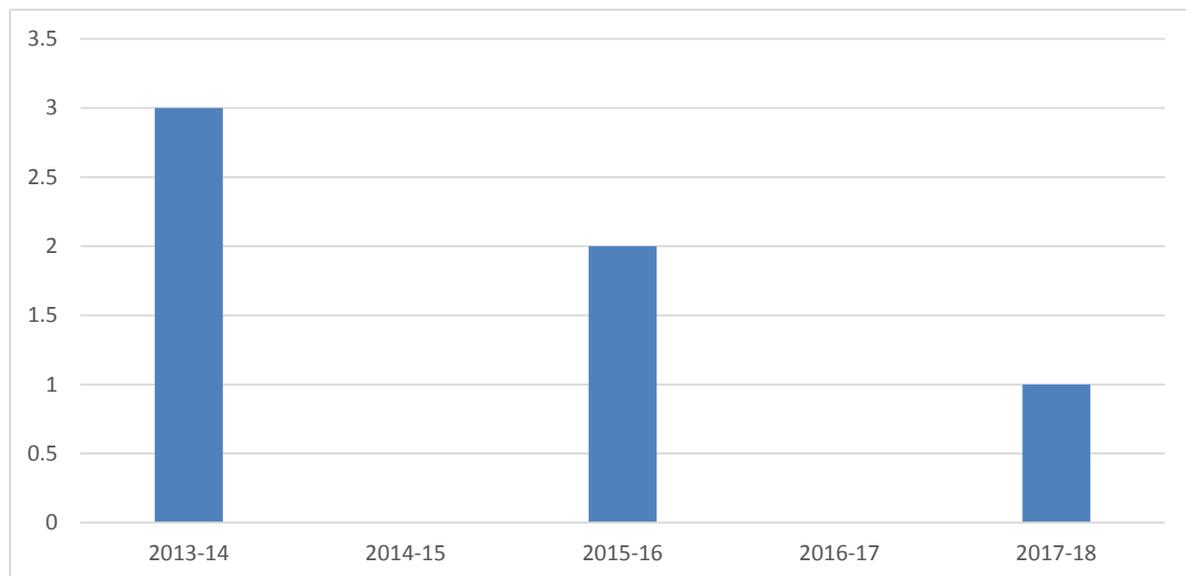
Table 19 and figure 3 show that there was one offence involving bat persecution recorded by Police Scotland in 2017-18.

**Table 19: Bat offences 2017-18 by Police Scotland Division**

Police Division	Type of offence	Number of offences
Highland and Islands	Destruction of roost	1
<b>Total</b>		<b>1</b>

Source: Police Scotland

**Figure 3: Police Scotland disaggregated offence data for bat persecution 2013-14 to 2017-18**



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

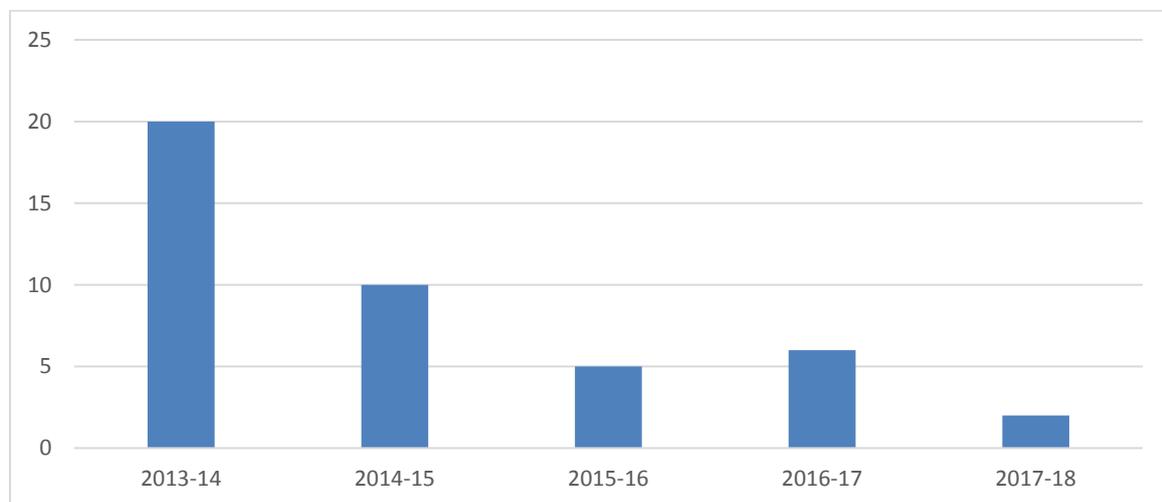
Table 19 and figure 4 show that two CITES-related offences were recorded by Police Scotland in 2017-18, compared to six in 2016-17.

**Table 19: Summary of 2017-18 CITES offences**

Police Division	Type of Offence	Date
Edinburgh	Sale of endangered species	June 2017
Highland and Islands	Jaw/teeth removed from dead whale	April 2017

**Source: Police Scotland**

**Figure 4: Police Scotland disaggregated offence data for CITES 2013-14 to 2017-18**



**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

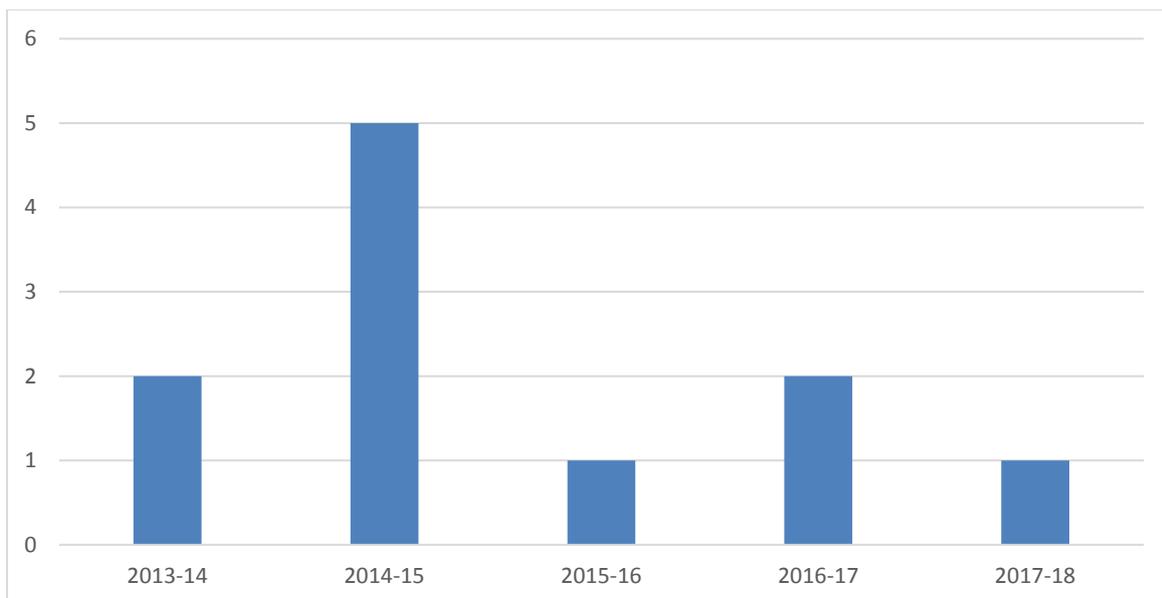
Police Scotland recorded one offence in relation to FWPM during 2017-18 following the discovery of historic taking of FWPM. This compares to two offences in 2016-17.

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

Police Division	Type of Offence	Date
Highland and Islands	Discovery of historical kills of FWPM at locus	Mar-18

Source: Police Scotland

**Figure 5: Police Scotland Disaggregated Offence Data for freshwater pearl mussels for 2013-14 to 2017-18**



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 2017-18, 127 poaching and coursing offences were recorded by Police Scotland, compared to 115 offences in 2016-17. Table 21 shows the North East Division has the highest number of recorded hare coursing offences at 25, while Highland and Islands has the highest number of recorded fish poaching offences at 17.

Table 22 shows that hare coursing offences are the most commonly recorded at 60 offences, while fish poaching accounted for a further 44 offences. Most fish poaching offences were in relation to salmon, and all poaching offences show a seasonal bias towards the months from April to September.

**Table 21: Poaching and coursing offences 2017-18 by Police Scotland Division**

Police Division	Target Species	Number of offences
Argyll and West Dunbartonshire	Deer	1
	Fish	3
Dumfries and Galloway	Deer	3
	Unknown	1
Edinburgh	Deer	1
Fife	Hare	11
Forth Valley	Fish	4
	Hare	3
Highland and Islands	Deer	8
	Fish	17
Lanarkshire	Deer	4
	Fish	10
North East	Fish	5
	Hare	25
Renfrewshire and Inverclyde	Fish	2
Tayside	Deer	2
	Fish	1
	Hare	11
The Lothians and Scottish Borders	Deer	3
	Fish	2
	Hare	10
<b>Total</b>		<b>127</b>

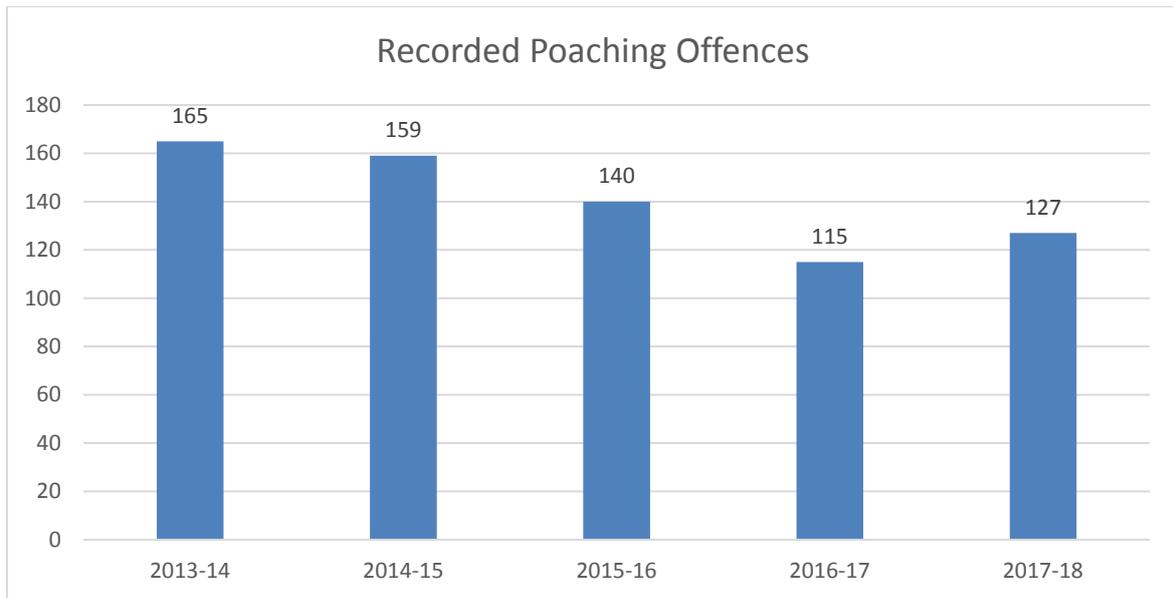
Source: Police Scotland

**Table 22: Poaching offences 2017-18 by species and quarterly breakdown**

Target Species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Deer	5	5	6	6	22
Fish	20	17	4	3	44
Hare	25	12	14	9	60
Unknown	-	-	-	1	1
<b>Total</b>	<b>50</b>	<b>34</b>	<b>24</b>	<b>19</b>	<b>127</b>

Source: Police Scotland

**Figure 6: Police Scotland disaggregated offence data for poaching and coursing 2013-14 to 2017-18**



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 2013-14 and 2017-18, alongside the number of incidents which resulted in these poisonings. The figures show that buzzards (21) remain the most commonly recorded victim of illegal poisoning over the five year period, followed by red kites (18) and Peregrine falcons (3).

**Table 23: Bird of prey poisonings, Scotland, 2013-14 to 2017-18**

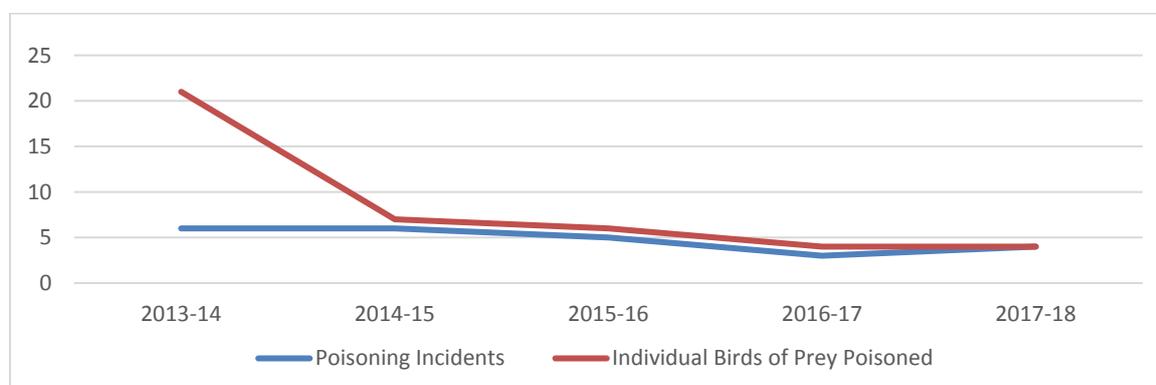
Year	Number of birds of prey poisoned (by species)					Number of Incidents*
	Buzzard	Red kite	Golden eagle	Peregrine falcon	All	
2013-14	7	12	1	1	21	6
2014-15	3	3	-	1	7	6
2015-16	5	1	-	-	6	5
2016-17	3	1	-	-	4	3
2017-18	3	1	-	-	4	4
<b>Total</b>	<b>21</b>	<b>18</b>	<b>1</b>	<b>2</b>	<b>42</b>	<b>24</b>

Source: Science and Advice for Scottish Agriculture (SASA)

\*One incident may involve more than one bird

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

**Figure 7: Bird of prey poisonings 2013-14 to 2017-18**



Source: SASA

### Recorded crimes

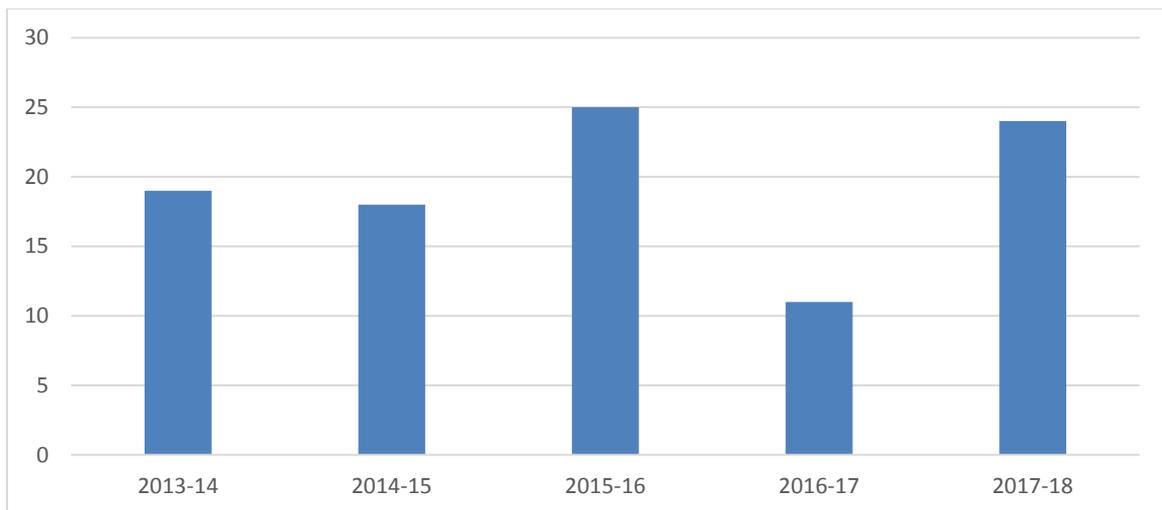
Recorded raptor persecution offences more than doubled in 2017-18, with 24 offences recorded compared to 11 in 2016-17.

Figure 8, table 24 and table 25 show a summary of bird of prey incidents recorded by Police Scotland from 2013-18 and offences recorded in 2013-18. 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 31 of the 98 cases) was the species most commonly affected over the five year period.

Shooting remains the highest recorded crime type for the period (31), 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.

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

**Figure 8: Recorded Bird of prey incidents 2013-14 to 2017-18**



**Source: Police Scotland**

**Table 24: Recorded bird of prey cases in Scotland, 2013-14 to 2017-18 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	Total
2013-14	8	2	2	2	-	-	1	1	-	1	1	-	-	1	-	19
2014-15	6	1	3	4	-	-	1	1	-	-	-	-	-	1	1	18
2015-16	12	2	1	4	-	-	1	1	-	2	1	-	-	-	1	25
2016-17	4	-	1	-	-	-	1	1	-	3	1	-	-	-	-	11
2017-18	1	2	1	1	1	1	1	-	1	1	-	1	1	-	12	24
<b>Total</b>	<b>31</b>	<b>7</b>	<b>8</b>	<b>11</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>14</b>	<b>97</b>

**Source: Police Scotland**

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

**Table 25: Recorded bird of prey cases in Scotland, 2013-14 to 2017-18 by type of crime**

	Number of Cases (by type of crime)						Total
	Disturbance	Egg theft	Other	Poisoning	Shooting	Trapping	
2013-14	2	-	-	6	8	3	19
2014-15	1	-	2	6	8	1	18
2015-16	3	-	3	6*	8	6*	25
2016-17	4	1	-	3	2	1	11
2017-18	3	1	11	2	5	2	24
<b>Total</b>	<b>13</b>	<b>2</b>	<b>16</b>	<b>23*</b>	<b>31</b>	<b>13*</b>	<b>97</b>

**Source: Police Scotland**

\* one incident involved both trapping and poisoning

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

Table 26 shows that The Lothians and Scottish Borders Division recorded the highest number of offences in relation to birds of prey with 13 offences of the 24 total.

**Table 26: Summary of recorded bird of prey offences in Scotland 2017-18 by Police Scotland Division**

Police Division	Target Species	Number of offences
Argyll and West Dunbartonshire	Hen Harrier	1
Dumfries and Galloway	Red Kite	1
Fife	Sea Eagle	1
Highland and Islands	Golden Eagle	1
	Osprey	1
	Raptor	1
Lanarkshire	Hen Harrier	1
	Peregrine	1
	Short eared owl	1
North East	Eagle	1
Tayside	Buzzard	1
The Lothians and Scottish Borders	Merlin	1
	Raptor	10
	Barn Owl	1
	unknown	1
<b>Total</b>		<b>24</b>

Source: Police Scotland

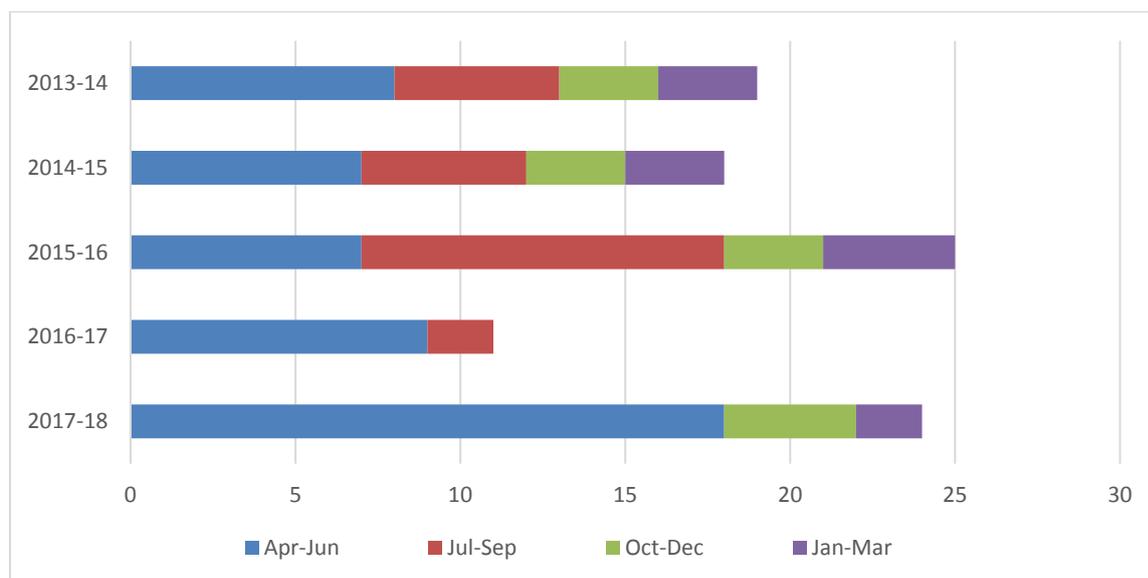
Table 27 and Figure 9 shows a majority of recorded bird of prey offences occurring during April to June, with 18 of the 24 total offences.

**Table 27: Bird of prey offences 2017-18 by species and quarterly breakdown**

Target species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Buzzard	-	-	1	-	1
Eagle	1	-	-	-	1
Golden Eagle	1	-	-	-	1
Hen Harrier	1	-	1	-	2
Merlin	1	-	-	-	1
Raptor	10	-	1	-	11
Peregrine	1	-	-	-	1
Osprey	1	-	-	-	1
Barn Owl	-	-	-	1	1
Red Kite	-	-	-	1	1
Sea Eagle	1	-	-	-	1
Short eared owl	1	-	-	-	1
unknown	-	-	1	-	1
<b>Total</b>	<b>18</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>24</b>

Source: Police Scotland

**Figure 9: Bird of prey offences quarterly breakdown 2013-14 to 2017-18**



**Source: Police Scotland**

Table 28 provides a detailed breakdown of bird of prey incidents for the financial year 2017-18. One incident may involve more than one bird, for example, the raptor incidents recorded in The Lothians and Scottish Borders in June 2017.

**Table 28: Details of recorded bird of prey incidents in Scotland 2017-18**

Species Targeted	Police Division	Type of offence	Month and year
Buzzard	Tayside	Poisoning	October 17
	North East	Disturbance	April 17
	Highlands and Islands	Egg Stealing	May 17
Hen Harrier	Argyll and West Dunbartonshire	Shooting	October 17
	Lanarkshire	Shooting	May 17
Merlin	The Lothians and Scottish Borders	Shooting	June 17
Osprey	Highlands and Islands	Disturbance	June 17
Peregrine	Lanarkshire	Disturbance	April 17
Raptor	Highlands and Islands	Trapping	June 17
	The Lothians and Scottish Borders	Other	December 17
	The Lothians and Scottish Borders*	Other*	June 17*
	The Lothians and Scottish Borders	Shooting	June 17
Barn Owl	The Lothians and Scottish Borders	Trapping	January 18
Red Kite	Dumfries and Galloway	Poisoning	March 18
Sea Eagle	Fife	Disturbance	May 17
Short Eared Owl	Lanarkshire	Shooting	June 17
Unknown	The Lothians and Scottish Borders	Other	December 17

**source: Police Scotland**

**\*This incident involved eight raptors and multiple types of offence**

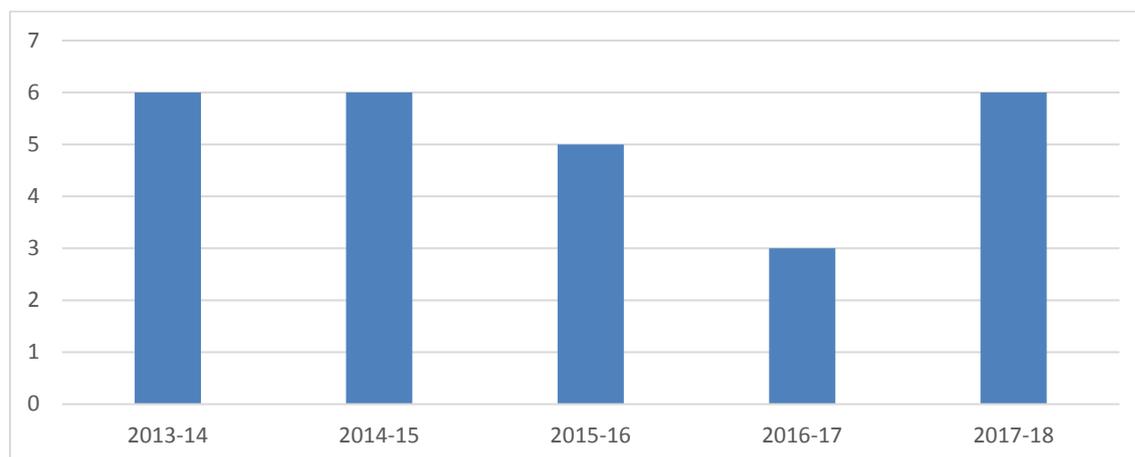
#### 4.8 Fox Hunting and the Protection of Wild Mammals (Scotland) Act 2002

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 that from the now disaggregated data from Police Scotland, Six of the 41 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 2017-18 (41) has almost doubled compared to 2016-17 (22). Hare coursing makes up the majority of these offences (32).

**Figure 10: Police Scotland offence data for fox hunting 2013-14 to 2017-18**



Source: Police Scotland

**Table 29\*: Protection of Wild Mammals (Scotland) Act 2002 ‘hunting with dogs’ offences 2017-18 by Police Scotland Division**

Police Division	Target species	Number of offences
Dumfries and Galloway	Unknown	1
Fife	Fox	3
	Hare	6
Lanarkshire	Roe deer	1
North East	Hare	12
Tayside	Deer	1
	Hare	6
The Lothians and Scottish Borders	Fox	3
	Hare	8
<b>Total</b>		<b>41</b>

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 2017-18 by species and quarterly breakdown**

Target Species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Deer	1			1	2
Fox	2		1	3	6
Hare	3	13	8	8	32
Roe Deer				1	1
Unknown	1				1
<b>Grand Total</b>	<b>7</b>	<b>13</b>	<b>9</b>	<b>12</b>	<b>41</b>

**Source: Police Scotland**

### **Prosecutions**

For the period 2010-2018, fewer than 5 cases relating to fox hunting were reported to COPFS.

## 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 15 offences were recorded for 2017-18. This remains unchanged from the previous two years with 15 offences recorded each for 2015-16 and 2016-17 but is also a decrease from the 27 offences recorded for 2014-15.

The Scottish SPCA identified four incidents relating to trapping or snaring offences which were investigated solely by its SIU inspectors.

In 2017-18, fewer than 5 cases related to trapping and snaring were reported to COPFS.

Table 31 shows that there is no spatial bias to recorded trapping and snaring offences in 2017-18.

**Table 31: Trapping and snaring offences 2017-18 by Police Scotland Division**

Police Division	Type of offence	Target Species	Number of offences
Argyll and West Dunbartonshire	Snare	Badger	2
	Snare	Unknown	2
Dumfries and Galloway	Snare	Badger	1
Fife	Snare	Unknown	2
Highlands and Islands	Larson Trap	Unknown	1
	Otter Trap	Otter	1
	Snare	Unknown	1
North East	Gin trap	cat	1
Renfrew and Inverclyde	Snare	Roe Deer	1
	Snare	Unknown	1
The Lothian and Borders	Snare	Unknown	1
	Multiple offences	Unknown	1
<b>Total</b>			<b>15</b>

source: Police Scotland

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

**Table 32: Trapping and snaring offences 2017-18 by quarterly breakdown**

Type of Crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Gin trap	-	1	-	-	1
Larson Trap	-	1	-	-	1
Multiple offences	-	-	-	1	1
Otter Trap	-	-	1	-	1
Snare	4	6	1	-	11
<b>Total</b>	<b>4</b>	<b>8</b>	<b>2</b>	<b>1</b>	<b>15</b>

**Source: Police Scotland**

## 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 2018, the Plenary group met in October 2018. The latest information on the activities and membership of the partnership is available on the PAW Scotland website at [www.PAW.Scotland.gov.uk](http://www.PAW.Scotland.gov.uk).

### PAW Scotland Sub-Groups

PAW Scotland operates a number of sub-groups focusing on a particular aspect of wildlife crime work. A summary of the 2018 work of these groups is provided below.

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

The Group met in February and November 2018. Discussions centred on progress towards legislation on various wildlife issues, including the protection of beavers and implementation of the Poustie Review, whilst the group noted developments such as the establishment of the Grouse Moor Management Review. Also considered was the position on environmental governance after Brexit, noting the commitments made in the “Backstop” to the Withdrawal Agreement agreed in late 2018 on the establishment of a body to enforce environmental laws.

Other substantive issues considered included:

- the availability to the police and others of data from satellite tags attached to birds, noting that delays in access to such data may adversely affect the investigation of incidents which may involve criminal offences - aspects of the topic include the ownership of and access to the data and how far regulation of this area can be achieved through the use of revised conditions attached to the licences authorising the fitting of tags (even though the tags may be operated by others);
- the introduction by Natural England of a charge for licences under the Wildlife and Countryside Act 1981, authorising action in relation to protected species;

- the workings of the law protecting bats, since although formally involving a breach of the law it seems unlikely that there will be prosecutions where bats are disturbed unknowingly;
- the workings of the law on venison dealing licences, noting that with no licence being required in England, the licensing system, even if fully complied with, would not provide a full report of the venison taken in Scotland - there has been liaison on this with the Poaching and Coursing Group;
- the overlapping responsibilities for marine matters, especially at salmon farms, where different authorities had different powers and options for enforcement action open to them, a matter subsequently explored further with Marine Scotland;
- the impact of the new laws on the kinds of trap authorised for mammals (implementing the Agreement on International Humane Trapping Standards) and how the risk of by-catches is controlled.

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

Partner organisations continued to work closely in 2018 to offer training to both Police Scotland and other PAW members.

A one day Wildlife Crime Officer Awareness course was held in October 2018 at Scottish Police College, Tulliallan. Forty officers from across Police Scotland (including Specialist Departments) received inputs covering the six priorities as well as basics on traps and snares, the work of SNH Licensing and the NWCU. In addition to this, a number of local divisional training days were arranged for officers in conjunction with PAW partners which proved very successful.

BASC provided a number of training inputs across the country to part time wildlife crime officers. Training was undertaken to improve an officers understanding of issues and challenges surrounding snares and their application.

Police Scotland, SASA and COPFS WECU representatives attended the 30th UK Wildlife Enforcers Conference in November 2018. The annual conference is where law enforcers, statutory agencies and NGOs gather to hear the latest views, approaches, successes and challenges of combating wildlife crime in the UK. Police Scotland provided an update on the position in Scotland.

NWCU social media campaign “Undisturbed” was successfully launched in 2018. It is hoped that with increased awareness surrounding wildlife disturbances there will be a reduction of incidents caused by members of the public and wildlife photographers.

Sharing good practice events hosted by SNH covered an array of topics including coastal and marine wildlife crime and the topic of satellite tagging. It provided an opportunity for police to gain a better understanding of issues and network with species experts. The events delivered key and important information to better equip police officers response and understanding of marine crime and “stop, non-malfunction” raptor disappearances. Both events were well attended and generated much discussion.

A new Wildlife Crime Investigators course with a greater focus on investigative tactics and forensics is currently in development taking cognisance of the exceptionally specialist and challenging area of policing. The new course will commence in early 2020.

## **Funding**

The PAW Funding group met in February 2018. 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;

- 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.

## **Media**

The Media Sub-group met in November 2018 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.

In response to the call for review of the current PAWS structure, the group explored the option to take over some of the ‘awareness’ remit from the Training & Awareness sub-group.

The group produced a number of pieces e.g. on the theft of eggs from a golden eagle nest; the misuse of drones disturbing wildlife; an appeal for information after a series of animal and wildlife poisoning in Perth and the recording of novel hen harrier behavior by the Heads up for Harriers scheme.

## **Scientific**

Two meetings of the group were held in 2018, in June and October.

The Group welcomed the publication of Mcleish *et al* (2018) “Profiling in wildlife crime: Recovery of human DNA deposited outside.” This research was initiated by PAW Scotland and carried out by the Scottish Police Authority (SPA) Forensic Services, the Scottish Government and the University of Strathclyde. It established that human DNA can be recovered from traps that have been outside

for at least 10 days and from rabbit baits and bird carcasses after at least 24 hours, opening up new avenues for forensic testing in wildlife crime investigations. Three of the authors are or were members of the Science Group.

Following the above publication, SAC and SASA staff have been trained by SPA on procedures for the retrieval of human DNA from carcasses suspected of being involved in wildlife crime. Collection procedures have been standardised to enable sample processing by the SPA. This has facilitated the inclusion of human DNA testing for crimes such as poaching and raptor persecution, where the offender is believed to have handled the carcass, and is expected to improve the likelihood of successful prosecution outcomes.

The Group also considered areas for funding as well as aspirational project ideas that refer to PAW national priorities. Funding proposals include further analysis of raptor persecution data and investigation of causes of breeding failure and nesting territory occupancy and an analysis of all raptor carcasses submitted for examination, looking at those with and without criminal involvement. The Group also supports work to forensically validate animal DNA profiling techniques for more species involved in wildlife crime (such as bait species) as well as validated protocols for the detection of novel compounds that could be used as poisons.

Other projects could include a pilot study into the possibility of a chemical (or alternative) test to link shotgun pellets found within a victim to a specific cartridge or batch of cartridges and the development of a non-DNA test to determine whether a peregrine is captive-bred or wild caught.

Charlie Everitt of the NWCUC joined the Group and Lucy Webster has stood down as chair, after five years. Colin Shedden now chairs the Group.

### **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 2017-18. Following completion of the Pearls in Peril LIFE+ project in March 2017, Police Scotland continued proactive, intelligence-led patrols with partner organisations to help detect and deter suspicious activity in priority local rivers in the Highlands and Outer Hebrides.

Awareness raising included the work of the priority delivery group appearing on BBC Scotland, Landward TV and Out of Doors radio programmes. During filming a pearl fishing kill was also detected, with investigations ongoing since. The group also presented at the UK enforcers conference.

Work to deter pearl fishing at vulnerable locations was also initiated in Sutherland and was judged to be successful with no further illegal pearl fishing detected during 2018.

Information and ideas were also shared with colleagues in England and Wales.

## **Poaching and coursing priority group**

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

Work of the Group included:

- Local authority venison dealer licence returns being collated and subsequently tabulated with intention to be mapped to show where gaps may occur
- Incident notebooks being circulated at the Royal Highland Show, Scone Game Fair and other local shows
- Various media releases around local hare coursing being published
- Liaison with Food Standards Scotland as they continue work around the game and venison industry
- Training on salmon poaching, deer poaching and hare coursing being provided to Police officers at national and local level
- Some joint patrols between water bailiffs and Police officers to further enforcement and understanding of salmon poaching
- Wildlife Crime Officers giving training to Communications Centre staff to assist in how they record wildlife crime incidents, including poaching and coursing
- Joint venison dealer visits undertaken by SNH and police
- SNH writing to all venison dealers to remind them of their responsibilities regarding deer seasons

Reports from the Courts indicated that some hare coursing cases were successfully prosecuted.

## **PAW Scotland Raptor group**

The Raptor Group, chaired by Police Scotland, continued to consider prevention, intelligence and enforcement issues surrounding the persecution of birds of prey. The group met in February 2018 and January 2019.

Police Scotland provided updates on reported crimes involving raptor species and all partners were asked to brief the group in respect of on-going work they are involved in to tackle raptor persecution. Activities included the creation of the annual bird of prey persecution maps and the on-going work on the Hen Harrier Action Plan.

As with previous years, the Heads Up for Harriers project continued to be the largest single project for the group; the aim of the project is to understand the distribution of hen harriers and why nests fail. The project uncovered new scientific evidence of predation of chicks by short eared owls. 2018 saw two estates newly participating in Heads Up for Harriers, both successfully fledged harriers for the first time in many years.

South of Scotland Golden Eagles project released 3 birds into the Border hills during the summer of 2018. Maps detailing areas of risk in Southern Scotland and Northern England were produced by NWCU and joint visits with Police to key risk areas were undertaken. All divisional wildlife officers have met with SSGE staff and been briefed on the project and receive regular updates. As part of the five year project, further satellite tagging of translocated eagles will take place in summer 2019. The project continues to have excellent support from estates and is a great example of joint working.

Cairngorms National Park Authority (CNPA) are planning to fit a number of satellite tags with new tracking technology. It is hoped the new technology will have the capability to pin point the exact last location. This work will be in collaboration with various partners.

The Group discussed redefining the focus of the group in terms of being more crime orientated. There is a desire in the group to be more task orientated and follow the Prevention/Intelligence/Enforcement themes. Closer engagement between Wildlife Crime Liaison Officers, firearms licencing and rural crime constables will secure community intelligence.

## 6. Police Scotland



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

Salmon and freshwater fisheries offences and offences relating to wild birds are the most commonly recorded wildlife crimes. Raptor persecution investigations continue to be the most challenging in terms of the gathering of admissible evidence. During the reporting period the wildlife crimes investigated by Police Scotland covered a broad spectrum of offences, including some beyond the recognised wildlife crime priorities.

Police Scotland has continued to provide internal training in the form of a Wildlife Crime Awareness Course held at Scottish Police College, Tulliallan. The course was attended by 40 officers including representation from specialist policing departments and was delivered through a combination of internal and external speakers. The one-day course provided a basic introduction to wildlife crime for officers with little or no wildlife crime experience. A new Wildlife Crime Investigators course with a greater focus on investigative tactics and forensics is currently in development taking cognisance of the exceptionally specialist and challenging area of policing. The new course will commence in early 2020.

A number of local training initiatives took place to increase knowledge and awareness to combat localised wildlife crime trends supported by partners. Officers also participated in a number of sharing good practice events hosted by SNH, covering a vast array of Wildlife topics, raising awareness and knowledge whilst providing networking opportunities and greater collaboration with species experts.

Police Scotland's Wildlife Crime Unit successfully secured a Wildlife Crime dog. Deployment of a highly trained police dog in response to wildlife related incidents has obvious positive implications for investigations and is a much-welcomed enhancement to Police Scotland's ongoing commitment to tackling wildlife crime.

Police Scotland's response to wildlife crime goes beyond merely the enforcement of wildlife laws and detecting offences committed by criminals. While many offences are committed by those who intentionally contravene the laws relevant to Scotland's protected species, another vital aspect of the organisation's response is increasing people's awareness of the importance of our wildlife and habitats, how they are protected, the serious impact of wildlife crime and how to remain within the law. Police Scotland's far reaching social media platform is used to raise awareness, educate and promote Wildlife Crime initiatives whilst wildlife officers force wide continue to have an active participation in public engagement activities. Year on year, Police Scotland Wildlife Officers provide a major contribution to the PAW Scotland presence at a range of events. Key

national events include the Royal Highland Show and the Scottish Game Fair at Scone.

Emerging issues for the period 2017 to 2020 include the potential impact of Brexit on Police Scotland's policing of wildlife crime, given the significance of key EU legislation relating to the protection of certain UK species and habitats. It is also assessed that cyber-facilitated wildlife crimes will pose a growing issue for policing to tackle, due to the internet's exponential growth and role as a driver for transnational wildlife crime and trafficking.

## 7. Scottish Government

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

### **Wildlife Special Constables take up duties in Cairngorms**

An initiative to tackle wildlife crime in the Cairngorms was launched 16 March 2018 as the first Police Scotland Special Constables to tackle wildlife and rural issues within Cairngorms National Park formally took up their duties.

The Scottish Government and the Cairngorms National Park Authority funded the pilot project, which saw five officers concentrate on wildlife and rural crime issues. They engaged with other agencies to prevent wildlife crime and built on existing relationships with those living and working in the Cairngorms National Park.

Environment Secretary Roseanna Cunningham announced this programme following a report that found many golden eagles disappeared in suspicious circumstances.

### **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 Grouse Moor review group met seven times throughout 2018 covering the following topics;

#### **January to July 2018: gathering evidence and identifying key issues**

- Meeting 1. Agreement of terms of reference, meeting schedule and framework
- Meeting 2. Evidence 1 (Environmental law relevant to grouse moors, current licensing systems and Codes of Practice, wildlife crime)
- Meeting 3. Evidence 2 (Predation/raptors and mountain hares)
- Meeting 4. Evidence 3 (Muirburn and medicated grit, call for written evidence)

#### **September to December 2018: written and oral evidence, visit to estate(s), socio-economics**

- Meeting 5. Written evidence reviewed and oral evidence from key stakeholders
- Meeting 6. Visit to grouse shooting estate(s)
- Meeting 7. Review input from socio-economic study

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

Following a review of the operation of the Protection of Wild Mammals (Scotland) Act 2002, undertaken by the Rt Hon Lord Bonyon in 2016, a consultation on protecting wild mammals in Scotland closed 31 January 2018. It looked to explore recommendations to improve animal welfare legislation. The analysis of responses was published 29 June 2018.

## **8. Legislative Changes**

### **Spring Traps Approval (Scotland) Amendment Order 2018**

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.

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

## Appendix 2 - Notes and Definitions for COPFS Data

- 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 25 September 2019.
- 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**

	2013-14	2014-15	2015-16	2016-17	2017-18
No action	11	9	10	8	5
Alternative to prosecution	16	21	15	20	*
Prosecuted	33	8	5	7	*
<i>of which convicted</i>	23	8	*	*	*
No. of reports received	60	38	30	35	18

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

	2013-14	2014-15	2015-16	2016-17	2017-18
No action	19	15	30	19	25
Alternative to prosecution	14	13	12	15	*
Prosecuted	32	32	18	25	*
<i>of which convicted</i>	24	20	*	*	*
No. of reports received	65	60	60	59	49

### Outcomes by Individual Case Category

**Table C: Offences relating to birds**

	2013-14	2014-15	2015-16	2016-17	2017-18
No action	*	*	9	10	9
Alternative to prosecution	*	*	*	5	*
Prosecuted	12	10	*	9	*
<i>of which convicted</i>	*	*	*	*	*
No. of reports received	21	17	15	24	13

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

	2013-14	2014-15	2015-16	2016-17	2017-18
No. of reports received	10	11	*	8	0

**Table E: Offences relating to deer**

	2013-14	2014-15	2015-16	2016-17	2017-18
No. of reports received	*	5	*	*	*

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

	2013-14	2014-15	2015-16	2016-17	2017-18
No action	7	*	8	*	11
Alternative to prosecution	0	0	*	*	*
Prosecuted	6	*	*	*	9
<i>of which convicted</i>	*	*	*	*	7
No. of reports received	13	6	15	7	22

**Table G: Other wildlife offences**

	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>
No action	6	*	9	*	5
Alternative to prosecution	5	*	6	*	*
Prosecuted	6	7	5	6	*
<i>of which convicted</i>	*	*	*	*	0
No. of reports received	17	17	20	14	10

**Offences relating to badgers**

For the period 2013-2018, a total of 8 cases relating to badgers were reported to COPFS.

**Other conservation offences**

For the period 2013-18, 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 2013-14 to 2017-18

Crime group	Legislation	2013-14	2014-15	2015-16	2016-17	2017-18
<b>Total prosecuted</b>		<b>80</b>	<b>51</b>	<b>25</b>	<b>23</b>	<b>29</b>
<b>Badgers</b>	<b>sub-total</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>2</b>
	PROTECTION OF BADGERS ACT 1992 SECTION 11A(1)	-	2	-	-	-
	PROTECTION OF BADGERS ACT 1992 SECTION 13(7)(A)	-	-	-	-	2
<b>Birds</b>	<b>sub-total</b>	<b>10</b>	<b>8</b>	<b>5</b>	<b>4</b>	<b>3</b>
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(A)	7	5	5	3	1
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(C)	-	-	-	1	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(A)	1	1	-	-	2
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(B)	1	-	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(5)(A)	1	-	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 5(1)(B)	-	2	-	-	-
<b>Cruelty to wild animals</b>	<b>sub-total</b>	<b>4</b>	<b>3</b>	<b>6</b>	<b>2</b>	<b>5</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(1)(A)	1	-	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(1)(AA)	1	-	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(2)(A)	-	1	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(2)(A) & (F)	-	-	1	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11(G)(1)	-	-	-	1	4
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 11A(2)&(6)	-	-	1	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION S11(1)(AA)	2	1	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION S11C(B)	-	-	1	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 11A(2)(B)&(6)	-	-	1	-	-
<b>Deer</b>	<b>sub-total</b>	<b>5</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>1</b>
	DEER (SCOTLAND) ACT 1996 SECTION 17(1)	3	-	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 17(3)	1	-	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 21(3)	-	-	-	-	1
	DEER (SCOTLAND) ACT 1996 SECTION 22	1	2	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 23(1)	-	-	-	1	-

<b>Hunting with dogs</b>	<b>sub-total</b>	<b>9</b>	<b>3</b>	<b>5</b>	<b>8</b>	<b>4</b>
	PROTECTION OF WILD MAMMALS (SCOTLAND) ACT 2002 SECTION 1(1)	9	3	5	8	4
<b>Fish poaching</b>	<b>sub-total</b>	<b>43</b>	<b>19</b>	<b>8</b>	<b>5</b>	<b>5</b>
	FRESHWATER & SALMON FISHERIES (SCOTLAND) ACT 1976 SECTION 1(8)	1	-	-	-	-
	SALMON & FRESHWATER FISHERIES(CONSOLIDATION)(SCOT) ACT 2003 SECTION 14(1)	1	-	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOT) ACT 2003 S1(2)(A)(B)(C)	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.11(1)	12	4	-	-	1
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.18(1)(A)	2	-	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.6(1)&(2)	15	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)	2	-	1	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOTLAND) ACT 2003 S.13(3)&(4)	-	2	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION)(SCOTLAND) ACT 2003 S.20	1	-	-	-	-
	SALMON AND FRESHWATER FISHERIES (PROTECTION)(SCOTLAND) ACT 1951 S.13(1)	1	-	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.17(2)(A)	-	-	-	1	1
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.26(1)	3	-	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.58	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.7	2	-	3	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 SEC 9(1)&(2)	2	6	2	3	2
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND)ACT 2003 S.1(1)(A)&(B)	-	1	-	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER ARTICLE 22(1)	-	-	1	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER 2006	1	-	-	-	-
<b>Other wildlife offences</b>	<b>sub-total</b>	<b>9</b>	<b>14</b>	<b>1</b>	<b>3</b>	<b>9</b>
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REG 39(1)(A/B/C/D)	-	1	-	-	-
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REGULATION 41(2)	2	-	-	-	-
	THE CONTROL OF TRADE IN ENDANGERED SPECIES (ENFORCEMENT) REGS 1997 REG 8(1)	-	1	-	1	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 13(1)(B)	-	-	-	1	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18(1)	7	3	-	1	5
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18(2)	-	8	-	-	3
	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 2013-14 to 2017-18**

Crime group	Legislation	2013-14	2014-15	2015-16	2016-17	2017-18
<b>Total convicted</b>		<b>60</b>	<b>35</b>	<b>20</b>	<b>22</b>	<b>25</b>
<b>Badgers</b>	<b>sub-total</b>	<b>-</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>1</b>
	PROTECTION OF BADGERS ACT 1992 SECTION 11A(1)	-	2	-	-	-
	PROTECTION OF BADGERS ACT 1992 SECTION 13(7)(A)	-	-	-	-	1
<b>Birds</b>	<b>sub-total</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>3</b>
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(A)	5	3	5	3	1
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(1)(C)	-	-	-	1	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(A)	-	1	-	-	2
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(2)(B)	1	-	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 1(5)(A)	1	-	-	-	-
	WILDLIFE & COUNTRYSIDE ACT 1981 SECTION 5(1)(B)	-	2	-	-	-
<b>Cruelty to wild animals</b>	<b>sub-total</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>5</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(1)(AA)	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 S11(1)(AA)	1	-	-	-	-
	WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 11A(2)(B)&(6)	-	-	1	-	-
<b>Deer</b>	<b>sub-total</b>	<b>4</b>	<b>1</b>	<b>-</b>	<b>1</b>	<b>1</b>
	DEER (SCOTLAND) ACT 1996 SECTION 17(1)	3	-	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 17(3)	1	-	-	-	-
	DEER (SCOTLAND) ACT 1996 SECTION 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>5</b>	<b>2</b>	<b>3</b>	<b>8</b>	<b>4</b>
	PROTECTION OF WILD MAMMALS (SCOTLAND) ACT 2002 SECTION 1(1)	5	2	3	8	4

<b>Fish poaching</b>	<b>sub-total</b>	<b>37</b>	<b>11</b>	<b>8</b>	<b>5</b>	<b>4</b>
	FRESHWATER & SALMON FISHERIES (SCOTLAND) ACT 1976 SECTION 1(8)	1	-	-	-	-
	SALMON & FRESHWATER FISHERIES(CONSOLIDATION)(SCOT) ACT 2003 SECTION 14(1)	1	-	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.11(1)	12	-	-	-	1
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.18(1)(A)	2	-	-	-	-
	SALMON AND FRESHWATER FISHERIES (CONSOLIDATION) (SCOTLAND) ACT 2003 S.6(1)&(2)	13	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)	2	-	1	-	-
	SALMON AND FRESHWATER FISHERIES (PROTECTION)(SCOTLAND) ACT 1951 S.13(1)	1	-	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.17(2)(A)	-	-	-	1	1
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.26(1)	2	-	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.58	-	1	-	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 S.7	1	-	3	-	-
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND) ACT 2003 SEC 9(1)&(2)	1	6	2	3	1
	SALMON AND FRESHWATER FISHERIES(CONSOLIDATION)(SCOTLAND)ACT 2003 S.1(1)(A)&(B)	-	1	-	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER ARITCLE 22(1)	-	-	1	-	-
	SCOTLAND ACT 1998 (RIVER TWEED) ORDER 2006	1	-	-	-	-
<b>Other wildlife offences</b>	<b>sub-total</b>	<b>5</b>	<b>11</b>	<b>1</b>	<b>2</b>	<b>7</b>
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REG 39(1)(A/B/C/D)	-	1	-	-	-
	THE CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS 1994 REGULATION 41(2)	1	-	-	-	-
	THE CONTROL OF TRADE IN ENDANGERED SPECIES (ENFORCEMENT) REGS 1997 REG 8(1)	-	1	-	1	1
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 13(1)(B)	-	-	-	1	-
	WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 18(1)	4	3	-	-	3
	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	<b>Meles meles</b>	<b>Plecotus Auritus</b>	<b>Pipistrellus Pipistrellus</b>
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. 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 midges, moths and other flying insects which they find in the dark using echolocation.	They feed on midges, moths and other flying insects 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 1.2m including tail, weight: 7-17kg	Length: 9cm Weight: 5-11g Wingspan: 25cm	Length: 3-5cm Weight: 3-8g 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 12)
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, and classified as a Priority Species in the UK Biodiversity Action Plan.	Protected in the UK under the Wildlife and Countryside Act, 1981.
Distribution	Found throughout most of Scotland except for the far north. Absent from Scottish Islands.	Widespread throughout the country, but absent from some Scottish Islands	Widespread, found throughout the country, only absent from Shetland and parts of Orkney.
Population	The available evidence indicates that the badger population is rising	National data shows the UK brown long eared bat population to be stable	Stable, with common and soprano pipistrelle bats accounting for over 80% of Scotland's bats.
Monitoring	The Scottish Badgers distribution survey is an on-going project by volunteers. Disease monitoring in badgers is largely carried out via road casualties.	British bats are monitored via the National Bat Monitoring Programme, which uses data from four different types of annual survey bats across Britain.	British bats are monitored via the National Bat Monitoring Programme, which uses data from four different types of annual survey bats across Britain.
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.	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

<b>Common name</b>	<b>FWPM</b>	<b>Red deer</b>	<b>Roe Deer</b>
<b>Species name</b>	<b>Margaritifera margaritifera L</b>	<b>Cervus elaphus</b>	<b>Capreolus capreolus</b>
<b>Summary</b>	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.
<b>Diet</b>	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
<b>Appearance</b>	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.
<b>Size</b>	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
<b>Lifespan</b>	Over 100 years	16-18 years	Average 7 years (up to 16)
<b>Status</b>	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.
<b>Distribution</b>	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
<b>Population</b>	Declining in Scotland	Evidence suggests that population level is stable.	Evidence suggests that population level is stable.
<b>Monitoring</b>	National survey published in 2009 and 2015. Our most critical freshwater pearl mussel populations are monitored every six years as part of SNHs 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
<b>Threats</b>	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>	<b>Lepus europaeus</b>	<b>Salmo Salar</b>	<b>Aquila chrysaetos</b>
<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. In early spring, brown hares are at their most visible as the breeding season encourages fighting or 'boxing'.	Salmon travel upstream from November to February, to breed in gravel-bottomed headwaters. The juveniles will stay in freshwater for up to six years, after which they migrate back to the sea – morphological changes allowing them to survive in saltwater.	A rare bird of the mountains and moorlands of Scotland, golden eagles have large home territories, nesting on rocky cliff faces and in trees where it builds a giant nest or 'eyrie'. These nests are often used by successive generations to rear their own young. Golden eagles pair for life.
<b>Diet</b>	They graze on vegetation and bark from young trees and bushes	Salmon feed on invertebrates and small fish as juveniles, and squid and fish in the sea.	They mainly hunt rabbits and hares but will also catch foxes, young deer and large birds like grouse.
<b>Appearance</b>	Hares are golden-brown in colour, with a pale belly and a white tail. It is larger than the rabbit, with longer legs and longer ears with black tips.	Adult salmon are much larger than 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.
<b>Size</b>	Length: 50-70cm Weight: 2-5kg	Length: 1.2-1.5m Weight: up to 40kg	Length: 76-90cm Wingspan: 2.1m Weight: 3.7-5.3kg
<b>Lifespan</b>	Average 4 years (up to 12)	Average 4-10 years (up to 13)	Average 15 years (up to 23)
<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. 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 an Amber List species under the Birds of Conservation Concern review.
<b>Distribution</b>	Widespread throughout Scotland, 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.
<b>Population</b>	A 2017 assessment of the future prospects of brown hares, indicates that the population is likely to remain stable.	Declining globally	The population has increased since the previous national survey in 2003 and has passed the 500 pair target stated in the SNH Golden Eagle Conservation Framework report as being required to reach favourable conservation status.
<b>Monitoring</b>	Since 1995, data has been collected under the Breeding Bird Survey (BBS) organised by the British Trust for Ornithology.	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 by Scottish Raptor Study Group
<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.	Natural mortality can include collisions with power lines, starvation and disease. Illegal persecution regionally remains a significant concern.

Common name	Hen Harrier	Peregrine Falcon	Red Kite
Species name	<b>Circus cyaneus</b>	<b>Falco peregrinus</b>	<b>Milvus milvus</b>
Summary	Hen harriers are medium sized raptors that nest on the ground in long vegetation usually heather. Whilst they breed in upland areas, most migrate to lowland and coastal habitats for the winter. Distances vary with most staying within the UK but some reach the continent. They form communal roosts out with the breeding season.	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. They have been known to nest on tall, city structures, replicating the precipitous cliff edges that they would naturally nest on.	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.
Diet	They hunt a wide range of small to medium sized birds and mammals.	They hunt medium sized birds such as pigeons and small ducks	They have a varied diet and are an opportunist scavenger, eating both carrion and small mammals, birds and insects.
Appearance	Males are a pale grey colour, 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 and white with black bars. It has a white throat and cheeks and a black moustache and mask.	Red kites are large, have reddish-brown colourings and a deeply forked tail
Size	Length: 45-50cm Wingspan: 100-120cm, Weight: 300-600g	Length: 40-54cm Wingspan: 1m Weight: 670-1,100g	Length: 60-66cm, Wingspan; 175-195cm, Weight; 800-1300g
Lifespan	Average 8 years (up to 16)	Average 6 years (up to 17)	Average 8-10 years (up to 25)
Status	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.
Distribution	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, they nests in the highlands, on coastal cliffs and increasingly on buildings and in quarries throughout the country.	There are four main population centres based around original release areas for the reintroduction; Black Isle, Aberdeenshire, Perthshire/Stirlingshire and Dumfries & Galloway.
Population	The most recent national survey was in 2016 and the population was estimated at 460 pairs. Decreased from 2010	The most recent national survey was in 2014 and the 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 one in particular suffering slow growth due to illegal persecution.
Monitoring	Around two-thirds the breeding population is monitored annually by Scottish Raptor Study Group members. The Heads up for Harrier initiative encourages landowners to participate in a nest camera scheme.	Around half the breeding population is monitored annually by Scottish Raptor Study Group	There is annual monitoring of a large proportion of the breeding population by Scottish Raptor Study Group members and other volunteers and an annual winter roost coordinated count.
Threats	Natural mortality can include starvation and disease. The species has been at the centre of the raptor game management conflict and regionally illegal persecution is the most significant factor affecting the species.	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 population has been hampered by illegal persecution.



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Any enquiries regarding this publication should be sent to us at

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St Andrew's House  
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