

Bats

Species and legislation

The UK hosts 18 species of bats. All are protected against injuring, killing and disturbance. Their breeding and resting places (roosts) are protected against damage and destruction even when the animals are not present.

Protection is provided primarily by the following legislation

- in England & Wales the Wildlife and Countryside Act 1981 and Conservation of Habitats & Species Regulations 2017
- in Scotland it is the Conservation (Natural Habitats etc) Regulations 1994
- in Northern Ireland the Conservation (Natural Habitats etc) Regulations (Northern Ireland) 1995.

Drivers of crime

Development of property and land can be evidenced as the primary drivers for those who commit bat related offences. Development projects negatively impact species and their habitats through demolition or conversion of pre-existing buildings and felling of trees with roosts, whilst ignoring planning and licensing processes and conditions. These are the root causes in the destruction of bat roosts.

Extent of crime

Year	Number of BCT incidents recorded.	Number of cases referred to the Police	Number of 'No further Actions'. I.e - No Evidence	Number of defendant warnings	Number of defendant cautions	Number of defendants convicted	Number of incidents ongoing by Police.
2016	145	144	130	9	2	3	0
2017	195	167	144	17	2	4	0
2018	137	126	113	9	2	2	0
2019	174	165	136	10	1	2	16*

Challenges and highlights

Each year bat-related offences are prevented through early intervention by many individuals, groups and organisations, such as bat volunteers, trusts, ecologists and the Police who provide advice to those who might be in danger of committing criminal offences. The use, in appropriate police cases, of restorative justice measures is welcomed often bringing conservation benefits to the species that would otherwise not have been available. A small number of police investigations have not reached the standards that might reasonably be expected. Common causes are conflicting police priorities and

time, issues that Police Senior Management have the ability to address, supported by the National Police Chiefs Council's Strategies on Rural and Wildlife Crime.

Few prosecutions of bat crime are heard by the courts but attract media attention when they do. Those cases that are prosecuted invariably result in conviction, but the sanctions imposed are sometimes less than the gain made by not following due process. This is particularly apparent in cases that are not presented by specialist prosecutors, often where offenders plead guilty at the first opportunity. However, with the application of the 'Proceeds of Crime Act' (POCA), penalties reaching tens of thousands of pounds are now being achieved against offenders in UK Courts. Investigators and prosecutors who consider such applications are to be applauded. The commitment and expertise of many of those involved in the prevention, investigation, and prosecution of bat crime in often challenging circumstances is commendable.

Matters to be addressed

- Offences must be recorded in a manner that makes statistics available in a form that enables their assessment, so as to inform resource allocation and prioritisation.
- Police forces need to identify and deploy resources sufficient to undertake effective investigations into wildlife crime.
- Police forces should encourage senior management to provide investigating officers the time to deal with Wildlife Crime.
- CPS should consider 'Guilty Plea' planning at first hearing to improve species and habitat protection (Bat mitigation, POCA etc.).
- A sentencing guideline for wildlife crime is needed.