

Supplementary Written Submission from Crown Office and Procurator Fiscal Service following evidence session 10 January 2017

Response to the ECCLR

1. Update on the outcome of the three cases reported in 2013-14 of recorded offences on bat crime.
2. Claudia Beamish requested further information on how the single CITES incident (made up of ten offences) in the 2015 report has progressed.
3. Mark Ruskell requested information on the percentage of raptor persecution crimes passed to COPFS and the percentage that were prosecuted.

1. Update on the outcome of the three cases reported in 2013-14 of recorded offences on bat crime.

In Chapter 4.3, of the [Wildlife Crime in Scotland – 2015 Annual Report](#) (at page 29) under the heading “Bat Persecution”, it states that there were three offences recorded by Police Scotland in 2013-14, related to three separate incidents.

It is not possible for COPFS to confirm the outcome of each of these incidents recorded by Police Scotland, including whether or not Police Scotland reported them to COPFS.

COPFS received three reports of bat related incidents in 2013-14, as highlighted in Chapter 4.2 of the [Wildlife Crime in Scotland 2014 Annual Report](#), at page 25, entitled “Bat Persecution”. In the penultimate paragraph the Report states that three bat related cases were reported to COPFS in 2013-14, one of which resulted in a conviction.

These three cases all concerned alleged illegal blocking up of bat roosts. Two of these cases were marked for no action, and in the third case, there was a prosecution in the Sheriff Court resulting in a £240 fine.

There was only one bat related case reported to COPFS in 2014-15. It was marked for no action.

These cases are included in the category “Other wildlife offences” in the 2014 and 2015 Wildlife Crime Reports.

2. Claudia Beamish requested further information on how the single CITES incident (made up of ten offences) in the 2015 report has progressed.

In Chapter 4.4, of the [Wildlife Crime in Scotland – 2015 Annual Report](#) (at page 30) under the heading “CITES”, it states that 10 CITES-related offences, relating to a single incident in Fife, were recorded by Police Scotland in 2014-15.

On page 11 of the Report under the heading “Notable Cases”, at the fourth paragraph, there are details of the outcome in the related prosecution case against Peter Lockhart. The Report states:

“In January 2015, Peter Lockhart was fined £2000 and disqualified from owning or keeping animals for five years for offences under the Animal Health and Welfare (Scotland) Act 2006 and Control of Trade in Endangered Species (Enforcement) Regulations 1997 committed at Fife Animal Park in 2013 and 2014.”

3. Mark Ruskell requested information on the percentage of raptor persecution crimes passed to COPFS and the percentage that were prosecuted.

In Chapter 2 of the [Wildlife Crime in Scotland – 2015 Annual Report](#) (at page 10), it states at the first bullet in the last set of bullet points, that COPFS received a total of 21 reports related to birds. 9 of these related to offences involving birds of prey, 2 being prosecutions for vicarious liability.

It is not possible for COPFS to comment on what percentage these cases comprise of all raptor persecution crimes recorded by Police Scotland in 2014-15.

Prosecutions were taken in 6 of those 9 cases (67%).