

Net Zero, Energy and Transport Committee  
c/o Clerk to the Committee  
Room T3.40  
Scottish Parliament  
Edinburgh  
EH99 1SP

20 May 2022

Dear Mr Lockhart MSP,

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

I write in response to the request from the Net Zero, Energy and Transport Committee for an update on the implementation and impact of agreed new data-sharing protocols for all permit holders who wish to employ satellite-based tracking of tagged raptors under licence with the British Trust for Ornithology (BTO).

NatureScot issue an organisational licence to the BTO on an annual basis to permit ringing or marking of wild birds. Specific endorsements on those permits allow some permit holders to undertake satellite tagging. All endorsements are subject to approval by the BTO special marking panel prior to issue.

NatureScot introduced three new conditions to the BTO licence on the 1<sup>st</sup> April 2021 (see Annex 1 for details): Condition 12, to facilitate the sharing of information with the police in the event that a satellite tag stops working in suspicious circumstances; Condition 13, for the BTO to provide quarterly updates to NatureScot on active tagging projects; Condition 16, a detailed annual update on the status of all tagging projects, with the first annual update to be provided by September 2022.

With reference to Condition 12, it should be noted that NatureScot is not aware of any instances where satellite tag data have not been forthcoming in the event of a suspicious disappearance. Indeed, our understanding is that there is a very good relationship between satellite taggers and Police Scotland in this regard. The introduction of this condition was for the purposes of formalising the existing arrangement, and to expedite the sharing of

information in the circumstances where the licenced satellite tagger (the person fitting the tag) is not the tag and data owner – in other words securing permission in advance.

It should be noted that satellite tags are fitted for the purposes of research, typically into bird movements, habitat use, range and territory occupation. They are not issued for the purposes of detecting wildlife crime, as this does not fall within the licensable purposes defined in Section 16 of the Wildlife and Countryside Act 1981 (as amended). However, tagged birds may become victims of wildlife crime and information from the tag may be used at the discretion of the police as part of their investigations.

With reference to Condition 13, and the provision of quarterly updates on active tagging projects, NatureScot received the first update from the BTO in April 2022, which included information on project description and purpose, species, number and age of birds to be tagged, type of tag, local authority area and personal contact details of the licenced satellite tagger. The BTO have cited issues with resourcing, impacts from Coronavirus on business continuity and their own data collection capacity as the reasons for their failure to adhere to this condition, and this is something that NatureScot is actively seeking to address going forward.

I am content, however, that the information we have received to date is sufficient to enable NatureScot to maintain an overview of satellite tagging activity in Scotland. It also builds in the capacity to share information pertaining to satellite taggers with Police Scotland (in accordance with our organisational Data Sharing Agreement) should there be a need to so, although as per above Condition 12, the need has not arisen.

We are not yet in a position to assess the efficacy of Condition 16, in relation to a detailed annual update on all satellite tagging projects, however we anticipate that the scope of this condition will be sufficient to enable detailed analysis where required as well as informing any future licence conditions.

In addition to the above measures, for the past two years NatureScot has hosted an annual raptor satellite tag practitioners meeting, with a further meeting planned for October 2022. This meeting has proven extremely beneficial for all parties through improved communication, and the ability to collectively address any issues in relation to licencing and reporting, while encouraging best practice.

The petition to which this letter relates, refers to ‘independent monitoring of satellite tags’. There are numerous logistical reasons why it is not possible for NatureScot to act as a repository for raw satellite tagging data, not least the sheer quantity of data involved, the variation in data download frequency (some data is gathered on a long-term, low download-frequency basis), cost implications for downloading data and legal issues in relation to ownership. However, I am content that NatureScot and (through delegated authority) the BTO currently fulfil this function.

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Equally, I am content that the provisions that NatureScot has put in place provide adequate transparency on satellite tagging activity in Scotland, and while this does not include access to raw data (for the reasons cited above) I am not aware of any reason to doubt the honesty and reliability of the data gathered.

Yours sincerely,

**Francesca Osowska OBE FRSE**  
Chief Executive