

Scottish Badgers' Records: Rationale and Policy, December 2009

Scottish Badgers appreciate that Scotland's Biological Records Centres play an essential role in collating and disseminating environmental information, allowing analysis and interpretation at all levels of interest. We further appreciate that where Records Centres are established, they provide an important function in the Planning process.

Recently, Scottish Badgers has received requests to share our records with local Biological Records Centres. This matter has been now been fully discussed within Scottish Badgers' Advisory Committee. Our emerging policy and rationale are set out below.

Scottish Badgers understand that current policy within Records Centres is to make data available to any interested parties without vetting. We also understand that the majority of Records Centres make data available via the NBN Gateway. Additionally, where Local Authorities request data or have interests in the Records Centres directly, all records are made available publicly. Whilst we applaud the openness and transparency of these processes and understand the importance of easy access to records for conservation purposes, we feel it important to highlight the potential risks to badger conservation as a consequence.

Badgers are subject to their own protective legislation, The Protection of Badgers (Scotland) Act 1992 (as amended). This legislation makes the badger a unique species in that it is specifically protected against discrimination and persecution through an Act of Parliament. We highlight that this legislation is not a conservation measure but aims to respond to the historically high levels of badger 'sport' across Scotland.

Sadly, Scottish Badgers is aware that badgers continue to be persecuted by a small, but active group of blood 'sport' enthusiasts across Scotland.

Our opinion is based on the following rationale:-

1. By making our records publically available through Records Centres, we may be inadvertently providing such blood 'sport' enthusiasts with data and intelligence to further their activities. We recognise the argument that data access can be restricted by Records Centres and NBN, however we maintain that the risks involved in this remain significant.
2. It is not within our powers to allow our records to be submitted to Records Centres as this might contradict our primary purpose of safeguarding Scotland's badger population, and this is entirely to do with the risk to badgers from perpetrators of blood 'sports'.
3. Many of our records are provided to us on the strict understanding that we control the release of the data to third parties. On this basis such records are governed by the Intellectual Property Rights (IPR) of the provider and not by ourselves.

4. Furthermore, we are aware that at the present time, Scotland is not covered in its entirety by active Records Centres. This presents Scottish Badgers, a national charity, with the issue of providing consistent and standardised data for the whole of Scotland.

To take this forward we consider the following to be important:

1. Of necessity Scottish Badgers operates a high security policy, which allows data to be divulged only on a verifiable need to know basis. It is Scottish Badgers' position that we will continue to maintain and improve our records, making these available to carefully vetted organisations and individuals for clearly defined purposes and to be used in a clearly defined manner.
2. It is our intention to continue working closely with Planning Authorities to ensure badgers are fully considered as part of all planning applications. We also see an opportunity for Scottish Badgers to work with existing Records Centres, which would enable all concerned to strengthen their roles in safeguarding Scotland's natural heritage. We would ask that Records Centres advise their clients of Scottish Badgers' dataset, recommending that a data search is undertaken. In return, Scottish Badgers would be delighted to highlight the valuable information held by Records Centres in our data search and consultation responses. We would be delighted to work with Records Centres to develop a mutually beneficial form of words, assisting our organisations to work together practically for the future positive protection of Scotland's badgers.
3. While Scottish Badgers is predominantly funded directly to protect Scotland's badger populations, we make a charge for data searches. We would like to make it clear that these fees are not our main source of income and are in place purely to allow our Species Protection Officer sufficient time to undertake detailed data searches whilst continually maintaining and improving our records facilities.

We trust readers find the above policy in good order. However should further discussion be of value, please do not hesitate to contact Scottish Badgers through the Secretary at the address below.

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