

Mr Rob Gibson MSP  
Convenor, RACCE  
The Scottish Parliament  
EDINBURGH  
EH99 1SP

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*Dear Rob*

I am writing to follow up the outstanding points raised at the RACCE Committee session on wildlife crime on 27 November 2013. Please accept my apologies for the delay in producing this response.

### Poaching Initiatives

Graeme Dey asked about progress with regard to the initiatives being taken by the PAW Scotland Poaching Priority Delivery Group. I can confirm that:

- Specific proactive operational work is underway in some Police Scotland Divisions and it is hoped to look at these on a Scotland wide basis as the new police structure develops.
- A "Rural Watch" in connection with Neighbourhood Watch is underway in Kinross and in Angus there is now a text message service where information can be relayed between subscribers.
- Leaflets on poaching have been designed and funding for publication is being sought.
- An aide-memoire to assist land managers and rural workers in reporting a suspected wildlife crime to the police is nearing completion.
- A guide to awareness-raising on hare coursing including the new closed seasons is under consideration.

The use of interpretation boards on poaching has been discussed and is supported by the group, but has not yet been taken forward at this time.

A hare coursing survey of the National Farmers Union Scotland and Scottish Land & Estates is yet to be commenced as is the development of a communications protocol between the SSPCA and the group.

## **Wildlife Crime Penalties Review**

The membership of the group did take some time to establish, however I am delighted that Professor Mark Poustie from Strathclyde University was appointed as Chair. The other members of the group are Jeremy Greenwood CBE, Hugh Campbell Adamson, Sara Shaw (COPFS), and Cameron Cavin (Police Scotland). I expect the group to report their findings in around 6 months.

## **Prosecutions re hunting with dogs / flushing issue**

Claudia Beamish asked about prosecutions under the Protection of Mammals Act 2002. The data provided in the wildlife crime annual report records the prosecutions and convictions under the Act in the given years. As Ms Beamish notes, there were 5 prosecutions in 2011/12 but no convictions. I do not think it is possible to draw conclusions about the robustness of the legislation from such a small sample. However I will ask the PAW Legislation, Regulation and Guidance Group to make enquiries of COPFS and Police Scotland to see whether they have identified any weaknesses in the legislation that could be preventing successful prosecutions.

## **Publication of 2013 Wildlife Crime Annual Report**

Work has not yet started on the second annual report. As I said at the Committee, we are still establishing the datasets for this report. At this stage I am not able to commit to a fixed date, however I would do aim to have the report published before the summer recess.

## **Hare Coursing**

Under the Land Reform (Scotland) Act 2003 (LRSA), people have a right of access to most land and inland water in Scotland, so long as they act responsibly as detailed in the Scottish Outdoor Access Code. The Code says: "Access rights must be exercised in ways that are lawful and reasonable. By definition this excludes any unlawful or criminal activity from the time at which it occurs". The LRSA places emphasis on the local management of access and gives the lead management role to Scotland's local authorities and two national park authorities (known collectively as 'access authorities'). Access authorities work to uphold access rights and facilitate access. However, any illegal activity is, first and foremost, a matter for the police.

## **Fife Wildlife Crime Figures**

Cara Hilton noted that wildlife crime recorded incidents in Fife had increased by 800%. I am advised that the reason for this increase is that prior to January 2010, Fife Constabulary did not have a dedicated wildlife crime officer. Incident data amounted to 24 in 2008 and 27 in 2009.

When the wildlife crime officer post was created, a combination of better recording and increased confidence on the part of the public in the value of reporting incidents produced a 700% increase in incident data figures. An example of this change in reporting might be that if in 2009 a farmer had reported hare-coursing on his or her land, but no suspects were apprehended by the police, the incident was not recorded. By 2010 if an identical set of circumstances occurred, the incident would be recorded and investigated and at a minimum an intelligence log would be created.

It should also be noted that recorded incidents are not necessarily the same thing as recorded crime.

I hope that these responses are helpful. I thank the Committee for their interest in the Wildlife Crime Annual Report.

*Kindest regards*



**PAUL WHEELHOUSE**