

Bat Carers, the Law, and Bat Crime

Lisa Worledge
National
Bat Care Conference
24/02/18

© Peter Crome



Familiarise
yourself with
relevant legislation

Protected species legislation

- **Offences** relevant for bat carers
 - Deliberately capture, injure or kill a bat
 - Intentionally or recklessly disturb a bat in its roost
 - Deliberately disturb a group of bats significantly, anywhere
 - Possess or exchange a bat (dead or alive)



There are other offences too!

Protected species legislation

- **Defences** relevant for bat carers
 - Taking a bat if:
 - it is disabled
 - but not by the takers unlawful act
 - for the purpose of tending and releasing it
 - releasing it after it had been tended
 - Need a licence for possession longer than 6 months



Protected species legislation

- **Defences** relevant for bat carers (cont.)
 - Killing an animal if:
 - seriously disabled
 - no reasonable chance of recovery
 - done solely for ending the animal's life
 - disposing of it as soon as practicable

But unlikely to get to a stage of needing to use these defences!



Animal welfare legislation

- **Offences** relevant for bat carers
 - **Only** veterinary surgeons can:
 - diagnose
 - take actions as a result of diagnosis
 - inc. medical or surgical treatment
 - give advice based on such diagnosis
 - An act, or failure to act, that causes the bat in your possession to suffer



There are other offences too!

Animal welfare legislation

- **Defences** relevant for bat carers
 - Emergency first aid to save life or relieve suffering
 - Minor medical treatment given by “owner”
 - *But are you the “owner” of the bat you are caring for?*

Find a vet you can work with!



Five needs



I can
fly!



Bat Conservation Trust

Bat Care Guidelines

A guide to bat care for rehabilitators
2nd edition



Bat Conservation Trust

Bats and the Law

An overview for planning,
building and maintenance works



Bats and their roosts are legally protected, whether bats are occupying the roost or not. In most cases works can take place as long as you plan ahead and follow certain rules.

Due to the decline in bat populations in the last century both domestic and international legislation applies to protect all bats and their roosts in the UK. This means you should always seek advice, www.bats.org.uk, Bat Helpline 0845 1300 228 if any work you undertake could:

- Disturb a bat or groups of bats in their roost
- Damage or destroy a bat roosting place, even if there are no bats present at the time
- Obstruct access to a bat roost

It is also illegal to capture, injure or kill a bat or possess, advertise, sell or exchange a bat, or part of a bat dead or alive.

Who is the legislation relevant to?

- Property owners/ householders who have a bat roost in their property
- Woodland owners, arboriculturalists and foresters
- Pest controllers
- Planning officers & building surveyors
- Architects, builders and roofers, demolition companies and property developers.

Bat Conservation Trust



Forthcoming legislation

- Animals shown at events
- Defra and consultation with RSPCA
- Licensing system through local authorities
- Charge for the licence
- Impact for education bats at events
- Awaiting details of what is being proposed

Changes/new legislation following Brexit too



WILDLIFE CRIME

What to do if you suspect a crime?

- Call **101** or the local Police Force directly
- Inform the **Police Wildlife Crime Officer**
(or whichever officer is available)
- Mention 'Investigative guidance for bat offences' to be found on the Police online knowledge area (POLKA)
- Request an **incident number**
- Inform BCT of the incident number

Case Study

- Treatment for fleas in living areas of empty house
- Very hot weather
- Dead & sick bats found on second visit
- Bat carer called out
- Dead bats sent off to WIIS
- Found bats poisoned by insecticide
- Not a crime
- Following-up with HSE

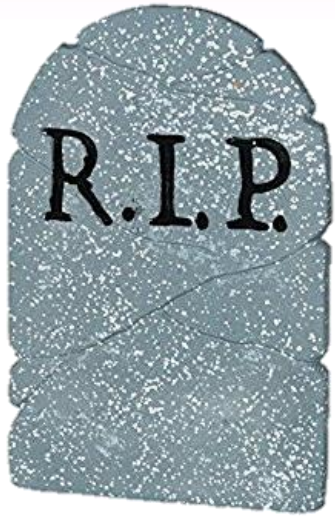


Unexplained cause of death



- Wildlife Incident Investigations Scheme
 - Suspected cases of wildlife poisoning only
 - HSE, SNCBs & pesticides industry
 - UK wide
 - Report suspected incidents to 0800 321600 (calls are free)
- Please report cases to BCT as well

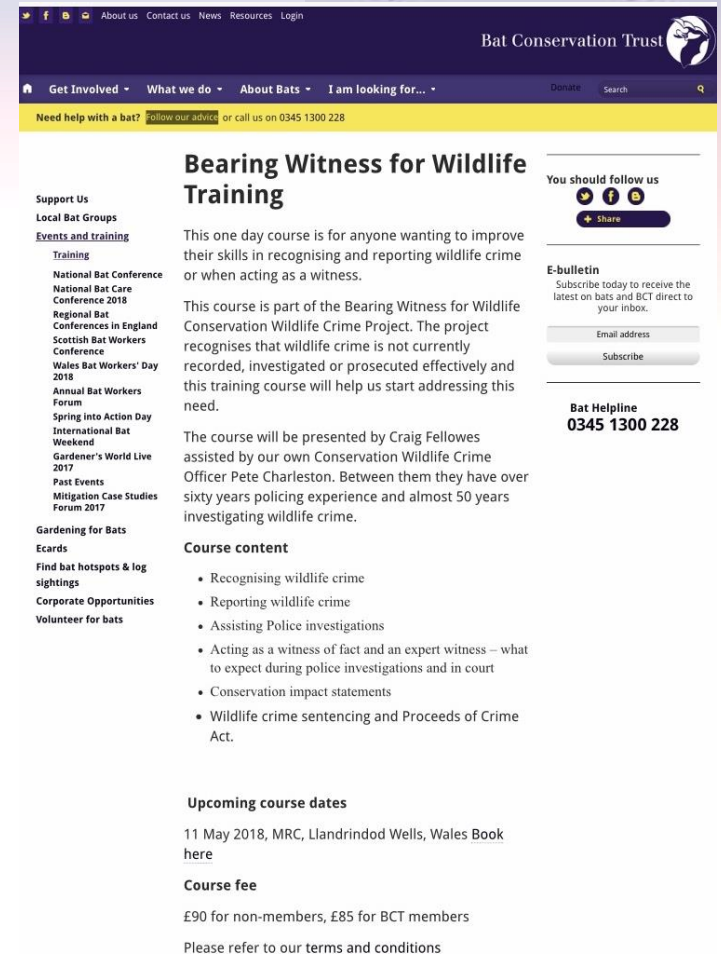
Unexplained cause of death



- Animal & Plant Health Agency
 - Passive surveillance scheme for rabies
 - May be able to investigate other causes of death
 - Not for poisoning
 - Not for suspected criminal behaviour
- Please report cases to BCT as well

Bearing Witness for Wildlife Training

- Recognising, recording, & reporting wildlife crime
- Protected Species
- Details on BCT website
- Next Course 11th May in Wales



The screenshot shows the Bat Conservation Trust website. The header includes navigation links: About us, Contact us, News, Resources, Login, and a search bar. A yellow banner at the top right says 'Need help with a bat? Follow our advice or call us on 0345 1300 228'. The main content area is titled 'Bearing Witness for Wildlife Training'. It describes a one-day course for anyone wanting to improve their skills in recognising and reporting wildlife crime or when acting as a witness. The course is part of the Bearing Witness for Wildlife Conservation Wildlife Crime Project. The project recognises that wildlife crime is not currently recorded, investigated or prosecuted effectively and this training course will help us start addressing this need. The course will be presented by Craig Fellowes assisted by our own Conservation Wildlife Crime Officer Pete Charleston. Between them they have over sixty years policing experience and almost 50 years investigating wildlife crime. The 'Course content' section lists: Recognising wildlife crime, Reporting wildlife crime, Assisting Police investigations, Acting as a witness of fact and an expert witness – what to expect during police investigations and in court, Conservation impact statements, and Wildlife crime sentencing and Proceeds of Crime Act. The 'Upcoming course dates' section states: 11 May 2018, MRC, Llandrindod Wells, Wales Book here. The 'Course fee' section states: £90 for non-members, £85 for BCT members. Please refer to our terms and conditions. On the right side, there is a 'You should follow us' section with social media icons and a 'Share' button. Below that is an 'E-bulletin' section with a 'Subscribe' button. At the bottom right, the 'Bat Helpline' number 0345 1300 228 is displayed.

A photograph of a bat in flight, silhouetted against a dark, rectangular opening in a weathered stone wall. The walls are covered in moss and vines. At the bottom of the opening, there is a patch of green grass and dry straw. The text "Any questions?" is overlaid in white on the right side of the dark opening.

Any
questions?