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Wildlife Crime in Scotland

2020 Annual Report



A report published by the Scottish Ministers, on wildlife crime in Scotland.

SG/2022/45

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

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

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Ministerial Foreword



This is the ninth Scottish Government annual wildlife crime report, and my first as Minister for Environment and Land Reform. It covers the 2020 calendar year, using recorded statistical data from the 2019-2020 financial year.

As Covid-19 restrictions start to relax, I reflect on the increased interest and sense of wellbeing many of us have found in our local landscapes and the wildlife contained within them. As a country we are placing more importance than ever before on protecting and conserving wildlife.

After a drop in recorded wildlife crime incidents of over 60% between the 2014-15 report and 2018-19, it is frustrating to see an increase of 13% in recorded wildlife crime incidents in 2019-20. Wildlife crime is not only abhorrent, it is also completely at odds with our work to address the biodiversity crisis, which is supported by so many people and organisations across Scotland.

While it is reassuring that incidents of wildlife crime have not returned to previous higher levels, we remain aware that recorded wildlife crime does not provide the full picture. This is an area where the victims are unable to speak for themselves and we know that many wildlife crimes are not witnessed and not reported. This has been especially true in the area of raptor persecution where tagged birds have disappeared in unexplained circumstances and where expected numbers of some species are not present in certain areas.

The Scottish Government has always been clear that wildlife crime is unacceptable, and we have brought forward a number of measures to tackle the issue over the years. These measures have included a poisons amnesty, vicarious liability, restrictions on general licences and most recently, significant increases in penalties for wildlife crimes. I am sure many of you reading this share my frustration that despite these measures there are some who continue to take a selfish, cruel and callous approach to our wildlife.

It is disappointing to see a rise in raptor persecution offences from the previous year. We have committed to taking forward the recommendations made by the Grouse Moor Management Group as a matter of urgency, to tackle this type of offence. We will bring forward legislation during this parliamentary term with the aim of putting in place a meaningful, effective and workable sanctions through a licensing system to deter and punish those who deliberately commit crimes in our uplands, without placing unworkable and disproportionate burdens on the majority who work within the law.

As regards offences relating to hunting with dogs, we committed in the 2021-22 Programme for Government to introduce a bill during this parliamentary year to strengthen the law and introduce other measures such as preventing trail hunting. The Hunting with Dogs (Scotland) Bill was introduced on 24th February

2022 and the Bill will replace existing legislation in this area, making the law clearer and closing loopholes.

My ambition, is to ensure wildlife can thrive across Scotland whilst faced with a range of threats including wildlife crime and habitat loss, which is a very real concern.

That is why the Scottish Government have developed a £65 million package of support specifically for projects that benefit nature. The annual Nature Restoration Fund is designed to deliver multi-partner, multi-year projects that restore and protect habitats, safeguard wildlife and tackle causes of biodiversity loss. The project is currently open to applications for grant funding of up to £250,000 per project over a maximum of two years, with other funding streams to launch later this year. This forms only a small part of our £500 million investment in Scotland's natural habitat with plans to increase peatland restoration, forestry planting, protected areas and introduce nature networks.

Our diverse wildlife brings so many benefits, not only via its contributions to the ecosystems we need to survive, but also by supporting our wellbeing and enriching our lives. I hope the actions I have outlined not only on wildlife crime but also on nature restoration demonstrate the commitment of the Scottish Government to allow wildlife to thrive in a modern Scotland.

Tackling wildlife crime comes through strong partnerships between different organisations and I recognise and thank our key partners in law enforcement and those involved in the Partnership for Action Against Wildlife Crime Scotland for continuing their dedicated work in this regard.

A handwritten signature in black ink, appearing to read 'Mairi McAllan', with a long horizontal flourish extending to the right.

Mairi McAllan MSP
Minister for Environment 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 2019-20, 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 2020 and beyond.

Summary of data sources used for this Wildlife Crime Report

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

2. Headline trends

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

Recorded crime

Table 1 provides a summary of the different types of wildlife crime recorded by the police over the five year period to 2019-20. These recorded crime statistics are Scottish Government statistical output derived from Police Scotland's recorded crime database.

In 2019-20 there were 196 offences relating to wildlife recorded by the police. This is an increase of 13% in comparison with 2018-19 (171 recorded offences).

While overall recorded wildlife offences increased, crimes against birds dropped by 22% from the previous years and was the joint most commonly recorded type of crime in 2019-20 with 36 offences. Hunting with dogs is the other most commonly recorded type of crime and has increased by 64% from the 2018-19 year.

Table 1: Wildlife crime recorded by Police Scotland, 2015-16 to 2019-20

Offences relating to:	2015-16	2016-17	2017-18	2018-19	2019-20
Badgers*	4	6	14	15	6
Birds	46	50	45	46	36
Conservation (protected sites)	5	1	5	3	5
Cruelty to wild animals	23	24	32	31	35
Deer	13	14	18	17	23
Fish poaching	75	68	45	24	27
Hunting with dogs	42	22	41	22	36
Poaching and game laws	0	6	3	2	2
Other wildlife offences	53	40	33	11	24
Total	261	231	236	171	196

Source: Recorded Crime in Scotland, 2019-20

* 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 2019-20.

Table 2: Wildlife crime recorded, by Police Scotland Division, 2019-20

Offences relating to:	North East	Argyll & West Dunbartonshire	Ayrshire	Dumfries & Galloway	Edinburgh	Fife	Forth Valley	Greater Glasgow	Highland & Islands	Lanarkshire	Renfrewshire & Inverclyde	Tayside	The Lothians & Scottish Borders	Total
Badgers	2	0	0	0	0	0	0	0	1	0	0	1	2	6
Birds	3	0	0	16	2	0	0	1	9	0	0	3	2	36
Conservation (protected sites)	0	0	0	1	0	3	0	0	0	0	0	1	0	5
Cruelty to wild animals	5	0	0	3	0	4	3	0	4	4	1	1	10	35
Deer	4	0	0	0	0	1	2	3	7	0	0	2	4	23
Fish poaching	6	1	3	1	1	1	3	1	9	0	1	0	0	27
Hunting with dogs	6	0	0	2	0	3	0	0	0	0	1	14	12	38
Poaching and game laws	0	0	0	0	0	0	0	0	0	1	0	1	0	2
Other wildlife offences	6	0	0	0	5	0	5	0	1	1	1	5	0	24
Total	32	1	3	23	8	12	13	5	31	6	4	28	30	196

Source: Recorded Crime in Scotland, 2019-20

The highest number of wildlife offences in 2019-20 was recorded in the North East (32), followed by the Highland & Islands (31) and The Lothians & Scottish Borders (30). Table 2 also shows that nearly half of all bird offences were recorded in the Dumfries & Galloway (16).

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 2019-20

Table 3 shows the breakdown of wildlife cases received by COPFS in each of the financial years 2015-16 to 2019-20, following the standard categories used elsewhere in this report. Notes and Definitions on the COPFS data are available in Appendix 2 – Notes and Definitions for COPFS Data.

Table 3: Wildlife cases received by COPFS in 2015-16 to 2019-20

Offence relating to:	2015-16	2016-17	2017-18	2018-19	2019-20
Badgers	*	*	*	*	3
Birds	15(*)	24(*)	13	12	1
Cruelty to wild animals	*(*)	8(*)	0	*(*)	0
Deer	*	*	*	*	3
Fish poaching	30	35	18	15(*)	17
Hunting with dogs	15	7	22	7	13
Other wildlife offences	20	14(*)	*	11	11
Other conservation offences	*	*	0	0	1
Total	90(9)	94(5)	67	54(*)	49

Source: Crown Office and Procurator Fiscal Service

*= data suppressed. See Appendix 2.

The figures in brackets in Table 3 indicate the number of reports submitted by a specialist reporting agency: in the case of fish poaching offences, by the River Tweed Commissioners and in the remaining categories, by the Scottish SPCA. Where fewer than five cases were reported in any category either in total or by a specialist reporting agency, the figures have been removed from the table.

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

Table 4: Outcomes of all wildlife cases reported to COPFS in 2015-16 to 2019-20

All reports	2015-16	2016-17	2017-18	2018-19	2019-20
No action	40	27	30	19(*)	23
Alternative to prosecution	27	35	23	18(*)	14
Prosecuted	23	32	14	17	12
<i>of which convicted</i>	16	25	*	11	5
No. of reports received	90(9)	94(5)	67	54(*)	49

Source: Crown Office and Procurator Fiscal Service

*= data suppressed. See Appendix 2.

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

The following information relates to cases reported in 2019-20:

Prosecution in court was undertaken in 12 cases (24% of cases received):

- 5 cases resulted in a conviction (42% of cases prosecuted).
- 1 case resulted in acquittal (8% of cases prosecuted). In some cases this reflects the verdict following trial and in others, the result of a plea adjustment.
- 6 cases are pending trial at the time of writing (50% of cases).

14 cases were dealt with by an alternative to prosecution (29% of cases received). Warning letters were issued in the majority of those cases. Fiscal fines were issued in others.

No action was taken in 23 cases (47% of cases received). In the majority of those cases, no action was taken for legal reasons.

The legal reasons included:

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

Further information about cases received in 2019-20 is as follows:

- A total of 13 reports (27% of cases received) involved activity targeting hares or rabbits.
- 3 reports (6% of cases received) related to circumstances involving badgers.
- 13 cases (27% of cases received) involved dogs.
- 6 cases (12% of cases received) involved the use of traps and snares.
- The cases in the "Hunting with dogs" category related to allegations of hare coursing or deer coursing.

"Other wildlife offences" included alleged contraventions of regulation 39(1)(d) of the Conservation (Natural Habitats, &c.) Regulations 1994 namely damaging or destroying the breeding site or resting place of a European protected species.

Other reports included circumstances involving red squirrels, bats 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 fined £200 after being found in circumstances which suggested that fish were being fished for other than by rod or line contrary to Section 2(1) and (2) of the Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003. The equipment used in the commission of said offence, namely a dinghy, and ropes with hooks were also forfeited.

Hare Coursing

- An individual pleaded guilty to setting a dog to chase and kill two brown hares in contravention of the Wildlife and Countryside Act 1981, Section 11G(1) and was fined £1000.
- An individual pleaded guilty to hunting for hares with dogs contrary to the Protection of Wild Mammals (Scotland) Act 2002, Section 1 and was sentenced to a restriction of liberty order for a period of three months.

Other Categories

- An individual was fined £1000 for deliberately causing a bat nesting site or breeding site to be damaged and destroyed during the demolition of a building in contravention of the Conservation (Natural Habitats, &c.) Regulations 1994, Regulation 39(1)(d) and the European Communities Act 1972, Section 2(2).
- An individual pleaded guilty to shooting and killing a Sparrowhawk and was fined £450, in contravention of section 1(1)(a) of the Wildlife and Countryside Act 1981.
- Two individuals who pleaded guilty to shooting and killing eight rabbits, without permission, by using an air rifle in terms of section 11G(1) of the Wildlife and Countryside Act 1981 and firearms offences, were each fined £300. The air rifle involved was also forfeited.

Criminal proceedings statistics

Table 5 shows the number of people proceeded against in Scottish courts and the relevant conviction rates for wildlife offences between 2015-16 and 2019-20. 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 0 for further explanation.

Table 5: People proceeded against in Scottish Courts for wildlife crimes¹, 2015-16 to 2019-20

Offences relating to:	2015 -16	2016 -17	2017 -18	2018 -19	2019 -20	Last five financial years	
						Total proceedings	Conviction rate
Badgers	-	-	-	-	-	2	50%
Birds	5	4	3	2	4	18	100%
Cruelty to wild animals	6	2	5	-	3	16	75%
Deer	-	1	1	-	-	2	100%
Hunting with dogs	5	8	4	6	-	23	74%
Poaching and game laws	-	-	-	-	-	-	-
Fish poaching	8	5	5	3	5	26	96%
Other wildlife offences	1	3	9	4	-	17	76%
Total proceeded against	25	23	27	15	12	104	85%
Total guilty	20	22	24	10	11		
% guilty	80%	96%	89%	67%	92%		
<i>Total number of offences proceeded against²</i>							
	73	59	52	43	33		
<i>Total number of offences found guilty²</i>							
	33	32	25	15	24		
<i>% guilty²</i>							
	45%	54%	48%	35%	73%		

Source: Scottish Government Criminal Proceedings Database

¹ Where main charge

² All charges

There were 12 people proceeded against for wildlife related offences in 2019-20, a 20% decrease from 2018-19 (15 people). The largest decrease for specific categories was in 'hunting with dogs' (with no persons proceeded against compared to six in 2017-18). There was, however, an increase in the number of proceedings for 'Cruelty to wild animals' and 'Fish poaching', up to three and five respectively in 2019-20 from zero and three in 2018-19.

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 vary among these categories, from 50% to 100%.

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

In 2019-20 court proceedings were held covering a total of 33 wildlife crime offences, in comparison to the 24 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 63% of convictions receiving this type of penalty in 2019-20, down from 70% to 2018-19.

Table 6: People with a charge* proved for wildlife crimes in Scottish Courts, by main penalty, 2015-16 to 2019-20

	2015-16	2016-17	2017-18	2018-19	2019-20
People proceeded against	25	23	27	15	12
People with a charge proved	20	22	24	10	11
Of which received:					
Custody	1	1	2	-	-
Community sentence	4	5	3	1	4
Monetary	11	15	16	7	7
Other	4	1	3	2	-

Source: Criminal Proceedings Statistics

* Where main charge

In Table 7, aggregate totals for the five years from 2015-16 to 2019-20 show that monetary punishments are mostly likely to be given for all wildlife crime types. Only 4% 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, 2015-16 to 2019-20

Offences relating to:	2015-16 to 2019-20 totals					Average	
	Total with a charge proved	Custody	Community sentence	Monetary	Other	Custodial sentence length (days)	Monetary fine (£)
Badgers	1	-	-	1	-	-	300
Birds	18	-	4	11	3	-	924
Cruelty to wild animals	12	1	2	7	2	126	450
Deer	2	-	-	2	-	-	413
Hunting with dogs	17	3	4	10	-	135	1,005
Poaching and game laws	-	-	-	-	-	-	-
Fish poaching	25	-	4	16	5	-	233

Other wildlife offences	13	-	3	10	-	-	1,090
Totals	88	4	17	57	10	133	686

Source: Criminal Proceedings Statistics

* Where main charge

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. Young people 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.

Science and Advice for Scottish Agriculture (SASA)

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

Wildlife DNA Forensic Unit

Evidence seized by enforcement officers in the course of wildlife crime investigations often contain animal DNA evidence that can be crucial to an investigation – from confirming whether a crime has taken place, to linking a suspect directly to a specific crime scene. The Wildlife DNA Forensic Unit at SASA provides accredited forensic analysis of animal DNA evidence recovered by wildlife crime investigations throughout the UK. Table 8 provides a summary of the range of Scottish casework received in the five financial years ending 30th March 2020, divided into the UK wildlife crime priorities.

Table 8: Scottish wildlife DNA Forensic Unit cases, 2015-16 to 2019-20

Category	Scottish cases				
	2015-16	2016-17	2017-18	2018-19	2019-20
Badger persecution	0	0	1	5	2
Bat persecution	0	0	0	0	0
CITES	2	1	1	1	0
Freshwater pearl mussels	0	0	0	0	0
Poaching and coursing	0	3	3	2	1
Raptor persecution	5	4	5	8	5
Other wildlife crime	0	4	1	2	0
Other (e.g. animal cruelty)	0	2	0	3	2
Total	7	14	11	21	10

Source: SASA

Over the 2019-20 period we had fewer cases submitted than the previous period from Scotland, and the majority of cases continues to relate to raptor persecution. These cases included poisoning and trapping investigations. In the case of poisonings, we identify the meat species from the last meal ingested which indicates what type of bait was used. For trapping investigations, we take samples from the traps (which may contain DNA from multiple species) and apply tests to target the presence of DNA from raptor species. In one case, Hen Harrier DNA was identified and this DNA evidence contributed to a decision by NatureScot to restrict the General License provision for three years on the estate where the traps had been recovered.

The one poaching case over this period related to salmon, and it led to a collaboration with our colleagues at Marine Scotland Science. On this occasion there was insufficient salmon DNA recovered to test for a link between the suspect and the offence, however this collaboration will allow us to provide a better service for salmon poaching investigations.

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 2015-16 to 2019-20 and summarises those incidents, categorised as abuse†, that are considered to be wildlife crimes because of the species or pesticide involved. Annually, the branch investigates in the region of 170-230 incidents.

The number of poisoning abuse incidents in 2019-2020 increased by 12 from 2018-19. 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 (26) followed by companion animals (18). Bird of prey poisoning incidents are covered further in the Raptor Persecution section of this report.

Table 9: Pesticide incidents in Scotland 2015-16 to 2019-20

	2015-16	2016-17	2017-18	2018-19	2019-20
Number of incidents investigated during financial year *	215	205	184	175	217
Number of incidents attributed to pesticides	27	20	17	14	28
Category – Abuse	15	10	10	8	20
% abuse	7	5	5	5	9
No. of abuse incidents involving birds of prey	5	3	4	5	9
No. of abuse incidents involving other birds **	0	0	1	0	5
No. of abuse incidents involving suspicious baits/substances	1	3	3	3	3
No. of abuse incidents involving companion animals	2	7	3	3	3
No. of abuse incidents involving wild mammals	0	0	0	0	0

Source: SASA

* Excludes honeybees and incidents where no analyses were undertaken

** No birds of prey associated with these incidents

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

SRUC Veterinary Services

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

Carcase submissions for this wildlife crime summary come, in the main, from Police Scotland. Other substantial contributions come from the RSPB and the SSPCA. Small numbers of carcasses come from other sources, such as NatureScot, other conservation or wildlife charities, or members of the public. Where a 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 the gathering of evidence related to an investigation, wild bird carcasse submissions are used for disease surveillance, notably exotic zoonotic diseases such as avian influenza or West Nile virus.

In 2019-20, there were a total of 125 cases where a suspicion of potential criminality was present upon submission, of which 40 involved mammals and 85 involved birds. These are shown in Table 10 below: please note that the table shows the numbers of post mortem cases. A "case" is usually the submission of a carcasse, or of multiple carcasses which are closely associated by proximity and timing; the table does not enumerate the carcasses or individual police investigations involved.

Table 10: Wildlife cases examined by SRUC Veterinary Services under advisory activity funding, 2015-16 to 2019-20

	2015-16	2016-17	2017-18	2018-19	2019-20
Total wildlife cases examined as possible wildlife crimes	225	172	135*	195	125
Total mammal cases	45	49	31*	53	40
Total mammal cases identified by postmortem as crime related	23	11	13*	21	17
% of mammal cases identified by post mortem as crime related	51%	22%	42%	40%	42.5%
Total bird cases	180	123	104	142	85
Total bird cases identified by post mortem as crime related	22	13	18	22	27
% of bird cases identified by post mortem as crime related	12%	11%	17%	15%	32%

Source: SRUC Veterinary Services

Every year, there are some avian and mammalian cases in which the degradation of the submitted carcasse precludes the chance of a diagnosis; but in the majority of cases, a diagnosis is achieved. With regard to the causes of death or injury in mammalian cases, road traffic collision was the most common cause

of death overall. Attack by a dog or dogs was the most common cause of death or injury recorded in those cases where evidence of potential criminality was found. Shooting, injury caused by snaring, and injuries consistent with attack by a person were also reported. Mammalian cases covered a wide range of species including squirrels, hares, otters, badgers, foxes, and deer.

In avian cases, the range of species submitted included buzzards, kites, owls, hawks, eagles, songbirds, pigeons, swans, geese, corvids and capercaillie. Causes of death or injury were most commonly due to trauma not suspected to be criminal in nature, such as collisions with road traffic, electricity pylons or wind turbines, and other objects. Infection, parasitism and starvation/failure to thrive were also prominent causes of mortality. Shooting (mainly by firearm but also by dart and catapult) and poisoning were the two most commonly reported findings where evidence of potential criminality was recorded. These poison abuse incidents are confirmed by testing at SASA, and so the same cases referred to in this table also appear in Table 9.

NatureScot – General Licence Restrictions and protected species licensing

As part of a package of anti-wildlife crime measures announced by the Minister for Environment and Climate Change, NatureScot announced in 2014 that they would prevent the use of general licences to trap or shoot wild birds on land where there is evidence of wildlife crime against birds. Police Scotland will share information with NatureScot where it may prove to be of assistance in deciding on the use of these restrictions.

The measures were back-dated to 1 January 2014, allowing action to be taken where there is evidence of relevant offences from that date onwards. NatureScot published their framework for implementing restrictions on the use of General Licences in October 2014, which was part of a package of measures aimed at tackling raptor persecution. The rationale behind the restriction process was that the light-touch approach to regulation offered by General Licences (where there is no application process, and no significant registration or reporting requirements) would not be appropriate where there has been a loss of confidence, usually in situations where there has been evidence to show that crimes against wild birds have taken place.

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

A General Licence restriction was implemented on an area of land in South Lanarkshire in November 2019 for a period of three years. Details of these can be found on the NatureScot website; www.nature.scot

Over the winter of 2018/19 NatureScot undertook a public consultation on General Licences for birds as part of a review of General Licences. The consultation sought views on the efficacy of the licences and justification for the species appearing within them. Over 800 responses were received from industry organisations, stakeholders and individuals. In April 2019 NatureScot amended the General Licences by removing species where there was insufficient evidence to support their inclusion or where there were overriding conservation concerns, including the impacts of operating under General Licences on Protected Sites. NatureScot also took over management of the crow trap register from Police Scotland at this time.

On the 1st May 2019 beaver were awarded European Protected Species status by the Scottish Government. NatureScot developed a licensing system and comprehensive guidance for the licensed control of beavers to prevent damage. As part of the licensing system those controlling beavers were required to attend workshops, held throughout Tayside (where conflict between beavers and agriculture were most likely) in order to obtain accredited controller status. A report 'NatureScot Beaver Licensing summary - 1st May to 31st December 2019' is available on the NatureScot website summarising beaver licensing during this time www.nature.scot

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.

Scottish Society for the Prevention of Cruelty to Animals

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

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

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

The Scottish SPCA's animal helpline received over 133,000 calls between April 2019 and March 2020. Although the number of calls to the animal helpline has decreased by almost 14% compared to the previous fiscal year 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 consistent in comparison to the previous year.

The SIU estimate that between April 2019 and March 2020 they received:

- 628 pieces of information for consideration from the Scottish SPCA helpline
- 567 pieces of information from other sources. Some pieces of information may relate to incidents that after investigation are found to not be the result of crime, may not actually involve wildlife, or are duplicate pieces of information relating to the same incident

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

Table 11: Wildlife incidents identified by SIU as crimes from April 2019 to March 2020

Type of wildlife crime	Pieces of information identified as crime	Reported to COPFS
Badger persecution	25	5
Illegal trade (CITES)	1	1
Raptor Persecution	14	2
Bat Persecution	0	0
Poaching and coursing	12	0
Freshwater pearl mussels	0	0
Other	22	1
TOTAL	74	9

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 2019 – March 2020) although these reports may have been submitted to the fiscal after 31st March 20120. The incidents in Table 11 also included ten relating to trapping or snaring offences.

Significant wildlife cases in 2019-20 included an individual who had submitted photographs to an online company to be produced as a photograph booklet. These photographs included graphic imagery of badger baiting and animal fighting. After carrying out open source research all individuals within the images were successfully identified and warrants were executed on a high profile game and shooting estate in Scotland. A further three warrants were executed in relation to these images resulting in two case reports being submitted to the Procurator Fiscal. Offences included animal fighting as well as several charges of causing unnecessary suffering.

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

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

Table 12: Wildlife crime investigations dealt with by SIU, 2015-16 to 2019-20

	2015-16	2016-17	2017-18	2018-19	2019-20
Incidents investigated solely by SIU	96	73	88	112	103
Number of cases reported to COPFS	10	4	0	9	9
% reported to COPFS	10%	5%	0%	8%	9%
Police Scotland-led investigations assisted by SIU	19	42	37	42	44
Total	115	115	125	154	147

Source: Scottish Society for the Prevention of Cruelty to Animals

National Wildlife Crime Unit (NWCU)

The National Wildlife Crime Unit has a dedicated intelligence function. In the 2019-20 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

- Consultation on the use of illegal wildlife trade seizure data that NWCU supply to the EU-TWIX¹ network on behalf of all UK police forces
- Maps in relation to venison dealers to support the Scottish Poaching Priority Delivery Group
- Intelligence research for Police Scotland in relation to Raptor Persecution.
- Organisational Structure Charts for Police Scotland
- Documents and advice given during induction for new Police Wildlife Liaison Officers
- Land Ownership information provided to support active enquiries
- Quarterly submission of Organised Crime Groups with links to Scotland
- Quarterly submission of reports to the Acquisitive Crime Threat Group which includes all links to Scottish investigations
- Provision of two Tactical Assessments to the UK Tasking & Coordination Group for Wildlife Crime, including analysis of all Scottish Wildlife intelligence logs

In addition, the NWCU's Scottish Investigative Support Officer (SISO) provides advice and 'on the ground' support for wildlife crime investigations. In 2019-2020, the NWCU ISO was involved in casework as well as the strategic development of wildlife crime enforcement and intelligence sharing. The SISO gave advice and assistance to Police Scotland Wildlife Crime Liaison Officers and other organisations on numerous occasions and on a variety of subjects including crimes against raptors, bats, non-native species, freshwater pearl mussels, traps, snares, wildlife disturbance, coastal crime, hare coursing, venison dealing and trading in endangered species (CITES).

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

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.

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

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

¹ EU trade in wildlife information exchange¹ group facilitated by TRAFFIC

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 2019-20

Keyword	Intelligence logs	% of total
Hare	113	25.3%
Deer	69	15.5%
Fish	63	14.1%
Badger	21	4.7%
Raptor/Bird of Prey	14	3.1%
CITES	2	0.4%
FWPM/Pearl Mussel	2	0.4%
Bat	1	0.2%
All 'other' wildlife	161	36.1%
Total	446	

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 2015-16 to 2019-20.

Table 14: Most common priority NWCU intelligence logs 2015-16 to 2019-20

Year	Three most common priority intelligence types (as a percentage of the total number of intelligence logs)
2015-16	Fish (21%), hare (17%) and deer (16%)
2016-17	Hare (23%), fish (18%) and deer (17%)
2017-18	Hare (29%), deer (15%) and fish (13%)
2018-19	Hare (25%), deer (21%) and fish (11%)
2019-20	Hare (25%), deer (15%) and fish (14%)

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 2019-20:

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

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

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

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

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 2015-16 to 2019-20

Type of crime	Number of offences				
	2015-16	2016-17	2017-18	2018-19	2019-20
Badger persecution	7*	6	15	16	11
Bat persecution	2	0	1	0	4
CITES	5	6	2	1	0
Freshwater pearl mussels	1	2	1	1	2
Poaching and coursing	140	115	127	69	109
Raptor persecution	25	11	24	17	25
Not related to Priority Area	78	91	63	59	45
No crime recorded	3	0	2	0	0
Total	261	231	235	163	196
<i>Additional breakdowns</i>					
Trapping/snaring (all species)*	15	15	15	28	28
Fox hunting	4	2	6	2	2
Hunting with dogs (all Protection Wild Mammals Act offences)	44	22	41	22	38
Total	63	39	62	52	68

Source: Police Scotland

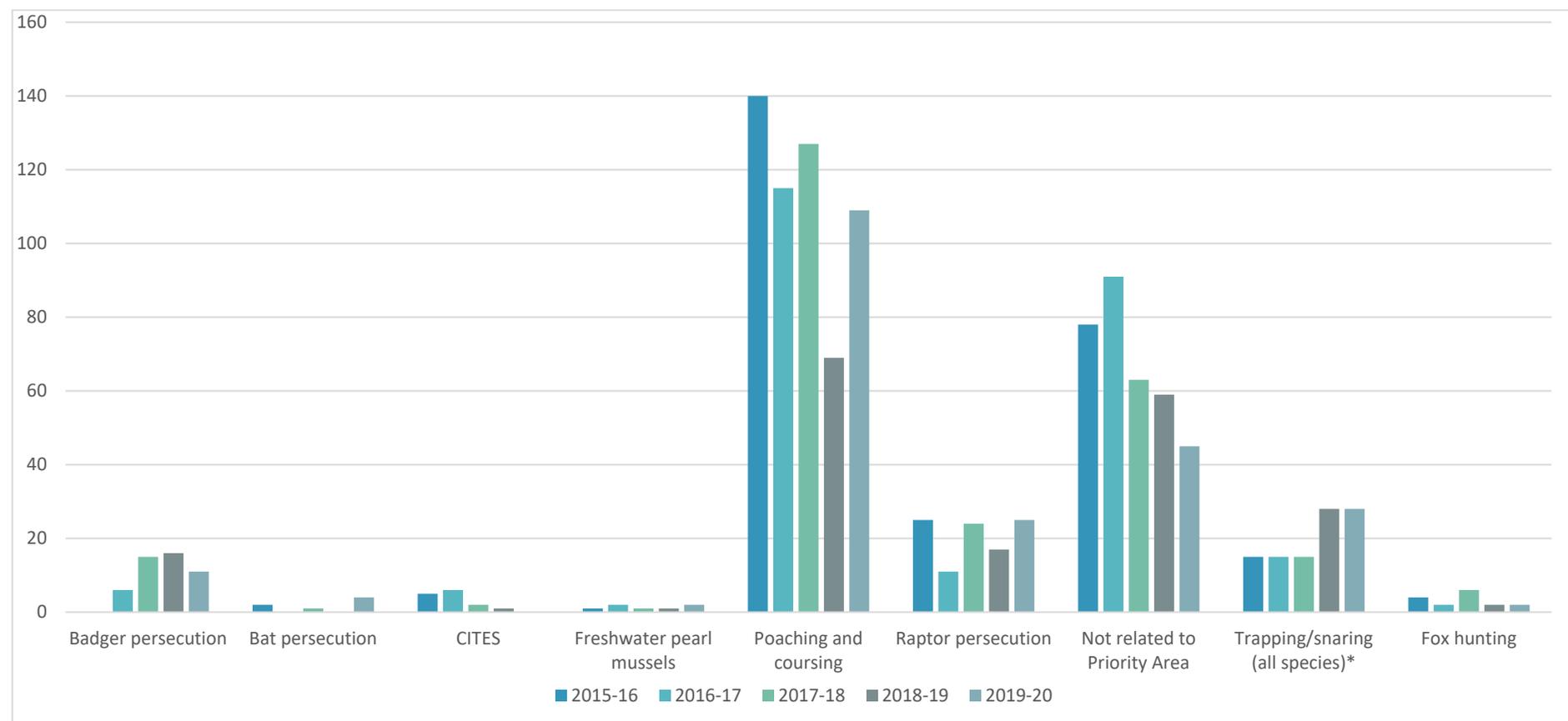
*These offences may be duplicated elsewhere, e.g. illegal killing of a badger by snaring would be recorded in 'Badger persecution' and 'Trapping/snaring'

Table 16: Quarterly Police Scotland data for 2019-2020

Type of crime	Number of offences			
	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar
Badger persecution	9	1	0	1
Bat persecution	1	3	0	0
CITES	0	0	0	0
Freshwater pearl mussels	0	1	1	0
Poaching and coursing	40	24	28	17
Raptor persecution	13	2	3	7
Not related to Priority Area	17	13	11	4
Total	80	44	43	29
<i>Additional breakdowns</i>				
Trapping/snaring (all species)*	5	7	9	7
Fox hunting	0	0	1	1
Hunting with dogs (all Protection Wild Mammals Act offences)	14	7	13	4
Total	19	14	23	12

Source: Police Scotland

Figure 1: Police Scotland offence data from 2015-16 to 2019-20



Source: Police Scotland

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 11 offences relating to badger persecution recorded by Police Scotland in 2019-20, compared to 16 in 2018-19. Table 18 provides a quarterly breakdown of offences.

Table 17: Badger offences 2019-20 by Police Scotland Division

Police Division	Type of offence	Number of offences
Fife	Killing	1
Highlands and Islands	Digging, damage and obstruction to sett	1
	Killing	1
Lothians and Scottish Borders	Killing	4
North East	Digging, damage and obstruction to sett	2
Tayside	Killing	2
Total		11

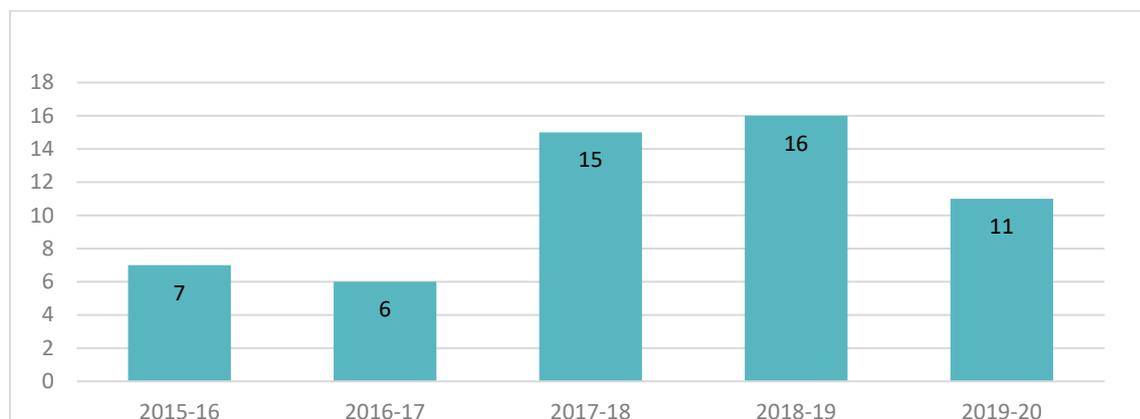
Source: Police Scotland

Table 18: Badger offences 2019-20 by species and quarterly breakdown

Type of Crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Digging, damage and obstruction to sett	1	0	0	0	1
Killing	6	1	0	1	8
Disturbance	2	0	0	0	2
Total	9	1	0	1	11

Source: Police Scotland

Figure 2: Police Scotland offence data for badger persecution 2015-16 to 2019-20



Source: Police Scotland

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 NatureScot bat specialists in the investigation of any alleged offences.

Recorded crimes

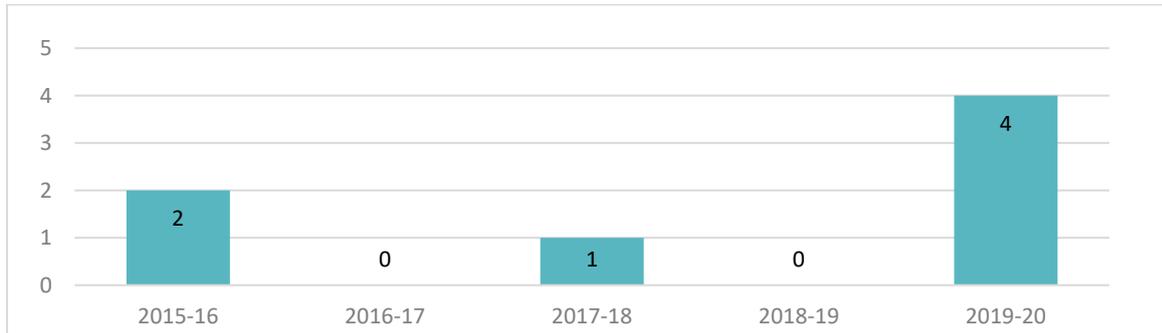
Table 19 and figure 3 show there were four offences involving bat persecution recorded by Police Scotland in 2019-20.

Table 19: Summary of 2019-20 bat persecution offences

Police Division	Type of Offence	Date
Tayside	Damage and obstruction to roost	Jul-19
Highlands and Islands	Damage and obstruction to roost	Jul-19
Lanarkshire	Damage and obstruction to roost	Jun-19
Renfrewshire and Inverclyde	Damage and obstruction to roost	Jul-19

Source: Police Scotland

Figure 3: Police Scotland offence data for bat persecution 2015-16 to 2019-20



Source: Police Scotland

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

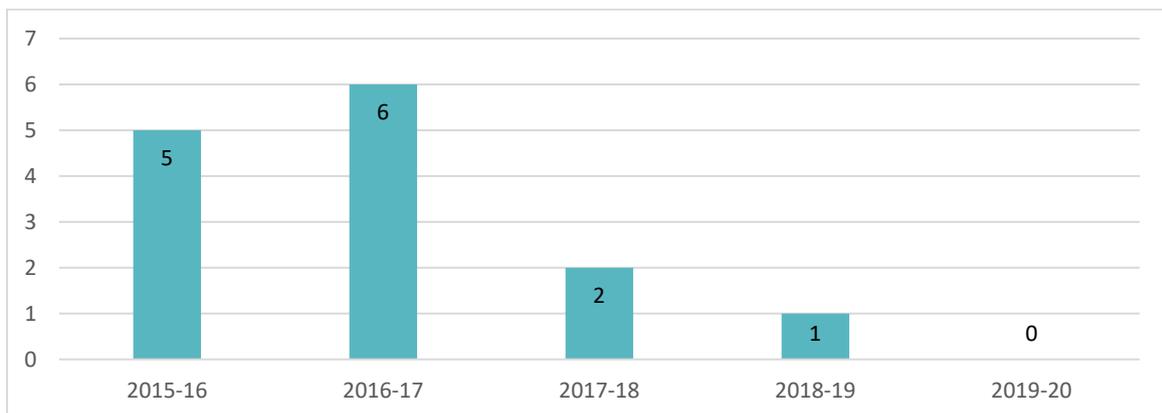
CITES is the Convention on International Trade in Endangered Species of Wild Fauna and Flora. It is an international agreement between governments, which aims to protect certain animal and plant species from over-exploitation by trade.

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

There were no CITES-related offence was recorded by Police Scotland in 2019-20.

Figure 4: Police Scotland offence data for CITES 2015-16 to 2019-20



Source: Police Scotland

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

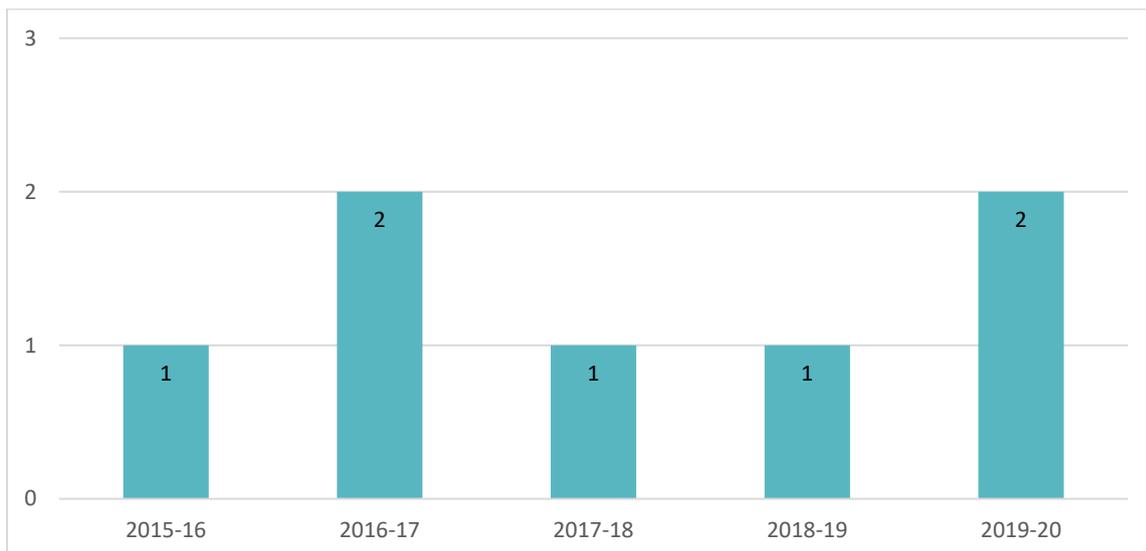
Police Scotland recorded two offences in relation to FWPM during 2019-20.

Table 19: Summary of 2019-20 FWPM offences

Police Division	Type of Offence	Date
Highland and Islands	FWPM fishing	Jul-19
	FWPM fishing	Jul-19

Source: Police Scotland

Figure 5: Police Scotland offence data for freshwater pearl mussels for 2015-16 to 2019-20



Source: Police Scotland

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 2019-20, 109 poaching and coursing offences were recorded by Police Scotland, compared to 54 offences in 2018-19. Table 20 shows the Tayside Division has the highest number of recorded hare coursing offences at 15.

Table 21 shows that hare coursing offences are the most commonly recorded at 49 offences, while fish poaching accounted for a further 24 offences.

Table 20: Poaching and coursing offences 2019-20 by Police Scotland Division

Police Division	Target Species	Number of offences
Argyll and West Dunbartonshire	Fish	1
Ayrshire	Fish	3
Dumfries and Galloway	Fish	1
	Hare	1
	Deer	1
Edinburgh	Fish	1
Fife	Fish	1
	Hare	10
	Deer	1
Forth Valley	Fish	3
	Rabbit	5
	Deer	2
Glasgow	Fish	1
	Deer	3
Highlands and Islands	Deer	7
	Fish	9
Lanarkshire	Rabbit	1
North East	Deer	4
	Fish	6
	Hare	11
Renfrewshire	Fish	1
Tayside	Hare	15
	Deer	3
	Wild Birds	1
Lothians and Scottish Borders	Deer	4
	Hare	12
	Rabbit	1
Total		109

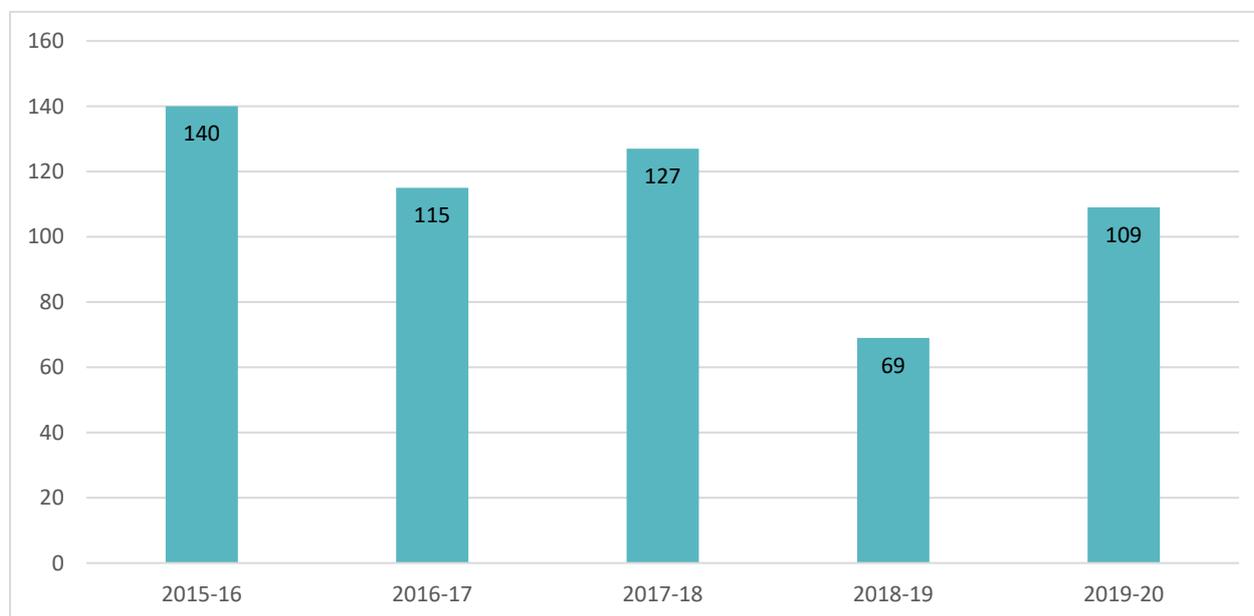
Source: Police Scotland

Table 21: Poaching offences 2019-20 by species and quarterly breakdown

Target Species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Deer	6	1	7	11	25
Fish	8	11	5	0	24
Hare	21	11	14	3	49
Rabbit	3	1	1	2	7
Unknown	2	0	1	0	3
Wild birds	0	0	0	1	1
Total	40	24	28	17	109

Source: Police Scotland

Figure 6: Police Scotland disaggregated offence data for poaching and coursing 2015-16 to 2019-20



Source: Police Scotland

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 2015-16 and 2019-20, alongside the number of incidents which resulted in these poisonings. The figures show that red kites are now (14) the most commonly recorded victim of illegal poisoning over the five year period.

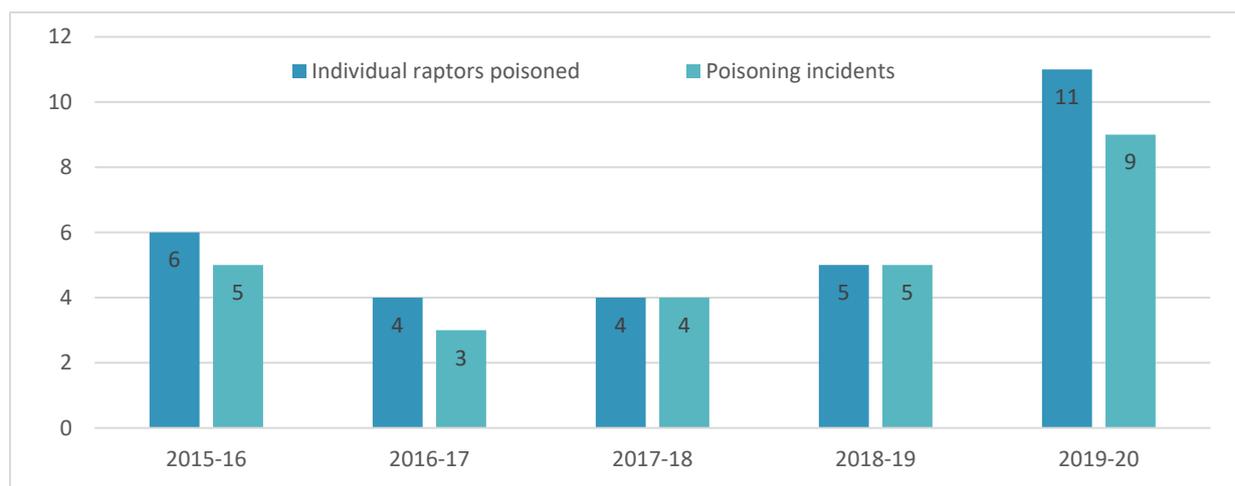
Table 22: Bird of prey poisonings, Scotland, 2015-16 to 2019-20

Year	Number of Birds of Prey Poisoned (By Species)				Number of Incidents
	Buzzard	Red kite	Peregrine falcon	All	
2015-16	5	1	-	6	5
2016-17	3	1	-	4	3
2017-18	3	1	-	4	4
2018-19	1	3	1	5	5
2019-20	2	9		11	9
Total	14	15	1	30	26

Source: Science and Advice for Scottish Agriculture (SASA)

*One incident may involve more than one bird

Figure 7: Bird of prey poisonings 2015-16 to 2019-20



Source: SASA

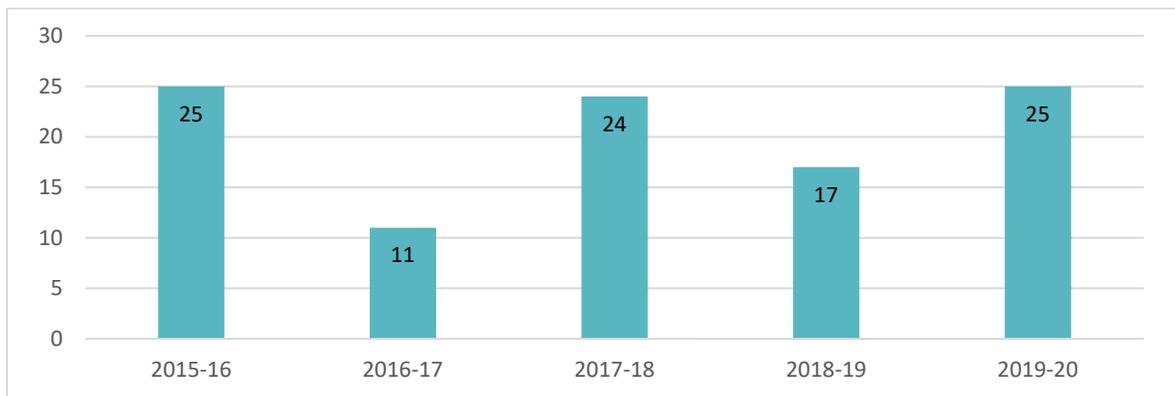
Recorded crimes

Raptor persecution offences increased from 17 in 2018-19 to 25 in 2019-20, however they represent a similar percentage of recorded crime (9% and 12% respectively).

Figure 8, table 24 and table 25 show a summary of bird of prey offences and offences recorded by Police Scotland between 2015-16 and 2019-20. A direct comparison between the datasets is not possible as incidents may involve multiple offences. These figures show that the buzzard (involved in 34 of the 107 cases) was the species most commonly affected over the five year period.

Shooting and poisoning are the joint highest recorded crime type for the period (24). It should be noted that one incident in this period in the North East involved the persecution of 6 raptors.

Figure 8: Recorded Bird of prey offences 2015-16 to 2019-20



Source: Police Scotland

Table 23: Recorded bird of prey cases in Scotland, 2015-16 to 2019-20 by species involved

	Number of Cases (by species involved)																
	Buzzard	Hen Harrier	Peregrine	Red Kite	Eagle	Sea Eagle	Golden Eagle	Goshawk	Merlin	Osprey	Buzzard & Red Kite	Barn Owl	Short Eared Owl	Tawny Owl	Unknown	Sparrowhawk	Total
2015-16	12	2	1	4	-	-	1	1	-	2	1	-	-	-	1	-	25
2016-17	4	-	1	-	-	-	1	1	-	3	1	-	-	-	-	-	11
2017-18	1	2	1	1	1	1	1	-	1	1	-	1	1	-	12	-	24
2018-19	9	-	1	2	-	-	1	1	-	1	-	-	-	-	1	1	17
2019-20	8	3	-	10	1	-	-	-	-	-	-	-	-	-	6	2	30*
Total	40	8	7	21	2	1	5	4	1	7	2	1	1	1	21	3	125

Source: Police Scotland

*One buzzard offence was linked to an incident involving six buzzards.

Table 24: Recorded bird of prey cases in Scotland, 2015-16 to 2019-20 by type of crime

	Number of Cases (by type of crime)						Total
	Disturbance	Egg Theft	Other	Poisoning	Shooting	Trapping	
2015-16	3	-	3	6*	8	6*	25
2016-17	4	1	-	3	2	1	11
2017-18	3	1	11	2	5	2	24
2018-19	-	1	3	6	2	5	17
2019-20	1	-	-	13	7	4	25
Total	12	3	19	30	32	13	121

Source: Police Scotland

* one incident involved both trapping and poisoning

Table 25: Summary of recorded bird of prey offences in Scotland 2019-20 by Police Scotland Division

Police Division	Target Species	Number of offences
Dumfries and Galloway	Hen Harrier	1
	Red Kite	9
	Unknown	5
Edinburgh	Sparrowhawk	1
Forth Valley	Sparrowhawk	1
Highland and Islands	Buzzard	1
Lanarkshire	Hen Harrier	1
North East	Buzzard	1
	Red Kite	1
Tayside	Buzzard	1
	Golden Eagle	1
	Peregrine Falcon	1

	Unknown	1
Total		25

Source: Police Scotland

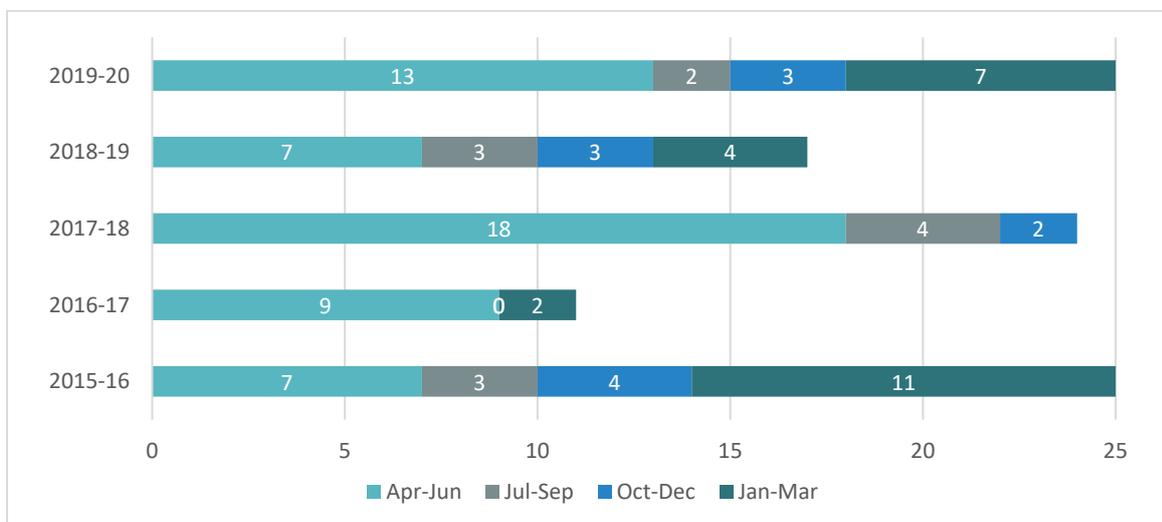
Table 26 and Figure 9 shows a majority of recorded bird of prey offences occurring during April to June, with 13 of the 25 total offences.

Table 26: Bird of prey offences 2019-20 by species and quarterly breakdown

Target species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Buzzard	-	-	2	1	3
Golden Eagle	-	-	-	1	1
Hen Harrier	3	-	-	-	3
Red Kite	9	1	-	-	10
Sparrowhawk	1	1	-	-	2
Unknown	-	-	1	5	6
Total	13	2	3	7	25

Source: Police Scotland

Figure 9: Bird of prey offences quarterly breakdown 2015-16 to 2019-20



Source: Police Scotland

Table 27 provides a detailed breakdown of bird of prey incidents for the year 2019-20. One incident may involve more than one bird.

Table 27: Details of recorded bird of prey incidents in Scotland 2019-20

Species targeted	Police Division	Type of offence	Month and year
Buzzard	North East	Shooting	Oct 2019
	Tayside	Shooting	Oct 2019
	Highland and Islands	Shooting	Mar 2020
Golden Eagle	Tayside	Shooting	Feb 2020
Hen Harrier	Tayside	Trapping	May 2019
	Lanarkshire	Trapping	May 2019
	Dumfries & Galloway	Shooting	Jun 2019
Red Kite	North East	Shooting	Sep 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
	Dumfries & Galloway	Poisoning	Jun 2019
Sparrowhawk	Forth Valley	Shooting	Apr 2019
	Edinburgh	Disturbance	Jul 2019
Unknown	Tayside	Trapping	Oct 2019
	Dumfries & Galloway	Poisoning	Jan 2020
	Dumfries & Galloway	Poisoning	Feb 2020
	Dumfries & Galloway	Poisoning	Feb 2020
	Dumfries & Galloway	Poisoning	Feb 2020
	Dumfries & Galloway	Trapping	Feb 2020

Source: Police Scotland

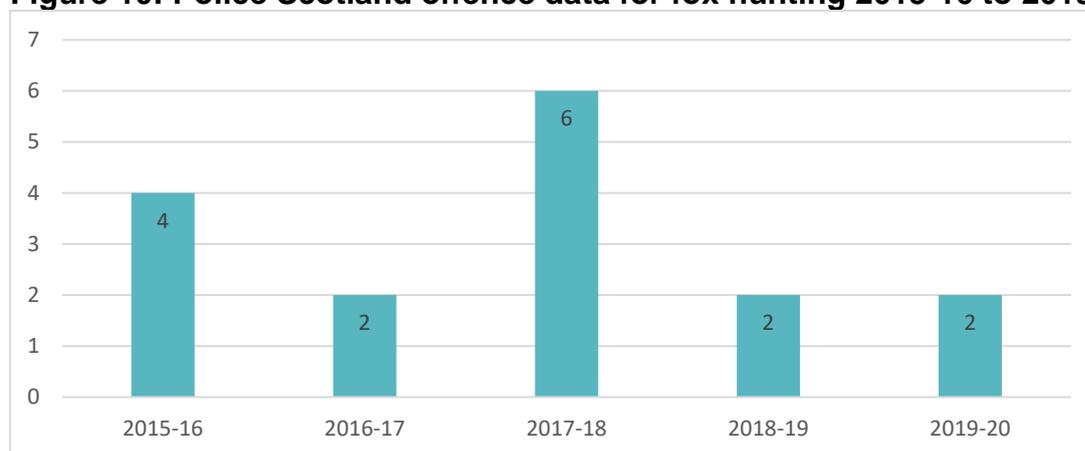
Fox Hunting and the Protection of Wild Mammals (Scotland) Act 2002

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

Recorded crime

Table 29 and figure 10 shows from the disaggregated data from Police Scotland, two of the 38 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 2019-20 (38) increased from 2018-19 (22). Hare coursing makes up the majority of these offences (32).

Figure 10: Police Scotland offence data for fox hunting 2015-16 to 2019-20



Source: Police Scotland

Table 28*: Protection of Wild Mammals (Scotland) Act 2002 ‘hunting with dogs’ offences 2019-20 by Police Scotland Division

Police Division	Target species	Number of offences
Dumfries and Galloway	Deer	1
	Hare	1
Fife	Hare	3
North East	Hare	6
Renfrewshire & Inverclyde	Fox	1
Tayside	Hare	14
The Lothians and Scottish Borders	Fox	1
	Badger	1
	Deer	2
	Hare	8
Total		38

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 29: Protection of Wild Mammals (Scotland) Act 2002 ‘hunting with dogs’ offences 2019-20 by species and quarterly breakdown

Target species	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Badger	1	-	-	-	1
Deer	2	-	-	1	3
Fox	-	-	1	1	2
Hare	11	7	12	2	32
Total	14	7	13	4	38

Source: Police Scotland

Prosecutions

For the period 2019-2020, no cases were reported to COPFS containing a charge under Section 1 of the 2002 Act specifically in connection with allegations of hunting foxes with dogs.

Trapping and Snaring

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

Recorded crimes

Trapping and snaring figures are not shown as part of the recorded crime statistics in Table 1 as the offence data cannot be broken down to that level. The Police Scotland disaggregated offence data in Table 15 shows that 28 offences were recorded for 2019-20, exactly the same figure as offences recorded in 2018-19.

Table 31 shows that the vast majority (20) of the recorded trapping and snaring offences in 2019-20 occurred between Lanarkshire, the North East, Tayside and the Lothians and Scottish Borders divisions.

Table 30: Trapping and snaring offences 2018-19 by Police Scotland Division

Police Division	Type of offence	Target Species	Number of offences
Dumfries and Galloway	Larsen trap	Crow	1
	Spring trap	Crow	1
	Snare	Fox	1
Fife	Snare	Badger	1
Forth Valley	Live trap	Grey squirrel	1
Highland and Islands	Snare	Unknown	1
	Live trap	Badger	1
Lanarkshire	Live trap	Deer	1
	Live trap	Unknown	1
	Snare	Unknown	1
	Live trap	Rabbits	1
North East	Snare	Unknown	3
	Snare	Fox	1
	Spring trap	Unknown	1
Renfrewshire & Inverclyde	Snare	Deer	1
Tayside	Snare	Unknown	1
	Fenn Trap	Hen Harrier	1
	Snare	Badger	2
	Fenn Trap	Unknown	1
	Snare	Deer	1
The Lothians and Scottish Borders	Snare	Unknown	5
Total			28

Source: Police Scotland

Table 31 shows offences are occurring quite consistently throughout the year, with a slight increase from October – December.

Table 31: Trapping and snaring offences 2019-20 by quarterly breakdown

Type of crime	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Total
Snare	3	5	8	2	18
Spring trap				2	2
Fenn trap	1		1		2
Live trap	1	2		2	5
Larsen trap				1	1
Total	5	7	9	7	28

Source: Police Scotland

Prosecutions

In 2019-20, 6 cases related to trapping and snaring were reported to COPFS.

5. PAW Scotland

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



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

In March 2020, the impact of the COVID-19 emergency resulted in a public health and economic crisis of unprecedented scale. As a consequence, much of the Scottish Government's resources were deployed in these areas. The nature of the emergency meant that people had to socially distance and/or isolate. This meant that the Scottish Government, enforcement and other organisations could not function as normal.

The progression of the PAW Scotland meetings schedule was one of a number of areas of work that was placed on hold. Meetings of the sub-groups detailed below, sought to resume in 2021.

Legislation, Regulation and Guidance

The PAW Scotland Legislation, Regulation and Guidance Sub-group was created to review the operation in practice of wildlife legislation and regulations; identify areas for improvement and make recommendations. To produce guidance for wildlife crime law enforcement practitioners, land managers and other countryside users.

Media

The PAW Scotland Media Sub-group was created to oversee the publicising of the work of PAW Scotland, development of the PAW Scotland brand and the co-ordination of events.

Training and Awareness

The PAW Scotland Training and Awareness Sub-group was created to ensure that training relating to, and awareness of, wildlife crime is maintained at an appropriately high level across Scotland.

Scientific

The PAW Scotland Scientific group was created to;

- advise on priorities for analysis & research and act as a review panel for grant applications relating to research into scientific aspects of wildlife crime
- review and advise on presentation of scientific data
- increase the profile, among the enforcement community, of scientific techniques & methods that can be used for wildlife crime investigations, carry out case
- reviews, from a scientific and/or forensic perspective, of completed wildlife crime investigations
- increase the profile of the application of science in handling wildlife crime by publishing group minutes and links to appropriate peer-reviewed scientific papers

Raptor

The PAW Scotland Raptor Group was established to develop a programme of work to improve prevention, awareness raising, enforcement and intelligence gathering in Scotland related to crimes against birds of prey.

- develop methods to assist in reducing raptor persecution
- devise strategies to raise awareness of raptor persecution
- devise strategies to foster trust and relations with PAW partners to maximise intelligence and crime prevention opportunities
- encourage data sharing between both government and non-government organisations.
- bring a robust evidence led approach to prevention and enforcement activity to support policing
- examine and implement innovative approaches to preventative action to reduce raptor persecution
- encourage appropriate enforcement action in all incidents of raptor persecution

Freshwater Pearl Mussel Priority Delivery Group

The Freshwater Pearl Mussel Priority Delivery Group aims to raise awareness of criminality affecting freshwater pearl mussels in order to facilitate intelligence and incident reporting, leading to increased prevention and enforcement action

Badger Persecution Priority Delivery Group

The aims of the group are broadly covered by three headings. These are intelligence gathering, enforcement and crime prevention which are carried out via the U.K. wide initiative “Operation Badger”. Intelligence gathering and enforcement rest largely with Police Scotland, NWCU and the SSPCA. Scottish Badgers, SNH and NFUS are primarily concerned with crime prevention, in particular via the provision of publicity, education and specialist advice.

- Reduce the instances of sett interference during otherwise lawful operations.
- Increase successful detection and prosecution of badger baiters and the seizure of their dogs.

Poaching & coursing Priority Delivery Group

The group aims to build a greater level of public awareness of poaching and coursing as serious wildlife crime, to continue to build working relations, communications and information share between all agencies and organisations and rural communities in order to increase prevention activity and enforcement (Scotland).

Funding

The PAW Scotland Funding Sub-group was created to consider, reject or approve applications to the PAW Scotland Fund. Applications are managed by NatureScot on behalf of Scottish Government and PAW Scotland.

The PAW Funding group met in May 2019 with another meeting scheduled for May 2020. The group ratified updates to the PAW funding priorities and selection criteria, including funding to non-PAW signatories from public, private and voluntary sectors both within and outwith PAW Scotland. Projects which encourage public engagement with wildlife crime issues while retaining a focus on the key activities of crime prevention, intelligence or enforcement were likely to be prioritised.

The group funded the following projects in 2019/20;

- RSPB investigations team, a specialist team delivering awareness raising, crime prevention and detection functions. Assisting Police Scotland in criminal investigations.
- A Forestry and Woodland Crime Sharing Good Practice event attended by around 80 participants from the forestry sector
- A project to install cameras on high persecution risk freshwater pearl mussel in partnership with the West Sutherland Fisheries Trust
- Heads up for Harriers - Image analysis 2015-2019 report, assessing over 2 million nest camera images to determine factors for nesting success and failure
- Training of Wildlife Crime Officers across Scotland in badger related issues, delivered by Scottish Badgers
- Delivery of a WDC marine mammal awareness campaign
- University of Strathclyde project to develop forensic tapes for recovery of human DNA from animal carcasses at the scene of crime.

6. Police Scotland



From October 2020 to October 2021 Police Scotland delivered Operation Wingspan in collaboration with our partners. This operation focussed on each of the NPCC wildlife crime priorities in turn and comprised a social media strategy that obtained a reach of 1.6 million, and the enforcement element included the employment of innovative investigative tactics that led to significant arrests / charges for serious wildlife crimes including the taking of peregrine falcon chicks from the wild, poaching and hare coursing.

At the UK Wildlife Crime Enforcers Awards in December Police Scotland won three awards, which was the majority of awards on officer: Wildlife Crime Enforcer of the Year (PC Steven, Wildlife Crime Liaison Officer, Lothians and Scottish Borders), Certificate of Merit (PC Ben Pacholek, Wildlife Crime Liaison Officer, Fife) and Enforcement Operation of the Year (Operation Wingspan).

Regular training opportunities are provided to Wildlife Crime Officers including a recent raptor persecution crime scene work shop, whereby officers developed their skills regarding forensic seizure of carcasses and evidence, recognition of poisoning and the criminal use of traps and snares.

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.

Grouse Moor Management

Following the publication of the Werrity report on 19 December 2019, the Scottish Government provided a response to the recommendations on 26 November 2020. The response announced our intention to licence grouse moors and deliver the recommendations.

Licensing or further regulation of grouse moors will cover the key areas identified in the review, including muirburn, wildlife control, the use of medicated grit and wildlife crime. Licensing will be supported by clear penalties to encourage compliance, as well as additional effort to detect wildlife crime.

The full [Scottish Government response](#) to the recommendations provides further detail.

Deer Management

The Deer Working Group was established by the Scottish Government in 2017. The Group was appointed as an independent working group to review the existing statutory and non-statutory arrangements for the management of wild deer in Scotland, taking account of the position with each of the four species of wild deer and the varying circumstances across Scotland. The Scottish Government provided a response to the recommendations on 24 March 2021. The response announced our acceptance of 92 of the 99 recommendations.

The full [Scottish Government response](#) to the recommendations provides further detail.

8. Legislative Changes

Animals and Wildlife (Penalties Protections and Powers) (Scotland) Act 2020

The Animals and Wildlife (Penalties Protections and Powers) (Scotland) Act 2020 was unanimously passed by the Scottish Parliament on 17 June 2020, became an Act on 21 July 2020, and came into force on 30 November 2020. It amended various pieces of legislation to increase the maximum penalties for certain wildlife offences and increased the time available for the police to investigate these crimes.

The Act also reclassified mountain hares as endangered animals, which protects the species from being killed, injured or taken (except under licence for certain limited purposes) at any time of the year, subject to certain permitted exceptions.

Appendix 1 - Offence Categories and Legislation

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

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

Appendix 2 - Notes and Definitions for COPFS Data

- The information provided was compiled on 01 October 2021.
- At the stage of preparing this report, there remain a number of court cases pending trial.
- 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

Appendix 2A - Further information on COPFS Case Outcomes

Table A: Outcomes of all fish poaching cases

	2015-16	2016-17	2017-18	2018-19	2019-20
No action	10	8	5	*	5
Alternative to prosecution	15	20	*	10	9
Prosecuted	5	7	*	*	3
<i>of which convicted</i>	*	*	*	*	1
No. of reports received	30	35	18	15	17

Table B: Outcomes of all other wildlife cases

	2015-16	2016-17	2017-18	2018-19	2019-20
No action	30	19	25	16	17
Alternative to prosecution	12	15	*	8	5
Prosecuted	18	25	*	15	9
<i>of which convicted</i>	*	*	*	9	4
No. of reports received	60	59	49	39	31

Outcomes by Individual Case Category

Offences relating to badgers

For the period 2015-2020, a total of 9 cases relating to badgers were reported to COPFS.

Table D: Offences relating to birds

	2015-16	2016-17	2017-18	2018-19	2019-20
No action	9	10	*	*	0
Alternative to prosecution	*	5	*	*	0
Prosecuted	*	9	*	6	1
<i>of which convicted</i>	*	*	*	*	1
No. of reports received	15	24	13	12	1

Table E: Offences relating to cruelty to wild animals

	2015-16	2016-17	2017-18	2018-19	2019-20
No. of reports received	*	8	0	*	0

Table F: Offences relating to deer

	2015-16	2016-17	2017-18	2018-19	2019-20
No. of reports received	*	*	*	*	3

Table G: Offences relating to hunting with dogs

	2015-16	2016-17	2017-18	2018-19	2019-20
No action	8	*	*	*	9
Alternative to prosecution	*	*	*	0	0
Prosecuted	*	*	9	*	4
<i>of which convicted</i>	*	*	*	0	1
No. of reports received	15	7	22	7	13

Table H: Other wildlife offences

	2015-16	2016-17	2017-18	2018-19	2019-20
No action	9	*	5	*	5
Alternative to prosecution	6	*	*	5	4
Prosecuted	5	6	*	*	2
<i>of which convicted</i>	*	*	0	*	2
No. of reports received	20	14	10	11	11

Table I: Other conservation offences

For the period 2015-20, a total of 3 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 2015-16 to 2019-20

Main crime group	Main Charge	2015-16	2016-17	2017-18	2018-19	2019-20
Total prosecuted		25	23	27	15	12
Badgers	Sub-Total	-	-	-	-	-
	Protection Of Badgers Act 1992 Section 11a(1)	-	-	-	-	-
Birds	Sub-Total	5	4	3	2	4
	Wildlife & Countryside Act 1981 Section 1(1)(A)	5	3	1	2	2
	Wildlife & Countryside Act 1981 Section 1(1)(B)	-	-	-	-	1
	Wildlife & Countryside Act 1981 Section 1(1)(C)	-	1	-	-	-
	Wildlife & Countryside Act 1981 Section 1(2)(A)	-	-	2	-	1
	Wildlife & Countryside Act 1981 Section 5(1)(B)	-	-	-	-	-
Cruelty to wild animals	Sub-Total	6	2	5	-	3
	Wild Mammals (Protection) Act 1996 Section 1	-	-	1	-	-
	Wildlife And Countryside Act 1981 Section 11(1)(A)	1	1	-	-	-
	Wildlife And Countryside Act 1981 Section 10a(1)	1	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(2)(A)	-	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(2)(A) & (F)	1	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(G)(1)	-	1	4	-	3
	Wildlife And Countryside Act 1981 Section 11a(2)&(6)	1	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(1)(Aa)	-	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11c(B)	1	-	-	-	-
	Wildlife And Countryside Act 1981, Section 11a(2)(B)&(6)	1	-	-	-	-
Deer	Sub-Total	-	1	1	-	-
	Deer (Scotland) Act 1996 Section 21(3)	-	-	1	-	-
	Deer (Scotland) Act 1996 Section 22	-	-	-	-	-
	Deer (Scotland) Act 1996 Section 23(1)	-	1	-	-	-
Hunting with dogs	Sub-Total	5	8	4	6	-
	Protection Of Wild Mammals (Scotland) Act 2002 Section 1(1)	5	8	4	6	-
Fish poaching	Sub-Total	8	5	5	3	5
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.11(1)	-	-	1	1	-
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.6(1)&(2)	1	1	1	-	-

	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S2(1)&(2)	-	-	-	-	1
	Salmon And Freshwater Fisheries (Consolidation)(Scotland) Act 2003 S.13(2)&(4)	1	-	-	-	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.17(2)(A)	-	1	1	-	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.7	3	-	-	1	3
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 Sec 9(1)&(2)	2	3	2	1	1
	Scotland Act 1998 (River Tweed) Order Article 22(1)	1	-	-	-	-
Other wildlife offences	Sub-Total	1	3	9	4	-
	The Conservation (Natural Habitats, &C.) Regulations 1994 Reg 39(1)(A/B/C/D)	-	-	-	-	-
	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)	-	1	5	2	-
	Wildlife And Countryside Act 1981 Section 18(2)	-	-	3	1	-
	Wildlife And Countryside Act 1981 Section 18a(1)&(2)	1	-	-	-	-

Source: Scottish Government Criminal Proceedings Database

Table B: People with a charge proved in Scottish Courts for wildlife offences, where main charge 2015-16 to 2019-20

Main crime group	Main Charge	2015-16	2016-17	2017-18	2018-19	2019-20
Total convicted		20	22	24	10	11
Badgers	Sub-Total	-	-	-	-	-
	Protection Of Badgers Act 1992 Section 11a(1)	-	-	-	-	-
Birds	Sub-Total	5	4	3	2	4
	Wildlife & Countryside Act 1981 Section 1(1)(A)	5	3	1	2	2
	Wildlife & Countryside Act 1981 Section 1(1)(B)	-	-	-	-	1
	Wildlife & Countryside Act 1981 Section 1(1)(C)	-	1	-	-	-
	Wildlife & Countryside Act 1981 Section 1(2)(A)	-	-	2	-	1
	Wildlife & Countryside Act 1981 Section 5(1)(B)	-	-	-	-	-
Cruelty to wild animals	Sub-Total	3	2	5	-	2
	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)	-	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(2)(A)	-	-	-	-	-
	Wildlife And Countryside Act 1981 Section 11(G)(1)	-	1	4	-	2
	Wildlife And Countryside Act 1981 Section 11a(2)&(6)	1	-	-	-	-
	Wildlife And Countryside Act 1981, Section 11a(2)(B)&(6)	1	-	-	-	-
Deer	Sub-Total	-	1	1	-	-
	Deer (Scotland) Act 1996 Section 21(3)	-	-	1	-	-
	Deer (Scotland) Act 1996 Section 22	-	-	-	-	-
	Deer (Scotland) Act 1996 Section 23(1)	-	1	-	-	-
Hunting with dogs	Sub-Total	3	8	4	2	-
	Protection Of Wild Mammals (Scotland) Act 2002 Section 1(1)	3	8	4	2	-
Fish poaching	Sub-Total	8	5	4	3	5
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.11(1)	-	-	1	1	-
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S.6(1)&(2)	1	1	1	-	-
	Salmon And Freshwater Fisheries (Consolidation) (Scotland) Act 2003 S2(1)&(2)	-	-	-	-	1
	Salmon And Freshwater Fisheries (Consolidation)(Scotland) Act 2003 S.13(2)&(4)	1	-	-	-	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.17(2)(A)	-	1	1	-	-
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 S.7	3	-	-	1	3
	Salmon And Freshwater Fisheries(Consolidation)(Scotland) Act 2003 Sec 9(1)&(2)	2	3	1	1	1
	Scotland Act 1998 (River Tweed) Order Article 22(1)	1	-	-	-	-
Other wildlife offences	Sub-Total	1	2	7	3	-
	The Conservation (Natural Habitats, &C.) Regulations 1994 Reg 39(1)(A/B/C/D)	-	-	-	-	-

	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)	-	-	3	2	-
	Wildlife And Countryside Act 1981 Section 18(2)	-	-	3	-	-
	Wildlife And Countryside Act 1981 Section 18a(1)&(2)	1	-	-	-	-

Source: Scottish Government Criminal Proceedings Database

Appendix 4 - Health of the species

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

Common name	FWPM	Red deer	Roe Deer
Species name	<i>Margaritifera margaritifera</i>	<i>Cervus elaphus</i>	<i>Capreolus capreolus</i>
Summary	Freshwater pearl mussels live in the bottom of fast-flowing streams and rivers where they may be completely or partially covered in sand or gravel. They need water of the highest quality as they spend their first year harmlessly attached to the gills of either salmon or trout before dropping off onto the river bed.	Red deer have adapted to living on open hillsides and moorlands throughout much of Scotland. They can also be found in coniferous and deciduous forests. Although symbolic of wild and remote areas, red deer now also occupy areas closer to people, even entering some suburbs.	Roe deer are generally seen in loose family groups or as individual animals. They are generally found in woodlands, particularly around the edges where the woodland meets open ground, including farmland. They are increasingly found in and around our towns.
Diet	They feed by filtering food particles out of the river water, filtering up to 50l a day	Red deer graze and browse a wide variety of plants including grasses, red deer heather, shrubs and trees.	Their diet includes a variety of woodland plants including herbs, brambles, ivy, heather, bilberry & coniferous tree shoots
Appearance	They are dark brown to black and much larger than their marine relatives	Red Deer are dark russet-brown in colour, with a paler buff rump patch and a pale tail. Males have large, branching antlers, increasing in size as they get older.	Roe deer are small with a summer coat of reddish brown turning to grey, pale brown or black in winter. They have a black nose, white chin and white rump patch with a short tush in females. Antlers are rough, short and have three tines on each.
Size	Shell length: 80-145mm	Length: 1.7-2.6m Weight: 100-340kg Height: 1.2m at the shoulder	Length: 0.9-1.3m Weight: 10-25kg Height: 60-75cm at the shoulder
Lifespan	Over 100 years	16-18 years	Average 7 years (up to 16)
Status	Critically endangered in Europe(IUCN), Classified as a Priority Species in the UK Biodiversity Action Plan.	Common protected under the Deer (Scotland) Act 1996.	Common protected under the Deer (Scotland) Act 1996.
Distribution	There are freshwater pearl mussel populations in 115 watercourses in Scotland with the majority of these rivers located in the Highlands and the Western Isles	Common throughout Scotland	Common throughout Scotland
Population	Declining in Scotland	Evidence suggests that population level is stable.	Evidence suggests that population level is stable.
Monitoring	National survey published in 2009 and 2015. Our most critical freshwater pearl mussel populations are monitored every six years as part of NatureScot's Site Condition Monitoring programme.	Actions to monitor the numbers and impacts of red deer in the uplands are included in the Deer Management Plans produced by Deer Management Groups	Actions to monitor the numbers and impacts of roe deer in the uplands are included in the Deer Management Plans produced by Deer Management Groups
Threats	Illegal pearl-fishing invariably kills mussels. Water pollution and damage to river beds and banks can seriously affect populations	Disease and poaching will have an impact on the health of deer, although there is no evidence to suggest that either are having an impact at the population level.	Disease and poaching will have an impact on the health of deer, although there is no evidence to suggest that either are having an impact at the population level.

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

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



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