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DATE: 23/05/2022



Detective Sergeant William Telford  
Wildlife Crime Coordinator  
Specialist Crime Division  
Police Scotland

**Dear Mr Lockhart**

**Independent Monitoring of Satellite tags fitted to raptors (PE 1750)**

Thank you for your letter dated 5<sup>th</sup> May 2022 addressed to Sgt Mavin. Sgt Mavin is no longer in the relevant post, although as his successor I am in a position to respond.

Before answering your request for information and views regarding the data-sharing protocols of the satellite tagging scheme and the robustness of the data being gathered can I please address an introductory point in the original petition:

The petition begins by stating *“the fitting of satellite tags to raptors today has moved away from conservation, exclusively, to include potential detection of wildlife crime.”* Licensing of satellite tagging is conducted by *NatureScot* and the detection of wildlife crime is not a licensable purpose. No tags are fitted for the purpose of detecting wildlife crime. However, like many aspects of police investigation the police will utilise all potential investigative opportunities and the satellite tag data is obviously key in the investigation of a sudden stop, no malfunction situation of a satellite tag fitted to a raptor.

When persons involved in the monitoring of raptors through satellite tags become aware of the *‘sudden stop, no malfunction’* of one of their tags, what they report to police is not a crime, it is their suspicion, and they are approaching police for assistance. In order to access land under the powers conferred under Sec 19(2) of the Wildlife and Countryside Act 1981 the constable requires their own suspicion, they cannot simply take the word of a third party. To assist the reporter police therefore request all pertinent data on the tag that has gone off-line. This will show a huge variety of data including how well the tag is operating, its frequency of sending data, its battery power level, the temperature of the tag (if lower than normal does that mean the bird it is attached to is deceased or potentially

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that it has become detached), movement patterns as well as its location the last time it transmitted a signal, this may be at a height and travelling at speed.

Once the officer has analysed the data there are two key considerations:

- Is there a suspicion that this '*sudden stop, no malfunction*' could be as a result of criminality,
- Is a search likely to recover the tag, potentially unlikely had the bird been travelling at the time of its last transmission.

Police then make the decision on whether to progress with an investigation with the key feature being a search. At this time this is in relation to a reasonable suspicion a crime has occurred, not a conclusion that a crime has definitely occurred. A search does not happen automatically on receipt of a report of a '*sudden stop, no malfunction*'. The time of year (light levels affecting solar panels) and the age of the tag are just some of the factors considered.

Moving on to your request for information and views regarding the data-sharing protocols of the satellite tagging scheme and the robustness of the data being gathered. Licensing of satellite tags and licensing conditions added to the licenses relating to the sharing of data from the tags is a matter for *NatureScot* and the *British Trust for Ornithology*. The police do not have an input in the issuing of these licenses or their added conditions.

However, through the *Partnership for Action against Wildlife Crime in Scotland (PAW Scotland)* we have the Raptor Persecution Priority Delivery Group. The PAW Scotland Raptor Persecution Priority Delivery Group (RPPDG) is made up of representatives from Government and non-Government organisations working in partnership to reduce raptor persecution in Scotland with the strategic objectives:

1. To increase awareness of raptor persecution
2. To prevent people from becoming involved in raptor persecution
3. To promote and improve partnership working to develop, identify and communicate best practice on preventing raptor persecution
4. To promote intelligence sharing
5. To promote a coordinated response to raptor persecution in Scotland
6. To promote enforcement opportunities against those identified as being involved in persecution offences
7. To identify, gather and analyse appropriate evidence to support policy development.

This group has collectively signed off a protocol, the introductory paragraph of the protocol is as follows:

*"This protocol provides guidance for people actively involved in satellite tracking raptors in Scotland. It is reiterated throughout this document that incidents of satellite tagged raptors dying should be treated as a crime until proven otherwise. It should be clarified that the sole purpose of this practice is to ensure that all evidence is correctly processed at an early stage, to maximise the effectiveness of any investigation should it be established criminality has occurred".*

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All individuals and groups involved in satellite tagging follow this protocol and to date police have had no issues obtaining the necessary data to formulate their own thoughts on what may have occurred in the instance of a '*sudden stop, no malfunction*'.

The illegal persecution of raptors through poisoning has shown a marked reduction in Scotland and one reason for this is likely to be the deterrent effect of scavenging raptors having satellite tags fitted. Poisoned birds don't necessarily die immediately adjacent to the poison bait, they may fly a short distance before dying meaning the culprit has no means of controlling the carcass and police may be able to retrieve it.

As stated earlier, the detection of wildlife crime is not a licensable purpose for the fitting of a satellite tag. However, the knock-on preventative effect of their presence as well as the investigative avenues they open are invaluable to policing.

Yours sincerely,

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