

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 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
2020	105	105	90	1	0	2 pending	12*

*Out of court disposals and/or prosecutions are anticipated within these ongoing cases.

Recent challenges

The impact of the pandemic since 2020 has presented significant challenges for the Bat Conservation Trust (BCT), not just on the management of public perceptions for these animals, but in all functional and operational facets of the Trust's work.

The Wildlife Crime Project within BCT saw the retirement of Pete Charleston, his lifelong work on wildlife crime enforcement made him a pioneer, investigator, educator, and UK lead on the subject. The impact he has made in this field is incalculable and will be felt for many years.

The work of the Wildlife Crime Project within BCT now lies in the hands of Mark Goulding, previously of South Wales Police.

Analysis of the BCT Wildlife Crime Project database shows that almost 50% of offences against bats reported to the police in 2020 were for the damage and/or destruction of a bat roost, followed by 20% for the disturbance of bats whilst at a roost.

The main peak offences occur during the summer period between June and August.

This is one of the most sensitive times of the year for bats, when they are gathered in large numbers in maternity colonies to give birth. Maternity roosts provide very specific conditions to allow rapid development of the young and colonies can use the same maternity roosts year on year.

Adults give birth to only one pup, therefore disturbance or roost destruction during this period can damage a whole colony's reproductive success for the year in question. The data reflects that the species is exposed to offences at a time when the impact of such offending causes the greatest conservation harm.

Recent 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 also known as 'Out of Court Disposals' is welcomed, often bringing conservation benefits to the species that would otherwise not be available in court.

One such example was by Devon and Cornwall Police who achieved a reparation 'out of court disposal' of £2500 provided by the offender to a local Bat Group for the destruction of a bat roost in July 2020, a significant amount not previously seen.

The Metropolitan Police investigation into a housing developer for the destruction of a roost, followed by the subsequent CPS prosecution, saw the highest known penalties issued by a UK court for a Wildlife Crime offence of £600,000 in December 2020. This is a substantial penalty and a warning to those who fail to consider or ignore ecological advice and guidance during the planning process.

Whilst the pandemic has influenced enforcement outcomes, the project still functions to support investigations into those who commit offences against bats, and ensures due consideration is made those offenders do not benefit from their illegal actions, whilst seeking parity on sentencing, so it is applied at commensurate and proportionate levels across the British Isles.

The commitment of those involved in wildlife crime ecological engagement and prevention, and those involved in investigation and prosecution of bat crimes during 2020 are recognised and applauded with grateful thanks.