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and Land Reform Committee  
Scottish Parliament  
Edinburgh  
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### **Scottish Government's Wildlife Crime Report 2015**

Following recent media coverage concerning the Environment Climate Change and Land Reform Committee's consideration of the Scottish Government Wildlife Crime Report for 2015, and our role in relation to PAWS protocols, I am writing to you to clarify our position on the issues raised.

First, I would like to indicate our support for the ECCLR's scrutiny of progress with combating wildlife crime. The proposed annual reporting to the Scottish Parliament on wildlife crime was a matter that we encouraged during the passage of the Wildlife and Natural Environment (Scotland) Act 2011, and we greatly appreciate that this is now happening. Scrutiny by the ECCLR Committee has made an important contribution to improvements in the enforcement and monitoring standards that need to be in place. This will have a positive impact in tackling wildlife crime on the ground.

Secondly, I should highlight that RSPB Scotland is one of the longest standing members of PAWS with over 20 years of involvement, and we thoroughly support its work. In this context, you will understand we are disappointed by parts of the letter to the Cabinet Secretary from the ECCLR Committee, which suggests that RSPB Scotland in particular, does not adhere to PAWS protocols (paragraph 45). We do not believe that this is the case, and we hope that this letter helps clarify our position.

We do agree that there are tensions between some partners within PAWS. In the area that we operate, and from our perspective, this disagreement is largely over the scale and impact of crimes against raptor populations, and the repeated denials in some quarters of a serious and persistent problem. This is despite the overwhelming published and peer-reviewed evidence of the case. This stance often translates into public communications, which in our view undermine the intention of PAWS to generate deterrence, and the marginalisation of perpetrators.

**With regards to compliance with the PAWS Media and Satellite Tagging Protocols, I confirm that we adhere to their requirements completely.** In fact, we feel that our strict adherence to the protocols often does not act in our favour, and rather puts us in the spotlight, when other PAWS partners who do not follow systems "get away with it". We have been told by a representative of PAWS that RSPB Scotland is one of the most conscientious groups over compliance with the PAWS Media protocol. This was prompted initially by the fact that we had shared our press release that accompanied "Illegal Killing of Birds of Prey in Scotland 1994-2014; A Review" in advance with other PAWS partners. This resulted in

media spoiling tactics prior to its formal release. We lodged a complaint with Scottish Government officials and at the same time shared a dossier of other material issued by other PAWS partners, which may be non-compliant with the PAWS Media Protocol. We would be happy to share this material with the Committee as required.

**With regards compliance with the PAWS Satellite Tag Protocol, I confirm that once a bird appears to have gone missing , presumed dead, we always seek and follow police advice before carrying out a ground search for the bird in line with the protocol, and the protection of potential criminal evidence.** Where there are “suspicious circumstances”, the protocol is clear that we do not need to contact the landowner for permission to recover the bird, as they, or their employees, may be suspects in the case. This is clearly in line with the police approach to the investigations of other forms of crime.

However, some organisations on PAWS are seeking to change this aspect of the protocol and are asking for an approach whereby the landowner is contacted prior to any ground search. We do not think this is appropriate if wildlife crime is going to be treated as any other crime. The present Scottish Government review of the fate of satellite tagged birds, commissioned by the Cabinet Secretary, has further heightened tensions in this area of criminal investigation. Separately, but in our opinion not unconnected, we have seen a concerted negative social media campaign intended to denigrate those accredited individuals involved with fitting satellite tags to raptors. I have discussed this last point with you previously and indeed shared the high standards which apply to fitting satellite tags.

I hope that this background information provides some clarification on our position. I would be happy to come and discuss this further in person if you would find this helpful.

Yours sincerely

Duncan Orr-Ewing  
Head of Species and Land Management, RSPB Scotland

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