



Title: Wildlife Crime – Update to the Board on current issues

Date: 28 October 2020

Purpose:	For Information – To provide an update on wildlife crime and the work of NatureScot in addressing this.
How does this link with our corporate priorities of improving biodiversity or delivering nature-based solutions to climate change	<p>Ensuring that nature thrives is a vital part of the solution to many of the challenges we face when managing land, freshwater and the marine environment.</p> <p>We work with partners to reduce wildlife crime and create long-term solutions for wildlife management and sustainable land use in Scotland's uplands.</p>
Summary:	<ul style="list-style-type: none"> • NatureScot are involved in both a strategic and operational capacity, supporting a multi-agency approach to tackling wildlife crime. • We work closely with Police Scotland, the National Wildlife Crime Unit and key stakeholders to support crime prevention and detection. • Over the last six months we have seen an increase in reported crime incidents involving wildlife. • We have a key role in bringing together stakeholders with polarised positions on wildlife and land management issues.
Actions	N/A – for information only
Recommendations:	N/A – for information only
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Appendices:	N/A

Purpose

This paper provides an overview of NatureScot's role in wildlife crime, an update on emerging issues and our recent work in supporting Police Scotland and the Partnership for Action against Wildlife Crime in Scotland (PAWS).

Background

There are six UK wildlife crime priorities (badgers, bats, trade in endangered species (CITES), Fresh Water Pearl Mussels, poaching, raptors). These are set by the UK Task and Coordination Group (Police) based upon the level of threat to the conservation status and welfare posed by criminal activity. The role of NatureScot encompasses work with both PAW UK and PAW Scotland and associated groups, by advising on priorities and delivering partnership action arising from these. We also work with Police Scotland and the Crown Office by providing specialist assistance with their investigations and through our licensing function.

Of the six UK wildlife crime priorities, raptor persecution is the most contentious, with a high media profile often fuelled by the disparate positions of conservation and land management sectors. Whilst taking a firm line on wildlife crime NatureScot has an important role in bringing together those with often polarised positions, acting as trusted intermediary.

Recent Issues

Since the 23rd March when coronavirus restrictions came into effect we have seen an increase in the number of incidents¹ of wildlife crime reported to NatureScot in comparison to previous years.

Incidents² which have been recorded as crimes by the Police include - raptors (14), protected sites (4), badgers (4), beavers (4) and FWPM (2). This compares to the same period in 2019 - raptors (2), protected sites (2), badgers (0), beavers (1) and FWPM (0).

In many of these cases crimes have been carried out both blatantly and recklessly – for example the poisoning of a white tailed eagle in Aberdeenshire, and removal of 100 tonnes of sediment from a SSSI in Ayrshire– with offenders apparently taking advantage of a perceived lack of public vigilance. NatureScot along with the Cabinet Secretary and Scottish Government have been unequivocal in condemning incidents of wildlife crime.

The increase in wildlife crime incidents, and particularly raptor incidents, has found traction within the media at a time when there appears to be growing public interest in the issue. We have also seen conservation and land management NGOs bring a focus on upland land management through use of social and published media - particularly relating to activities associated with grouse moor management.

¹ Incident reports received by NatureScot from Police Scotland, RSPB and members of the public where there is a suspicion of crime. Formal crime recording may be subject to further investigation by the police.

² Only includes those incident reports received by NatureScot which were subsequently recorded as crimes by the Police. The total number of crimes recorded by the Police for the period will be higher.

In addition to recorded crimes there has been six suspicious disappearances of satellite tagged raptors between end March and early June. In the absence of additional evidence the police record such incidents as 'unexplained'.

Satellite tag disappearance is a particularly contentious issue. This is due in part to issues surrounding the ownership and transparency of satellite tag data. In the event of a satellite tagged raptor going missing in suspicious circumstances – for instance where the tag suddenly fails with no prior malfunction – the tag owner informs the police, provides the necessary tag data and may be treated as a witness.

Subject to the outcome of police investigations, the publication and sharing of tag data is at the discretion of the tag owner and may not become public. If there is insufficient evidence to record the incident as a crime the suspicion remains - but the lack of a definitive conclusion builds mistrust.

Work of NatureScot in relation to wildlife crime

- **We work closely with Police Scotland** who seek information and advice from key staff in relation to ongoing wildlife crime enquiries. These are usually directed via the NatureScot Wildlife Crime Officer and the response we provide is governed by Species Crime Guidance in accordance with the SNH/NatureScot – Police Scotland Information Sharing Protocol.

The scope of the service we provide to Police and COPFS is broad and includes licensing information, species identification, expert witness statements and legislative information. The 2016 Scottish Government Wildlife Crime Penalties Review made recommendations to better use the expertise of NatureScot in such cases.

- **We consider cases for general licence restriction** and meet with Police Scotland on a quarterly basis to review recorded incidents involving birds where the police have been unable to level charges (usually due to difficulties identifying a suspect). There is one general licence restriction currently in place: Leadhills estate (expires November 2022). Two restrictions recently expired on 14th September 2020: at Edradynate estate, and on an individual.

Two further restrictions in the Scottish Borders and Perthshire and an extension to an existing restriction cases are currently being considered.

- **NatureScot play an integral role in PAW Scotland**, as a key member within of all of the PAW Scotland Groups: Funding; Legislation Regulation and Guidance; Media; Training and Awareness; Scientific; Raptor; FWPM; Poaching and Coursing; and Badger Group.
- Work of the PAW Raptor Group – often the most divisive - has involved development for protocol for recovering stopped satellite tags and a protocol for the collection of evidence in relation to raptor crime. Membership of the PAW Raptor Group includes conservation and land management organisations, so agreement on these protocols is important in reducing conflict.

The PAW Raptor Group has also identified areas of concern or hotspots in relation to raptor persecution, based upon recorded crimes and missing satellite tagged birds. The police and National Wildlife Crime Unit are developing a PIE (Prevention Intelligence Enforcement) to tackling these areas, with Group member assistance as required.

- **We chair the PAW Funding Group provide the funding for priority projects.** Funding of £34k have been allocated to enable partner organisations to deliver wildlife crime projects in 2020/21. These include a police specialist wildlife crime investigators course, Scottish Badgers training for wildlife crime officers in badger related crime and support for the work of the RSPB Investigations Team.
- **NatureScot fund the Scottish Investigations Support Officer (SISO) post,** which sits within the National Wildlife Crime Unit. This post supports Police Scotland in complex investigations, provides an intelligence function regarding wildlife crime and works closely with the NatureScot Wildlife Management Team. NatureScot funding is set to end at the end of 2020/21 but given the benefits this role brings, it is hoped our commitment can extend beyond this.

Further work

- **The priorities for NatureScot in tackling wildlife crime** will build on our role as respected intermediary to build trust among organisations, promote better joint working, utilising the principles within the Shared Approach to Wildlife Management. The Scottish Government are expected to respond to the Werrity recommendations on licensing aspects of grouse moor management shortly. Whatever position taken, this is likely to reinforce the need for this work.
- We will work with Scottish Government to **implement recommendations from their 2018 PAW Scotland review** to deliver outcome-focussed, robust and accountable PAW Groups.
- We see a particular need to **develop the PAW Media Group.** This is key in ensuring organisations engage on a more constructive basis in responding to wildlife crime incidents, thereby mitigating media disputes.
- We have committed to **improve the availability and transparency of information** in relation to wildlife crime and satellite tagging. We have instructed the BTO (who administer sat tag licences on behalf of NatureScot) to provide a range of summary information on tagging activity. This will enable high-level summary information to be publicly available which will hopefully resolve some of the issues over transparency.
- Work is underway to **establish a satellite tag working group** involving satellite tag owners/fitters operating in Scotland, along with Police and NWCU contacts. The group will be chaired by NatureScot and promote open dialogue between all parties in relation to satellite tagging and related wildlife crime incidents.