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Author:	National Wildlife Crime Unit (NWCU)
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Introduction

This assessment provides recommendations that have been produced in consultation with UKTCG members (formally HLG). It is imperative that prior to the meeting ending, every recommendation contained in this document has a decision made by the UK TCG chair to either ratify the recommendation, or reject it.

Aim of Report

This assessment has been produced to provide an overview of the criminality affecting the wildlife of the United Kingdom (UK). It will inform the UK TCG of:

- The overall picture of reported wildlife crime and incidents in the UK.
- The current UK wildlife crime control strategy priorities identifying current, emerging and future threats.
- Issues of exception i.e., high risk that fall outside the current UK wildlife crime control strategy identifying current, emerging and future threats.
- Overview of current law enforcement activity.
- Key dates of events or planned operations that require resources to be allocated by the UKTCG.

Purpose

The purpose of the tactical assessment is to drive the business of the UK TCG and enable informed resource decisions by:

- Reviewing intelligence, prevention and enforcement plans and currently agreed operational activity.
- Reporting new operations and problems in light of current intelligence and demand, taking into account the data provided.

Method

The assessment is based on data recorded on the NWCUC intelligence system, including:

- Crime and incident data received from UK Law Enforcement Agencies (LEAs)
- Intelligence reports

Roles and responsibilities

Throughout this process there are numerous responsibilities on various roles, the key functions to enable the process to work are:

UK Tasking & Coordinating Group

The UK TCG must ensure that all three areas i.e. Prevention Intelligence and Enforcement provide a named lead, where appropriate, to agree and lead on work plans devised to achieve the objectives set by the UKTCG. Through the Tactical meetings, the UK TCG must hold Plan Owners to account for progress against the main objective.

National Wildlife Crime Unit

The NWCUC will:

- Communicate the processes used by the UK TCG to tackle UK wildlife crime.
- Following the ratification of priority issues and setting of work plans - create; publish and maintain a record of plan owners, PIE leads, objectives and action plans.
- Record, evaluate and analyse all information / intelligence received by the unit.
- Produce appropriate Intelligence Products for UK TCG meetings.

Key Findings	4
1.0 Overview	7
2.0 Priority Areas	9
2.1 Badger Persecution	9
2.2 Bat Persecution.....	14
2.3 CITES Issues	17
2.4 Freshwater Pearl Mussels	21
2.5 Poaching.....	24
2.6 Raptor Persecution.....	30
3.0 Intelligence Requirements	34
3.1 CITES – Annex A & B Orchid Species.....	34
3.2 CITES – Timber (with focus on Ramin)	34
3.3 Finch Trapping	34
3.4 Illegal taking of Wild Bird Eggs	35
3.5 Illegal trade in Raptors.....	35
3.6 Illegal trade in Parrots.....	35
3.7 Introduction of Non Native Species	36
4.0 Non Priority Areas	37
5.0 PESTELO issues	39
5.1 Political	39
5.6 Legislation.....	39
5.7 Organisational	41
Appendix One	43

Key Findings

- **Overview**

During the last three seasons (Sept 2010 – May 2011), there have been 2,702 reports relating to wildlife crime. This is a 6% (157) increase in incident reporting in comparison to the same period the year before (Sept 2009 – May 2010), when 2,545 incidents were reported. This report will examine reported incidents to the NWCUC during the last three seasons; autumn (Sept, Oct & Nov), winter (Dec, Jan & Feb) and spring (Mar, Apr & May).

- **National Standard of Incident Reporting**

The NWCUC have undertaken a review of all the incidents and examined the way in which they are categorised and sub categorised in an attempt to make the whole process more streamlined, descriptive and meaningful. This has meant the inclusion of new sub categories which should help provide a better understanding as to how criminality has happened and the most adequate response needed. It has also meant the deletion of sub categories that were considered to be superfluous. Some examples of the new sub categories are provided;

- ‘Non Commercial Development’ – work that is carried out by utility companies for example
- ‘Breach of Licence’ – when the incident specifies that conditions on the licence have been breached

Furthermore, incidents where only suspected, probable or unconfirmed activity has taken place will be sub categorised as ‘Suspicious Activity’. Any such incidents will be kept by the NWCUC for monitoring purposes but will not feature in reported statistics. This approach has been taken to ensure that incidents being reported can stand up to scrutiny and do not inflate problems that may not exist. However, incidents of suspicious activity will be taken into consideration in the analysis stage and will be described if assessed to be relevant to the particular issue.

- **Priority Areas – Badger Persecution – Incidents**

Sett disturbance (which can refer to works that are taking place near to the sett, or where there is evidence that activity has disturbed the sett) accounts for the most incidents over the last twelve months. The 2011 UK Strategic Assessment found that sett disturbance accounted for around 39% of incidents, however, during the last three seasons this has increased to 50%. In contrast, badger fighting (baiting) has decreased over the last three seasons, from 26% in the Strategic Assessment to 17% presently. ‘Wilful Killing’ is a new sub category which refers to the clear and intentional way in which something has been killed and accounts for just under one tenth of incidents. Many of RSPCA’s incidents are categorised as illegal killing which may mean some of these are baiting incidents. Monitoring this data over a longer period of time will tell if badger baiting is decreasing across the UK.

- **Priority Areas – Badger Persecution – Launch of Operation MELES**

Meles was officially launched at various sites across the UK on 20th September. The coordinated initiative organised by Scottish Badgers and The Badger Trust took place on the same day in Glasgow for Scotland, Sheffield for England, Cardiff for Wales and Belfast for Northern Ireland. Chief Constable Richard Crompton opened the day in Sheffield. The partnership has the support of the police endorsed Operation Meles campaign. Meles aims of raising awareness, gathering intelligence and targeting offenders of badger persecution will be achieved through partnership working of the police, the RSPCA / SSPCA / USPCA along with other partnership agencies.

- **CITES – Allocation of the Plan Owner**

The UK TCG support the CPDG recommendation from the meeting in April 2011 (*Action 30/11*) that the UK Border Agency retains the plan owner role of the CITES Priority Delivery Group and the Senior Officer of the UKBA CITES Team will fulfil the CPDG plan owner role until further notice.

- **Priority Areas – CITES - The Theft of Rhino Horn – International Organised Crime Group (OCG)**

An OCG is operating internationally targeting rhino horn from antique dealers, auction houses, art galleries, museums, private collectors and zoos. Their approach is to visit premises in advance to establish where the rhino is located, they may then offer to buy the rhino horn, if this is rejected they will return at a later date to steal. The OCG are of Irish origin and have so far committed offences in the following countries; Argentina, Belgium, Canada, Czech Republic, Denmark, France, Germany, Italy, Netherlands, Portugal, South Africa, Spain, Sweden, United Kingdom and the US. The NWCUC are currently working together with Europol to gather and analyse all the intelligence, however this problem clearly needs to be resourced by a dedicated operational team that will drive enforcement action.

- **Priority Areas - Deer Poaching - PESTELO – Technological – Advances in DNA¹**

Identifying deer poachers can be problematic, as the offences are often committed in remote areas and are not discovered until some time after the event. Poachers' practice of disassembling a carcass also often means that little physical evidence, and consequently little human DNA, is left behind. However, researchers at Strathclyde University and a Forensic Scientist with the Scottish Police Services Authority have devised a method which could pick up low levels of DNA and identify poachers. The chances of the DNA profiles it picked up being randomly found within the population would be less than one in a billion. The study is thought to be the first time that human DNA profiles have been obtained successfully from an animal carcass. The researchers obtained samples from the legs of 10 deer which had been legally culled and examined them for matches for DNA provided by volunteers who had taken part in the cull. The tests yielded results that could be matched back to the volunteer hunter. The method has potential to be used on other evidence in wildlife crime, such as feathers, eggs, snares or traps. Funding for the research was provided by PAW (Partnership for Action against Wildlife Crime) Scotland, the Deer Commission for Scotland, the British Association for Shooting & Conservation, and the British Deer Society. Though it should be borne in mind that this technique has yet to be tested outdoors and rain and degradation may affect the success of the outcome.

- **Priority Areas - Fish Poaching – Incidents**

Incidents of fish poaching have increased over the three seasons (Sept 2010 – May 2011) compared to the previous (Sept 2009 – May 2010) and currently accounts for 5% of all incidents. Incidents have increased by 63% (49) during the last year, when 127 reports were made compared to 78 the year prior. During the last three seasons Merseyside has reported the greatest number of fish poaching incidents, this figure could potentially be higher as May incidents are absent². During the summer last year Merseyside reported a number of illegal cockling incidents, this will need to be monitored to check whether this increased again during summer 2011. Current estimated value for one ton of cockles fluctuates between £1,500 -

¹ The research paper, Recovery of human DNA profiles from poached deer remains: A feasibility study has been published in the journal Science and Justice and is available online

² Incidents from Merseyside for May 2011 were received too late for inclusion

£2,200. Ultimately though, the public's safety is the most resource intensive aspect of this particular problem. Another affected site in Merseyside; the Ribble Estuary is a Marine Conservation Area, however it can reach up to four and half miles out to sea and therefore presents a significant risk to life

- **Priority Areas - Poaching – Anti Social Behaviour Order (ASBO)**

In July 2011, Humberside Police were able to grant an ASBO in relation to poaching related activities. A report was put together that stated the defendant had acted on 14 separate occasions (poaching) anti socially. The defendant who resides in Middlesbrough (Cleveland) is forbidden from entering Humberside until 2014, if this is broken he will be liable for five years in prison or subject to a fine or both.

- **Priority Areas – Raptor Persecution – Convictions**

A number of successful high profile convictions have taken place so far in 2011. Dean BARR received a £3,300 fine at Inverness Sheriff Court in May after 10kg of carbofuran were found on the Skibo Estate (Northern). The stash was discovered on the estate during a warrant during which one golden eagle, a sparrowhawk, a grouse, three parts of birds and various items were seized in May 2010. Also at Inverness Sheriff Court, a former apprentice gamekeeper was fined £1,500 after he admitted possessing a dead red kite. The gamekeeper at Moy Estate (Northern) said he found the bird of prey in a trap set for stoats and weasels but picked it up and put the bird in his Land Rover rather than leave it and inform his bosses, the police, or RSPB. Rolfe was found with the dead red kite by police who had arrived on Moy estate with search warrants, issued under the WCA in June 2010. Further to this, in June 2011 a Derbyshire gamekeeper was convicted at Chesterfield Magistrates Court of seven offences under the Wildlife and Countryside Act after a 10-day hearing. Brown was also ordered to pay costs of £10,000 and carry out 100 hours community service for attempting to trap and kill birds of prey.

- **Intelligence Requirements – Timber – Change of Focus**

Agarwood

The UK Strategic Assessment (February 2011) identified that there appears to be growing popularity in agarwood. EU Twix analysis predicted that the presence of *Aquilaria* spp would increase in Europe from 2009 onwards. In 2010, UKBA raised concerns about the amount of agarwood (*Aquilaria* spp & *Gyrinops* spp) that is being seized at the UK border. Since then there have been some significant seizures at UK ports.

Update from the UK TCG (3rd October 2011)

It was recommended that the Timber Intelligence Requirement switches its focus from Ramin to Agarwood - APPROVED.

1.0 Overview

During the last three seasons (September 2010 – May 2011), there have been 2,702 reports relating to wildlife crime. This is a 6% (157) increase in incident reporting in comparison to the same period the year before (Sept 2009 – May 2010), when 2,545 incidents were reported. The report will examine reported incidents to the NWCUC during the last three seasons; autumn (Sept, Oct & Nov), winter (Dec, Jan & Feb) and spring (Mar, Apr & May).

The incident count includes data from most UK police forces and the inclusion of data from non governmental organisations (such as Scottish Badgers or RSPB) and other law enforcement agencies (such as the RSPCA or UKBA). Receiving reports from such organisations is especially helpful in the absence of data from some police forces such as Greater Manchester Police, who are not in the position to submit incident returns to the NWCUC and this is not likely to change in the immediate future. As any duplicates are removed to avoid over counting, this data also helps uncover the true extent of some areas of criminality, as is the case with badger persecution.

The NWCUC have undertaken a review of all the incidents and examined the way in which they are categorised and sub categorised in an attempt to make the whole process more streamlined, descriptive and meaningful. This has meant the inclusion of new sub categories which should help provide a better understanding as to how criminality has happened and the most adequate response needed. It has also meant the deletion of sub categories that were considered to be superfluous. Some examples of the new sub categories are provided;

- ‘Non Commercial Development’ – work that is carried out by utility companies for example
- ‘Breach of Licence’ – when the incident specifies that conditions on the licence have been breached

Furthermore, incidents where only suspected, probable or unconfirmed activity has taken place will be sub categorised as ‘Suspicious Activity’. Any such incidents will be kept by the NWCUC for monitoring purposes but will not feature in reported statistics. This approach has been taken to ensure that incidents being reported can stand up to scrutiny and do not inflate problems that may not exist. However, incidents of suspicious activity will be taken into consideration in the analysis stage and will be described if assessed to be relevant to the particular issue.

Current Picture

Hare coursing still accounts for the most incidents; over one quarter over the last three seasons (September 2010 – May 2011), which is consistent with the same period the previous year. In contrast, badger persecution accounted for 16% of incidents and is an increase to the percentage recorded for the strategic assessment (10%). Table one shows the greatest volume contributors over the last three seasons (autumn, summer, spring) and each will be examined more closely within their relevant sections.

Table 1 Top Volume Contributors; September 2010 – May 2011

Category	No.	%
Hare Coursing	733	27%
Badger Persecution	419	16%
Habitat Destruction	258	10%
Shooting	211	8%
Poaching - Deer	205	8%

Seasonality (includes summer 2010)

The last twelve months figures have also been examined for all sections to look at movement of crime throughout the year. In terms of seasons, summer recorded the most incidents (table 2) over the last year which is likely due to people spending more time outdoors, the greatest volume of incidents during that period were shooting and habitat destruction which supports this notion. This particular season (summer) was examined as part of the Strategic Assessment (February 2011) and therefore will not be looked again in any further detail within this report.

Table 2 Incidents June 2010 – May 2011 by Season

Season	No.	%
Summer	1027	28%
Autumn	945	25%
Spring	918	25%
Winter	839	22%
Total	3729	100%

2.0 Priority Areas

2.1 Badger Persecution

Objective:

*Improve and increase the recording of incidents, crimes and intelligence for Badger Persecution.
Improve the investigation process and increase awareness of Badger Persecution across the UK*

Current Picture

During the last three seasons (Sept 2010 – May 2011) the reporting of badger persecution has increased. In total, 419 incidents were reported, accounting for 16% of all reported incidents. This is a 43% (125) increase to the previous period (Sept 2009 – May 2010), when 294 incidents were reported. However, the NWCU *now* receive reported incidents from the RSPCA, SSPCA, The Badger Trust and Scottish Badgers, all of which is facilitated by Scottish Badgers³. Incidents received from these four organisations accounts for 40%⁴ (168) of badger persecution and may explain the recent increase in reporting.

Location

The inclusion of data received from the RSPCA, SSPCA and The Badger Trust allows for the identification of emerging hotspots as shown by table three. The problem in the south of England is mainly concerned with sett disturbance, although not so much to do with developmental work, more malicious damage, and unconfirmed poisonings. This could coincide with the consultation of the badger cull specifically in the south west of the UK. PSNI are also reporting high numbers, although incidents for spring are missing from PSNI so this figure could potentially be higher⁵.

Table 3 Top 7 UK Contributors - Sept 2010 – May 2011

Force Area	No.	%
Dorset	22	5%
Sussex	20	5%
Northumbria	17	4%
Avon & Somerset	17	4%
West Mercia	16	4%
North Yorkshire	16	4%
PSNI	15	4%

Method

Sett disturbance (which can refer to works that are taking place near to the sett, or where there is evidence that activity has disturbed the sett) accounts for the most incidents over the last twelve months. The 2011 UK Strategic Assessment found that sett disturbance accounted for around 39% of incidents, however, during the last three seasons this has increased to 50%. In contrast, badger fighting (baiting) has decreased over the last three seasons, from 26% in the Strategic Assessment to 17% presently. ‘Wilful Killing’ is a new sub category which refers to the clear and intentional way in which something has been killed and accounts for just under one tenth of incidents. Many of RSPCA’s incidents are categorised as illegal killing which may mean some of these are baiting incidents. Monitoring this data over a longer period of time will tell if badger baiting is decreasing across the UK.

³ Previously the NWCU only received incidents from Scottish Badgers

⁴ Any duplicates with police reports are removed

⁵ Incidents were received too late from PSNI to be included in this assessment

Table 4 Top 4 Sub Categories for Badger Persecution

Sub Category	No.	%
Sett Disturbance	210	50%
Badger Fighting	73	17%
Traps/Snares	42	10%
Willful Killing	39	9%

Seasonality (includes summer 2010)

Incidents over the last year tend to indicate that most are reported at the same time of the year that badgers are most active, which includes the breeding season (spring), when males may roam further from their setts than usual. Incidents were less common during summer over the last 12 months as shown by table five.

Table 5 All Badger Persecution Incidents by Seasons (June 2010 – May 2011)

Season	No.	%
Spring	164	31%
Autumn	142	27%
Winter	113	22%
Summer	105	20%
Total	523	100%

Launch of Operation MELES

Meles was officially launched at various sites across the UK on 20th September. The coordinated initiative organised by Scottish Badgers and The Badger Trust took place on the same day in Glasgow for Scotland, Sheffield for England, Cardiff for Wales and Belfast for Northern Ireland. Chief Constable Richard Crompton opened the day in Sheffield. The partnership has the support of the police endorsed Operation Meles campaign. Meles aims of raising awareness, gathering intelligence and targeting offenders of badger persecution will be achieved through partnership working of the police, the RSPCA / SSPCA / USPCA along with other partnership agencies.

PESTELO - Legislation - Badger Cull

The proposed policy is based on licensing groups of farmers and landowners to cull badgers over large areas, subject to strict licensing criteria. It is proposed to pilot two areas initially to test assumptions made on the effectiveness and humaneness of controlled shooting as a culling method. This monitoring will be overseen by an independent panel of scientific experts. Following these pilots a decision will be made on the inclusion of controlled shooting as a controlled method. the wider role of the policy to address bovine TB in cattle will remain the cornerstone of efforts to control the disease right across the country, and existing measures will be strengthened.

Measures **already introduced** include:

- A significant expansion of the areas on more frequent (annual and two-yearly) routine TB testing;
- Some higher risk Officially TB-Free (OTF) status suspended herds are now required to have two consecutive short interval tests (rather than one as before) before they can regain OTF status;
- Extended use of gamma testing;
- Clarifying TB breakdown terminology (moving to ‘OTF status suspended’ and ‘withdrawn’, instead of ‘unconfirmed’ and ‘confirmed’) so farmers better understand the disease risk and status of their herd; and
- DNA tagging to prevent TB reactor fraud.

Planned measures include:

- Reducing compensation payments for reactor animals from herds where TB tests are significantly overdue;
- Strengthening enforcement of TB surveillance and control requirements; and
- Removing some of the exemptions to the requirement to test animals before they move out of herds under annual and two-year routine testing.

Scientists agree that if culling is conducted in line with the strict criteria identified from the Randomised Badger Culling Trial (RBCT), we [Defra] would expect it to reduce TB in cattle over a 150 km² area, plus a 2 km surrounding ring, by an average of 16% over nine years⁶.

Plan owner update

1. How is the overall objective progressing?

Whilst progress has been made in relation to public awareness of badger persecution and education within enforcement agencies the group feels that there is still work to be done. In relation to intelligence it is felt that we are still not achieving full potential and that more relevant intelligence is available from enforcers and the public, we need to identify more efficient means of stimulating and collating this intelligence, it is hoped that the planned major publicity events will generate not just interest in badger persecution but will also generate actionable intelligence.

The overall picture in relation to incident recording is positive, although it is recognised that this may just be a small fraction of the actual number of incidents taking place. The number of incidents reported by NGO's has increased substantially but the actual increases are masked by the fact that full reporting to the NWCU from the RSPCA has only been occurring since 2010. With regard to intelligence and incident reporting, approaches are being made to all Badger Trust groups in order to more efficiently collect and forward intelligence to the NWCU in an appropriate format.

Confusion arising from the relationship between the Badger Plan Priorities and Operation Meles has now been addressed. Meetings for both have now been amalgamated and in the future all press, media and general publicity for the plan will be disseminated under the Operation Meles banner.

2. Is the Action Plan being progressed?

Yes, the plan is progressing, albeit more slowly than anticipated. In relation to prevention and increasing awareness there has been little in the way of take up from the media. A particular concern for the media is the proposed badger cull and the political implications at this time. The good news on the prevention/awareness front is that the planned launches of Operation Meles will be taking place throughout the UK during the week commencing 19th September.

Regarding response and enforcement there is still an issue within some police control rooms within England and Wales and an apparent lack of knowledge of the Standard Operating Procedures (SOP) for badger investigations. Group members will check with their control rooms and provide further copies of the SOP if necessary. NWCU will try to raise this issue with ACPO.

⁶ www.defra.gov.uk

3. What has happened since the last update? (With regard to Prevention, Intelligence and Enforcement).

Prevention

Operation Meles Launches in England, Scotland, Wales and Northern Ireland week commencing 19th September.

Intelligence

Following formalisation of the processes, regular information sharing is now taking place between the RSPCA, SSPCA and NWCUC.

4. How many meetings have you had since the last update? And what is the overall summary of the progress?

Since the last update in February there have been two priority group meetings. The first at the end of February was hosted by the NWCUC in Edinburgh; the second meeting was kindly hosted by Gloucestershire Police.

The meetings have been well attended and we have attracted six keen new members to the group. There is however still a need to recruit additional members to the group in order to provide good geographical cover within England and Wales.

5. Are there any issues with the meetings?

We would still benefit from more group members.

6. Have there been any notable successes?

England

Northumberland police seized a mobile phone and discovered video evidence of dogs fighting badgers, other dogs, a cat, and footage of cock fighting. There were also text messages containing evidence of a former gamekeeper putting dogs to snared animals and expressing pleasure at the baiting and killing. Both pleaded guilty and received five and four months' imprisonment respectively.

Scotland

A shepherd, keeper and farm manager from Dumfries was fined £3,500 after he admitted snaring four badgers, shooting them, and failing to inspect snares daily. The SSPCA found remains of six badgers in various states of decomposition, suggesting that snaring had been occurring over a long period. He was warned by the Court that any repeat would result in prison.

Wales

Following an investigation by RSPCA and police a man pleaded guilty to badger related offences. He was sentenced by Rhondda Magistrates to five months imprisonment suspended for twelve months, given a 12-month supervision order, 250 hours of unpaid work and disqualified from keeping or owning dogs for life. Video evidence from his mobile telephone showed him using dogs to dig out and kill badgers, including an albino badger. The footage also showed the severe injuries caused to his dogs by their interaction with badgers.

7. Are there any specific issues/problems?

One issue relates to the type of illegal activity occurring. In some areas of the country, particularly those with protected badger setts which resist attempts to dig for badgers, there has been an increase in the use of dogs to lamp badgers on open ground. The dogs are being specifically bred for the purpose of taking down strong prey such as badgers and even deer. The dogs used are crosses of pit bull terrier/lurcher crosses, producing a dog that has the speed of a lurcher together with the powerful head and jaws of a pit bull

8. Have you engaged in any recent publicity to raise awareness of the priority? Are there particular issues of note (positive or negative) that the UK TCG should be aware of?

See above regarding Operation Meles launch events. Operation Meles leaflets and posters have been produced to coincide with the event to further raise awareness of the operation. Leaflets have been dispatched with free circulation newspapers in targeted areas.

9. If the incidents or intelligence figures quoted in the TA have significantly increased or decreased, can you comment on why this has happened?

Increase in NGO reported incidents due to RSPCA reported incidents now supplied and included in NWCUC collated stats.

10. Is there any update on funding?

- The priority group receives no specific funding.
- General concern expressed that numbers of full time Police Wildlife Crime Officers are decreasing as a result of overall Police funding cuts.
- Scottish Badgers Officer on the Priority Group has received full funding to carry on his role until March 2012, albeit at reduced hours.

2.2 Bat Persecution

To reduce bat crime by,

- Working with key stakeholders to raise awareness of responsibilities and criminal offences against bats.
- Promoting a preventative approach.
- Improving the submission of intelligence and standards of investigation relating to bats across the UK.

Current Picture

During the last three seasons bat persecution has accounted for 3% (94) of all reported incidents. This is a slight decrease of 23% (22) in comparison to the same period the previous year, when 116 reports were made. Almost four out of every ten incidents (40% / 38) are reported by the Bat Conservation Trust and this includes incidents not already reported to the NWCUC by the originating police force to avoid over counting.

Location

The reporting of offences is more common in Wales, and reasons could be two fold; a stronger population of bats and greater awareness of bat persecution could contribute to this, not necessarily an increase in criminality.

Method

The BRC carried out by the NWCUC has narrowed the sub categorisation of incidents, to make reporting more focussed for recommendation purposes. Table six breaks down the last 12 months and demonstrates that developers still account for most incidents.

Table 6 Sub Categories for all Bat Persecution - Sept 2010 – May 2011

Sub Category	No.	%
Developers	35	37%
Disturbance	17	18%
Tree Felling	16	17%
Destruction	10	11%
Non Commercial Development	7	7%
Local Authority	4	4%
Breach of Licence	2	2%
Unconfirmed Poisoning	2	2%
Willful Killing	1	1%
Total	94	100%

Seasonality (includes summer 2010)

Incidents remain relatively consistent over the year, other than winter when bats were least vulnerable, as shown by table seven.

Table 7 All Bat Persecution Incidents by Seasons (June 2010 – May 2011)

Season	No.
Summer	46
Spring	43
Autumn	33
Winter	18
Total	140

Plan Owner Update

1. How is the overall objective progressing? Are there any significant changes e.g. a prioritisation of work load?

The spring and summer months can be identified as the period when the reporting of bat crime is at its peak. The reason for this is simply because bats are at their most active during this period. At the same time many projects relating to renovations and building work are undertaken.

An initial assessment of reporting rates suggests that the number of incidents that have been referred for investigation is broadly in line with 2010 reporting rates.

2. What has happened since the last update? (With regard to Prevention, Intelligence and Enforcement).

Strategy and delivery plans have been agreed. The group has produced what we consider to be minimum standards for the investigation of bat offences and have asked Richard Crompton to endorse and circulate the document to all police forces. Other work is being progressed as identified in the actions plan.

3. How many meetings have you had since the last update? And what is the overall summary of the progress?

The group aim to meet about every three months. Meetings took place in both February and June and we hope to meet again shortly. Overall we are content with the progress made to date.

4. Have there been any notable successes?

There have been numerous occasions already this year when early intervention by enforcement authorities and others has led to some bat roosts which would otherwise have been destroyed being conserved. There are also examples where contact from members of the public and subsequent investigation has led to the finding of significant bat roosts.

5. Are there any specific issues/problems?

The group have concerns over the fact there have been no prosecutions relating to bat offences for over two years. There are occasions where it seems that investigations are either not completed or are not being completed in a timely manner. We will look at this issue in greater detail in the coming months.

6. Have you engaged in any recent publicity to raise awareness of the priority? Are there particular issues of note (positive or negative) that the UK TCG should be aware of?

Articles relating to Bat Crime have appeared in the PAW Scotland newsletter and we have actions that we hope will result in a similar article in Natural England's newsletter. The group have produced Bat Crime 2010 which can be located on BCT's website. We continue to attend police and other training courses to raise the profile of bat crime. In recent months we have attended the National Wildlife Crime foundation course (twice) a CPS seminar on wildlife crime and input to a training course run by West Mercia Police. In April we were able to have a bat crime made subject of a case study at a court awareness day for potential expert witnesses. The bat crime priority features as part of the PAW wildlife crime display that attends many high profile events around the country.

7. Have you any comment to add to the TA section for your priority?

Members of the group submit bat crime returns to the NWCU on a monthly basis. It seems that the unit receive reports of bat related incidents from individual forces that are not known to the priority group until publication of tactical assessments. We would like to see such matters

made known to us on a monthly basis but realise that this may be difficult because of the resource difficulties within the unit.

8.If the incidents or intelligence figures quoted in the TA have significantly increased or decreased, can you comment on why this has happened?

The submission and receipt of intelligence relating to bat crime has yet to be resolved. Discussions with NWCUC will take place at a time when they feel able to consider an additional work stream.

9.Is there any update on funding?

BCT at this time remains committed to being the plan owner for the bat crime priority. Our investigations officer will continue to be the main point of contact within BCT for this work. There are no other identified funding issues.

10. Have you had any support from the PAW working groups, or do you require any additional support that you need to contribute to your Priority area?

The group has worked closely with the PAW training and conference working group, PAW Scotland and the Welsh Biodiversity Partnership

2.3 CITES Issues

(with 3 current CITES priorities of Ivory, Tortoises and Traditional Medicines⁷)

Objective:

Increase the number of disruption activities and detections of illegal trade in CITES priority species by:

- *Increasing the amount of targeted compliance activity*
- *Increasing the number of intelligence submissions and intelligence products produced*
- *Improve the quality of Analytical Assessments and complete in agreed time-scales*
- *Increase the number of investigations and enforcement outcomes*

Current Picture

UKBA seizures are now reported to the NWCU in the form of incidents as opposed to intelligence as was previously the case, which will explain the sudden increase in the number of reported incidents concerning CITES. Over the last three seasons (Sept 2010 – May 2011) there have been 108 incidents reported, in comparison to just 28 for the same period last year.

Location

As table eight illustrates the UKBA account for the reporting of most incidents. This does however improve our understanding of the problem, as historically police reported incidents were low on this subject.

Table 8 CITES reported incidents by Agency / Force - Sept 2010 – May 2011

Submitting Agency / Force	No	%
UKBA	102	94%
South Wales	2	2%
Essex	1	1%
Northamptonshire	1	1%
Northumbria	1	1%
Tayside	1	1%
Total	108	100%

Method

The illegal trade in traditional medicines accounted for the most incidents over the last three seasons as table nine shows.

Table 9 CITES Issues by Category Type

Sub Category	CITES Ivory	CITES Tortoises	CITES Traditional Medicines	Total
COTES		2		2
Rhino Horn			2	2
UKBA Seizure	11	2	91	104
Total	11	4	93	108

⁷ Including rhino horn

The Theft of Rhino Horn – International Organised Crime Group⁸ (OCG)

An OCG is operating internationally targeting rhino horn from antique dealers, auction houses, art galleries, museums, private collectors and zoos. Their approach is to visit premises in advance to establish where the rhino is located, they may then offer to buy the rhino horn, if this is rejected they will return at a later date to steal. The OCG are of Irish origin and have so far committed offences in the following countries; Argentina, Belgium, Canada, Czech Republic, Denmark, France, Germany, Italy, Netherlands, Portugal, South Africa, Spain, Sweden, United Kingdom and the US.

UK Picture

So far in 2011, there have been burglaries at premises where rhino horn was solely targeted. There have also been a number of suspicious occurrences where suspected reconnaissance visits and phone calls have been made to ascertain if and where rhino horn is located on the premises.

- In February a rhino head, worth more than £50,000, was stolen from Sworders Auctioneers in Stansted Mountfitchet, Essex (February 2011)
- The National Heritage Crime Initiative report that they are seeing an increase in local auction houses advertising for "antique ivory and rhino horn" for inclusions in sales (May 2011)
- Rhino horn thieves steal fakes. Thieves who broke into a museum in an attempt to steal £240,000 of rhino horns were foiled after staff replaced the rare specimens with replicas. The fake horns were taken from two taxidermy rhinos at the Natural History Museum in Tring (Hertfordshire). The thieves did not realise that staff had replaced the real horns with resin models three months ago following a string of similar raids across Britain and Europe (August 2011)
- Burglars broke into the Haslemere Educational Museum (Surrey) at around 2am and made off with the rhino head, but no other items were taken in the raid (May 2011)
- Burglars broke into Ipswich Museum and sawed off the 18in horn of Rosie, the head of an Indian rhino that had been there since 1907 (July 2011)

Now Britain is putting forward a request on behalf of the European Union for Asian nations to mount "appropriately targeted" awareness-raising campaigns for their citizens, highlighting the lack of evidence in support of the horn's alleged medicinal properties. The proposal, which Britain sponsored through the EU, also asks all member states of CITES to tighten up controls on the trade in rhino horn and seeks the establishment of a working group to make recommendations for the next full meeting of CITES COP in two years. The NWCU are currently working together with Europol to gather and analyse all the intelligence, however this problem clearly needs to be resourced by a dedicated operational team that will drive enforcement action.

Plan Owner Update

1. How is the overall objective progressing? Are there any significant changes e.g. a prioritisation of work load?

The year on year stats up until the end of August show that the flow of intelligence has dipped slightly (-4%) although this can be explained by four months of UKBA figures not being included so with the missing figures being included the upward trend would be continuing. What can be seen is that the number of logs submitted by the police increased slightly and it is encouraging to note that in year 2 (Sep10 – Aug 11) a further 10 police forces submitted CITES related intelligence logs for the first time although the majority of the intelligence logs are still being submitted by UKBA, AHVLA and the NWCU.

⁸ Designated by Europol

It is noticeable that the number of intelligence logs for caviar has fallen away since April 2011 and appears to coincide with caviar being removed as a national CITES priority. It is pleasing to note that the successful operations RAMP and Tram have led to an increase in intelligence logs for the TCM priority of 13% and tortoises by an increase of 58%. The decision to remove Ramin from a Priority to an Intelligence Requirement has been vindicated as no Ramin related intelligence logs have been received since Sep 10. Intelligence reports covering the new intelligence requirements namely the illegal trade in parrots and raptors are now being submitted.

A report on the success and lessons learned during operation RAMP will be presented to the wildlife enforcement conference in Harrogate in October although there are a number of operational enquiries still being discussed with possible enforcement action pending. We are aware however that there is still work to be done on the traditional medicines and further targeted inspections are likely to take place.

The illegal trade in rhino horn predominantly for its use in TM has continued with reports of thefts from throughout the European region with some recent enforcement success by our European colleagues. Steps are being undertaken to focus on this area of criminality within the UK.

2. What has happened since the last update? (with regard to Prevention, Intelligence and Enforcement).

Prevention

There has been a significant amount of work undertaken in respect of the issues surrounding the sale of rhino horns for inflated prices especially within the UK, with lobbying being undertaken in the European Union. In addition the associated criminality involved with rhino horn has seen an upsurge throughout the European region.

The log jam of the new mini microchips for tortoises has shown signs of movement with AHVLA indicating that a UK importer was keen to trial their use with smaller specimens, the chips themselves appear to be ISO compliant and readable with standard micro chip readers, the only outstanding issue to finalise is that of veterinary approval. Other traders attending a recent reptile show were extremely keen to utilise the new chips as they recognised the compliance benefits. Following on from Operation TRAM a TCM information leaflet has been drafted by AHVLA and circulated to CPDG members for consideration. AHVLA have finished the review of trade in key parrot species, e.g. hyacinth macaws and no obvious issues that give concerns about aspects of this trade in the UK were identified.

Enforcement

Following on from the unprecedented enforcement buy in to Operation Tram, enforcement officers have undertaken enquiries encompassing all the current priorities, encouragingly this enforcement activity has not been localised but has reached all parts of the United Kingdom. The NWCU ISO's being particularly active and a number of new initiatives being managed by the UKBA CITES team with encouraging results across a number of UK ports.

3. How many meetings have you had since the last update?

There have been two meetings since the last T&CG in April and September 2011 although there has been a steady level of activity this last quarter. Enforcement objectives have been progressed and new initiatives identified that reflect recently identified importation trends.

4. Are there any issues with the meetings?

No, two members including the nominated plan owner have retired from their respective departments.

5. Is the Action Plan being progressed?

The action plan is being progressed; however we do need to be mindful not to over reach our capabilities and ensure that the current priority has been finalised before we proactively target the next priority. The CPDG acknowledge that this is not an exact science but agree that we have the balance about right, actively working on priorities as long as we remain focussed on the identified objectives.

6. Have you had any links to any specific groups eg funding, training, legislation, etc

A cd-rom containing training material on CITES and the EU Wildlife Trade regulations for enforcement officers covering both import, export and internal trade has been published and made available. This initiative was funded by the European Commission DG for Home Affairs. The WWF have offered their expertise and potentially a small amount of funding for future projects and we look forward to working with them.

7. Are there any specific issues/problems?

The complex nature of the ongoing investigation into a large importing / exporting company highlighted a number of issues in respect of disclosure of documents and this complication took a considerable time to rectify, however has now been resolved and all the lessons learned will benefit any future inter agency enquiries. Thus the planned activities around identifying and researching the third TCM wholesaler have not progressed as well as was hoped but will be undertaken when resources and time allows.

The ivory priority is still causing concern and the continued availability of ivory on internet action houses despite assurances from companies involved that this trade had been banned. We are currently looking at different options to reinvigorate this priority including proactively tasking the NWCU internet researcher. Low level intelligence and enforcement is still being progressed and inter agency liaison has developed a number of areas of interest. This area needs to be closely monitored as ivory will be a major topic for the next CITES Conference of the Parties in 2013 with the associated media and ministerial interest in any successful or perceived lack of enforcement activities.

Following successful enforcement activities such as Operation RAMP it has been identified that the logistics of rehoming and costs involved in this activity has been causing concern in a number of areas and needs to be urgently addressed.

8. Have you engaged in any recent publicity to raise awareness of the priority? Are there particular issues of note (positive or negative) that the UK TCG should be aware of?

The TV series "Wildlife Patrol" has been aired on national terrestrial channel highlighting the work undertaken by the UK Police forces, UK Border Agency and NWCU in the wildlife crime arena with a number of the priorities being identified. The "Operation Charm" initiative managed by the Metropolitan Police and its partner agencies received publicity in a number of different medias. The EU Commission (DG Home Affairs) working with WWF, Traffic, UKBA and AHVLA have produced a leaflet outlining responsible purchasing of souvenirs made from animal derivatives. This leaflet was launched in conjunction with the CITES detection dogs initiative with posters being made available.

2.4 Freshwater Pearl Mussels

Objective:

Raise awareness of criminality affecting freshwater pearl mussels in order to facilitate intelligence and incident reporting, leading to increased prevention and enforcement action.

Current Picture

Over the last three seasons (Sept 2010 – May 2011), four incidents have been reported, one in Tayside and three in Northern.

Seasonality (includes summer 2010)

Summer continues to account for the most FWPM as table 10 provides. Seasonality analysis carried out within Scotland found that FWPM are most at risk during summer, which may coincide with the water being low at this time of year.

Table 10 FWPM Incidents by Seasons (June 2010 – May 2011)

Season	No.	%
Summer	4	50%
Autumn	3	38%
Spring	1	13%
Winter	0	0%
Total	8	100%

Methods

The UK Strategic Assessment found that hydro electric schemes on rivers may be an emerging threat as they become more popular in the effort for renewable energy. So far in 2011, this threat is not as prominent as last year; however significant finds are still happening (as detailed above) where it is suspected FWPM are being taken for financial gain.

Plan Owner Update

1. How is the overall objective progressing? Are there any significant changes e.g. a prioritisation of work load?

The plan's priority continues to be on prevention, principally by raising awareness so that the greatest amount of information flows into police and the NWCUC, to generate good intelligence and aid enforcement.

2. What has happened since the last update? (with regard to Prevention, Intelligence and Enforcement).

Prevention

Since January a £3.5 million funding bid has been submitted to the EU LIFE+ fund. It aims to improve the conservation of pearl mussels across GB. The bid includes a number of actions that aim to address wildlife crime affecting pearl mussels. Principal among those is the project will employ a seasonal 'riverwatcher' who undertake patrols on 17 Special Areas of Conservation in Scotland at least twice every year. Riverwatch schemes will also be launched on all Special Areas of Conservation in Scotland during the project (apart from the Rivers Spey and Dee where they already exist). Further awareness raising will be done in local communities and particularly in local schools where a "Pearls in the classroom" will be delivered by local fishery trust staff.

The funding bid has been led by SNH with a number of stakeholders contributing funds including the fishery trusts, SEPA, Forestry Commission/Enterprise, Cairngorms National Park Authority. Northern Constabulary have also offered their support, should the funding bid be

successful. We do not expect to hear if the bid has been a success until early 2012, and the project will start summer 2012 and finish during summer 2016.

3. How many meetings have you had since the last update? And what is the overall summary of the progress?

There has been a meeting of the priority group in March when actions for 2011 were agreed. These have been implemented, although the main action which was to try and identify very specific hotspots has been difficult to pursue due to the sporadic and dispersed nature of pearl fishing.

4. Are there any issues with the meetings?

No known issues. They are held every 6 months on average, often by video-conference.

5. Is the Action Plan being progressed?

The Action Plan has been updated by the plan owner and it is felt to have the correct focus and spread of actions. Using the experience of group members, in the past the action plan was compared against other priority plans and considered to be focussing on the correct areas.

6. Have you any ongoing cases you wish to update or comment upon?

A pollution incident following apparently poor construction practice and site management on an hydro-electric schemes in Glen Lyon resulted in considerable damage to the local pearl mussel population. Investigations by Tayside Police, supported by SEPA and SNH, are understood to have led to criminal charges being made under the Wildlife and Countryside Act for damage to pearl mussels. Any conviction would be a first in Scotland and a considerable success for the priority plan.

7. Have you engaged in any recent publicity to raise awareness of the priority? Are there particular issues of note (positive or negative) that the UK TCG should be aware of?

No news events have been taken forward since the last update. However, if the LIFE+ funding bid is successful then we anticipate issuing a news release to highlight the aims and actions in the project.

8. Is there any update on funding?

A major funding bid has been made to the EU, with domestic funds provided by a wide range of partners. The outcome of the bid will be known in early 2012.

SNH has also assessed a grant application from the NWCU, to support the continuation of the post of the Scottish Investigative Support Officer. Other funding has been secured so that this post will be able to continue for at least another year, with pearl mussels as a particular priority.

9. Have you any comment to add to the TA section for your priority?

It remains worth noting that awareness is now such that incidents that are reported in recent years are being better recorded and actively investigated, with enforcement action being more likely on a consistent basis. This is encouraging and shows the priority plan is working for this vulnerable species. However it is important to continue such work as there have still been no successful prosecutions in Scotland and, in some places, there remains a feeling that action is not always consistent.

10. If the incidents or intelligence figures quoted in the TA have significantly increased or decreased, can you comment on why this has happened?

There may be a decrease in the reported number of incidents, though this could well be linked to SNH undertaking fewer surveys in 2011 than in previous years. Often, in the past, a significant number of incidents have been reported by pearl mussel surveyors working for SNH.

2.5 Poaching

Objective: – For Scotland

To increase the level of awareness of poaching and hare coursing as serious wildlife crimes and build better trust and relationships between the law enforcement agencies and local rural communities, both leading to increased prevention activity, intelligence flows and enforcement success.

Objective: – For England and Wales TBC.

Incidents – Deer Poaching

Deer poaching currently accounts for 8% (205) of all incidents, although reports have decreased (20% / 51) during the last three seasons (Sept 2010 – May 2011) in comparison to the previous; when 256 reports were made. Despite this decrease, an additional 176 incidents were reported to police where it was ‘suspected’ that deer poaching was happening, meaning the incidence rate could potentially be higher.

Locations

Incidents of deer poaching over the last three seasons appear to be concentrated in the north of the UK (table 11). The UK Strategic Assessment found that around one third occurs predominantly in Scotland, though incidents within Cumbria have overtaken this recently (Sept 2010 – May 2011).

Table 11 Top 5 UK Contributors - Sept 2010 – May 2011

Force Area	No.	%
Cumbria	19	9%
Strathclyde	18	9%
Lincolnshire	14	7%
Humberside	13	6%
Tayside	13	6%

Method

The new sub category of ‘grallochs’ has been added in reference to deer poaching incidents where this is the only indication of where poaching has occurred. Deer coursing continues to grow in popularity and has again (UK Strategic Assessment) over taken the number of deer shootings being reported (table 12)

Table 12 Sub Category for all Deer Poaching

Sub Category	No.	%
Coursing	64	31%
Grallochs	73	36%
Observed	25	12%
Shooting	40	20%
Traps/Snares	3	1%
Total	205	100%

Seasonality (includes summer 2010)

As expected, winter accounted for the most deer poaching incidents as shown by table 13. Summer recorded the least number of incidents over the last year though what is also apparent is that deer poaching has remained fairly constant throughout the remainder of the year seasonal patterns are not easily identifiable.

Table 13 Deer Poaching by Season

Season	No.	%
Winter	84	33%
Autumn	60	24%
Spring	61	24%
Summer	47	19%
Total	252	100%

PESTELO – Technological – Advances in DNA⁹

Identifying deer poachers can be problematic, as the offences are often committed in remote areas and are not discovered until some time after the event. Poachers' practice of disassembling a carcass also often means that little physical evidence, and consequently little human DNA, is left behind. However, researchers at Strathclyde University and a Forensic Scientist with the Scottish Police Services Authority have devised a method which could pick up low levels of DNA and identify poachers. The chances of the DNA profiles it picked up being randomly found within the population would be less than one in a billion. The study is thought to be the first time that human DNA profiles have been obtained successfully from an animal carcass. The researchers obtained samples from the legs of 10 deer which had been legally culled and examined them for matches for DNA provided by volunteers who had taken part in the cull. The tests yielded results that could be matched back to the volunteer hunter. The method has potential to be used on other evidence in wildlife crime, such as feathers, eggs, snares or traps. Funding for the research was provided by PAW (Partnership for Action against Wildlife Crime) Scotland, the Deer Commission for Scotland, the British Association for Shooting & Conservation, and the British Deer Society. Though it should be borne in mind that this technique has yet to be tested outdoors and rain and degradation may affect the success of the outcome.

Incidents – Fish Poaching

Incidents of fish poaching have increased over the three seasons (Sept 2010 – May 2011) and currently accounts for 5% of all incidents. Incidents reported during this period have increased by 63% (49) over the last three seasons, when 127 reports were made compared to 78 the year prior (Sept 2009 – May 2010).

Locations

During the last three seasons Merseyside has reported the greatest number of fish poaching incidents, this figure could potentially be higher as May incidents are absent¹⁰. During the summer last year Merseyside reported a number of illegal cockling incidents, this will need to be monitored to check whether this increased again during summer 2011. Current estimated value for one ton of cockles fluctuates between £1,500 - £2,200. Ultimately though, the public's safety is the most resource intensive aspect of this particular problem. Another affected site in Merseyside; the Ribble Estuary is a Marine Conservation Area, however it can reach up to four and half miles out to sea and therefore presents a significant risk to life. The other four high volume crime contributors over the last three seasons are as expected.

⁹ The research paper, Recovery of human DNA profiles from poached deer remains: A feasibility study has been published in the journal Science and Justice and is available online

¹⁰ Incidents from Merseyside for May 2011 were received too late for inclusion

Table 14 Top 6 UK Contributors

Force Area	No.	%
Merseyside	17	13%
Grampian	15	12%
Dumfries & Galloway	12	9%
Strathclyde	12	9%
Fife	8	6%
Kent	7	6%

Seasonality (includes summer 2010)

Summer is the anticipated peak time of year for reports of fish poaching to increase as shown by table 15.

Table 15 Incidents of Fish Poaching by Season

Season	No.	%
Summer	88	41%
Spring	70	33%
Autumn	46	21%
Winter	11	5%
Total	215	100%

Poaching – Anti Social Behaviour Order (ASBO)

In July 2011, Humberside Police were able to grant an ASBO in relation to poaching related activities. A report was put together that stated the defendant acted on 14 separate occasions (poaching) anti socially, brief details were given for each incident and the date / location it occurred on. The defendant who resides in Middlesbrough is forbidden from entering Humberside until 2014, if this is broken he will be liable for five years in prison or subject to a fine or both.

Incidents – Hare Coursing

The number of hare coursing incidents being reported has remained consistent over the last two years. Over the last three seasons it accounts for over one quarter of all incidents (27%). In the most recent year (Sept 2010 – May 2011) 733 reports were made in comparison to 773 for the previous year. Though potentially, this figure could be a lot higher, as during the last year there was an additional 974 ‘suspected’ hare coursing incidents recorded separately to the ones described.

Location

Hare coursing continues to afflict the east of the UK and Lincolnshire accounts for a disproportionate amount of illegal activity (table 16) although this does appear to have subsided during 2011, as the seasonality section discusses.

Table 16 Top UK Volume Contributors

Force Area	No.	%
Lincolnshire	455	62%
Thames Valley	54	7%
Essex	49	7%
Humberside	48	7%

Seasonality (includes summer 2010)

Incidents were more common during autumn following harvest time when the hare is more visible. Spring time is also a high risk period, however the number of reported incidents were a lot lower than expected. This is probably attributable to a reduction in reports from Lincolnshire at the same time as table 17 indicates.

Table 17 Hare Coursing by Season and the Percentage for Lincolnshire

Season	Total	%	% Lincolnshire accounted for
Autumn	322	38%	73%
Winter	318	37%	64%
Summer	116	14%	21%
Spring	93	11%	19%
Total	849	100%	n/a

Plan Owner Update – England & Wales

The newly appointed head of the game and gamekeeping team in BASC has agreed to be the new plan owner for the Poaching Priority Delivery Group in England and Wales.

Plan Owner Update – Scotland

1. How is the overall objective progressing? Are there any significant changes e.g. a prioritisation of work load?

The principle objective of the group remains to **increase the level of awareness of poaching and hare coursing as serious wildlife crimes and build better trust and relationships between the law enforcement agencies and the local rural communities, both leading to increased prevention activity, intelligence flows and enforcement success.** The Group is still focused on delivering these key objectives. We continue to identify activity within our Action Plan to deliver this overall objective through the collective resources of this Group; however lack of availability of funding to progress new initiatives and activity will become an increasing issue. The organisations in the Group already provide a considerable amount of time and in kind support to this priority objective. Since the last full update we now have representation on the Group from the Association of Salmon Fishery Boards (ASFB) and The British Deer Society (BDS). We have also invited the new Scottish government agency to join – Marine Scotland. The Action Plan for 2011 is being delivered and was most recently updated on the 30th August 2011. Most of the main elements of the previous plans have been delivered. In 2011 we will also consider if there needs to be representation on the Group from any other police force area in Scotland.

Progress continues to be measured by a combination of media coverage/awareness raised and in increases in flows and levels of intelligence to NWCUC. While this flow of information and intelligence is increasing from a number of force areas, it is still lacking from others.

Promoting collaborative working on the ground between law enforcement agencies and those working on the land has also been important and will continue to be so. This approach will continue through 2011.

2. Is the Action Plan being progressed?

Yes the 2011 Action Plan is being progressed and was recently updated at the last meeting of the Group with some new actions for the next six months added.

3. What has happened since the last update? (With regard to Prevention, Intelligence and Enforcement).

Prevention

The fish poaching guidance that was produced at the end of 2010 by the Group was promoted through the Group members organisations. Publicity undertaken to promote the work at University of Strathclyde looking at the potential for testing for human DNA on poached deer carcass remains. This could help enforcement and act as a deterrent. Group organisations have sent guidance to their members on how best to report suspected incidents of poaching and coursing.

Intelligence

NWCU are progressing information sharing protocols. NWCU provided intelligence summary statistics for the Group and a summary of information received on cases/convictions and operations from force areas. NWCU are speaking to Marine Scotland about joining the Group.

4. How many meetings have you had since the last update? And what is the overall summary of the progress?

The group met on the 30th August 2011 to review the first six months of 2011 activity and to update the Action Plan.

Some key elements of this are:

- A Game Poaching Guide to be produced for police forces.
- Specific Action Plan/guidance for police operations for this Autumn/Winter being discussed.
- An Aide Memoir/field book to be investigated for use by land managers to record possible intelligence – basic guidance and reporting format.
- Better links to be built with the river boards bailiff network to improve communications and intelligence follows with local police forces.
- The Group would like guidance from the Scottish TTG as to how the Group can best feed in/be most useful.
- Identify force areas we need to focus activity on and try and secure improvement in intelligence flows.
- Identify and speak with other agencies and how they should be feeding their intelligence into NWCU.
- Promote results and successes – operations and resulting prosecutions and convictions. Demonstrate to the local community the results achieved by cooperation
- Build charging, prosecution and conviction rates into our reporting statistics – we have started but need better feedback from force areas.
- Focus media on public interest/tabloid – not just rural and farming press.
- Establish more formal links with similar initiatives in England and Wales. Poaching leading for England was supposed to attend our last meeting but could not make it.
- Update our suite of posters and leaflets – dependent on availability of funding.

5. Are there any specific issues/problems?

Funding, as already mentioned, is a limiting factor to more and enhanced activity. Specific difficulty around holding of awareness raising events and promotional campaigns and development of material will arise if no funding is forthcoming.

NWCU report that the feeding in of intelligence and information is not consistent around the force areas in Scotland. Some are very good, others do not respond. Resourcing is an issue for

everyone, but this clearly means not all the information is being captured. We need to address how best this Group can interact with other force areas not represented on the Group.

6. Have you engaged in any recent publicity to raise awareness of the priority? Are there particular issues of note (positive or negative) that the HLG should be aware of?

Activity in this area has been mostly focused on the membership of the organisations in the Group and providing guidance and raising their awareness of how and what to report to police.

7. Have you any comment to add to the TA section for your priority?

Deer poaching activity is on the rise fuelled by a rising demand domestically and hence a rising venison price. The statistics from the NWCUC show a rising trend for all incidents of deer poaching since 2008 and in extrapolating the statistics for 2011 it looks like this increasing trend will continue. Now we are in the stag season and heading for longer nights and colder weather we are anticipating increased deer poaching activity as deer move down the hill. As a result there will be a focus of activity on this area by the group specifically focusing on publicity and awareness raising including targeting possible outlets for poached venison and on procedures/key information for police forces on the ground.

8. Is there any update on funding?

As part of developing the Action Plan for the next six months the Group has an aspiration to update our suite of leaflets and posters for external communications and support external awareness raising. This will be raised with SNH/Scottish Government to see if there is any funding available

9. Have you had any support from the PAW working groups, or do you require any additional support that you need to contribute to your Priority area?

As has been made clear already, there is a need for funding support for the production of materials for campaigns and awareness raising materials/events if these are to be undertaken.

2.6 Raptor Persecution

Objective: (Both England & Wales and Scotland):

Raise community trust and awareness to facilitate intelligence and incident reporting, leading to increased prevention and enforcement activity relating to Raptor Persecution.

The reporting of incidents of raptor persecution has reduced (19% / 26) during the most recent period (Sept 2010 - May 2011) compared to the previous (Sept 2009 – May 2010). 110 incidents were reported during the most recent three seasons compared to the 136 during the previous period.

Method

Table 18 shows the breakdown of all incidents reported over the last three seasons. Shooting remains the greatest volume contributor which was a similar picture during the previous period. The back record conversion of incidents has help to establish that the number of nest disturbance incidents is far greater than nest destruction.

Table 18 Sub Category of Raptor Persecution

Sub Category	Poisoning - Raptors	Raptor Persecution	Total
Shooting		27	27
Confirmed Poisoning	20		20
Unconfirmed Poisoning	15		15
Disturbance		11	11
Traps/Snares		10	10
Inconclusive	8		8
COTES		7	7
Wild Caught Birds		4	4
Egg Theft		3	3
Chick Theft		2	2
Destruction		2	2
Local Authority		1	1
Total	43	67	110

Location

The Strategic Assessment illustrated that Scotland accounts for the most incidents and this trend has continued as shown by table 19. Some of the land covering the Lothian & Borders, Tayside and Northern areas are used for sporting interests and may explain why offences are higher there. PSNI also report a high number, further to this, three months of data are also absent for 2011 from PSNI¹¹, meaning this figure could potentially be higher.

Table 19 Top 5 UK Contributors

Force Area	No.	%
Lothian & Borders	11	10%
Tayside	10	9%
Northern	9	8%
Dyfed-Powys	8	7%
PSNI	7	6%

Seasonality (includes summer 2010)

Birds are most vulnerable during their breeding season which explains the increase in reporting during this time as shown by table 20.

¹¹ Incidents from PSNI were received too late for inclusion

Table. 20 Raptor Persecution by Season (June 2010 – May 2011)

Season	No.	%
Summer	60	35%
Spring	55	32%
Autumn	36	21%
Winter	19	11%
Total	170	100%

Convictions Update

A number of successful high profile convictions have taken place during 2011. Dean BARR received a £3,300 fine at Inverness Sheriff Court in May after 10kg of carbofuran were found on the Skibo Estate (Northern). The stash was discovered on the estate during a warrant during which one golden eagle, a sparrowhawk, a grouse, three parts of birds and various items were seized in May 2010. Also at Inverness Sheriff Court, a former apprentice gamekeeper was fined £1,500 after he admitted possessing a dead red kite. The gamekeeper at Moy Estate (Northern), said he found the bird of prey in a trap set for stoats and weasels but picked it up and put the bird in his Land Rover rather than leave it and inform his bosses, the police, or RSPB. Rolfe was found with the dead red kite by police who had arrived on Moy estate with search warrants, issued under the WCA in June 2010. Further to this, in June 2011 a Derbyshire gamekeeper was convicted at Chesterfield Magistrates Court of seven offences under the Wildlife and Countryside Act after a 10-day hearing. Brown was also ordered to pay costs of £10,000 and carry out 100 hours community service for attempting to trap and kill birds of prey.

Plan Owner Update for England and Wales¹²

Progress with the raptor persecution priority continues to be problematic although there are indications of progress.

Plan owner is of the view that if the raptor priority group is to make progress then a dedicated enforcement resource is needed. The scale of the problem, even in areas where raptor persecution appears to be most common is such that Chief Officers will not consider dedicating an officer to the issue. Indeed the position in some areas is such that forces would probably not dedicate such resources even if the problem was substantially greater than is evidenced at present. In order for a dedicated resource to be appointed funding is needed to appoint an officer based in the North of England with a remit covering several forces. In the present climate such funding cannot be found from within the Police service. Clearly to accept funding from any non government organisation would also be problematic, therefore government funding is seen as the only means in which a dedicated enforcement resource can be found.

It is also the view of the plan owner that enforcement effort alone is not the answer to tackling raptor persecution. The nature and location of the offending is such that detection of offences in particular where persecution is carried out by shooting rather than poisoning will remain very difficult. Inevitably proactive targeting of suspects will be constrained by resources that have to be deployed to other Policing priorities. It is clear that at present offenders face only a slight risk of sanction for persecuting raptors. They are prepared to offend as at present they do not have the legal means to resolve their perceived problems. This is a situation that must be addressed and the work of the Environment Council with the Hen Harrier Dialogue is critical. Whilst it is clear that many stakeholders are involved in the dialogue progress in reaching

¹² A verbal update was given at the UK TCG meeting on 4th October 2011

agreement on lawful management is as difficult as enforcement has been found to be in relation to persecution. Plan owner would like to see the initiatives and actions suggested within the dialogue being progressed by agreed dates. The involvement of the Police in the Hen Harrier Dialogue might be reviewed in particular if a project officer were to be appointed.

Plan Owner Update for Scotland

1. How is the overall objective progressing? Are there any significant changes e.g. a prioritisation of work load?

Progress against agreed actions is accelerating, this year to date confirmed poisonings are lower than the corresponding period last year continuing a downward decline. Securing convictions remains problematic but awareness raising and a renewed commitment to partnership working appears to be having a positive impact.

2. Is the Action Plan being progressed?

Due to the changes in the NWCUC and the lead up to it, there has been a delay in producing the intelligence plans. The NWCUC has now reviewed the work on hand and as a result the group has agreed that there is a need to prioritise the five areas in order to ensure that a quality product is achieved for each.

3. What has happened since the last update? (With regard to Prevention, Intelligence and Enforcement).

Prevention

The RPPDG has agreed a template for a poster which can be adapted to various awareness raising circumstances. Members agreed to pursue a more cohesive media strategy.

4. How many meetings have you had since the last update? And what is the overall summary of the progress?

There have been two formal meetings and a workshop since the last meeting of the UK TCG. A further meeting is scheduled for 30 September. Meetings are well attended by the correct people/organisations and progress is beginning to be made.

5. Are there any issues with the meetings?

The Chair is retiring from the police service at the end of the year. A replacement has been identified.

6. Have there been any notable successes?

There have been two high profile convictions in the North Highlands, including one at Skibo where 10kg of carbofuran was recovered. In sentencing the shooting manager the Sheriff made it clear that had he been convicted of 'killing' as oppose to 'possession' he would have faced a custodial sentence.

7. Are there any specific issues/problems?

The number of intelligence submissions in some identified hotspot areas is low when compared with scientific and/or research data held by partners. Efforts are being made when problems are being identified to raise the profile of the intelligence requirement at Force Tactical TCG's. A visit was made in this respect to a Force TCG on 14/9/2011.

8. Have you engaged in any recent publicity to raise awareness of the priority? Are there particular issues of note (positive or negative) that the UK TCG should be aware of?

A news release took place in August 2011 to release details of confirmed poisoning incidents in 2010. Whilst a coordinated media release was issued by the RPPDG it was disappointing that the media concentrated on agricultural misuse rather than criminal abuse of pesticides.

9. If there was a specific action/comment at the last UK TCG with regard to the priority, please update on progress?

No specific actions.

10. If the incidents or intelligence figures quoted in the TA have significantly increased or decreased, can you comment on why this has happened?

No significant change, basically there is a continuing trend downwards but sporadic high profile activity when incidents occur. It is becoming clearer all the time that poisoning incidents are being polarised in key geographic hotspots and it is these areas that the RPPDG is concentrating on in respect of the interventions work mentioned above and development of hotspot profiles.

11. Have you had any support from the PAW working groups, or do you require any additional support that you need to contribute to your Priority area?

Not directly but the active members of the RPPDG are all prominent PAW partners.

3.0 Intelligence Requirements

3.1 CITES – Annex A & B Orchid Species

Current Picture

There were a number of seizures conducted by the UKBA during the last three seasons where orchids were ingredients in traditional medicines (mainly Dendrobium) and these have been examined within that section of the assessment.

3.2 CITES – Timber (with focus on Ramin)

Current Picture

One seizure relating to timber was reported during the period examined.

Plan Owner Update

As far as intelligence for the timber requirement is concerned there has been marked decrease in the number of shipments of CITES listed timber seen at the UK ports.

Agarwood

- The UK Strategic Assessment (February 2011) identified that there appears to be growing popularity in agarwood. EU Twix analysis predicted that the presence of Aquilaria spp would increase in Europe from 2009 onwards. In 2010, UKBA raised concerns about the amount of agarwood (Aquilaria spp & Gyrinops spp) that is being seized at the UK border. Since then there have been some significant seizures at UK ports.

Update from the UK TCG (3rd October 2011)

It was recommended that the Timber Intelligence Requirement switches its focus from Ramin to Agarwood - APPROVED.

3.3 Finch Trapping

Current Picture

There has been a slight increase in the reporting of finch trapping over the last three seasons (8) in compared to the same period the year previous (6). It is true to say that the market for finches exists in certain areas, as the incidents state, offences relate to the trapping and selling of finches in those areas highlighted (table 21)

Table 21 Incidents of Finch Trapping

Force Area	No.
Essex	2
PSNI	2
Northumbria	1
Northamptonshire	1
South Wales	1
Dumfries & Galloway	1
Total	8

Plan Owner Update

The RSPCA report the following convictions has taken place;

Seven convictions secured under S5(1)(b)

S5(1) (a) sets in position any of the following articles, being an article which is of such a nature and is so placed as to be calculated to cause bodily injury to any wild bird coming into contact therewith, that is to say, any spring, trap, gin, snare, hook and line, any electrical device for killing, stunning or frightening or any poisonous, poisoned or stupefying substance;

(b) uses for the purpose of killing or taking any wild bird any such article as aforesaid, whether or not of such a nature and so placed as aforesaid, or any net, baited board, bird-lime or substance of a like nature to bird-lime

19 convictions secured under S6(1)(a)

S6(1)(a) sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live wild bird other than a bird included in Part I of Schedule 3, or an egg of a wild bird or any part of such an egg.

Highlighted case:-

In February 2011, a man from Norfolk was prosecuted in relation to the illegal possession of 40 wild birds. This case centred on the keeper's inability and at times refusal to account for the origin of wild-species birds in his possession. The Court took an extremely dim view of the defendant's casual attitude to the legal requirements for him to maintain accurate records and proof of ownership of birds in his possession. In what has been described as a landmark case the monetary penalties are amongst the highest ever recorded by the RSPCA in relation to wild bird offences. The defendant was ordered to pay fines and costs totalling £20,000.

3.4 Illegal taking of Wild Bird Eggs

Current Picture

There have been 13 reports of egg theft over the last three seasons and this is consistent with the number of incidents reported the same period the previous year.

Operation Easter - Plan Owner Update

Due to retirement of the former officer in charge of Operation Easter, a new replacement has been found within Tayside Police who will also be responsible for reviewing the operation's objectives. Along with this liaison has been made with a number of Easter coordinators in England and Wales.

3.5 Illegal trade in Raptors

Current Picture

Over the last three seasons there have been two intelligence reports regarding the illegal trade in parrots.

3.6 Illegal trade in Parrots

Current Picture

Over the last three seasons (Sept 2010 – May 2011), there have been five reports of intelligence concerning the suspected trade in raptors.

Plan Owner Update

Animal Health Veterinary Laboratories Agency (AHVLA) has undertaken a review of trade in UK CITES applications for red browed amazons, blue throated macaws and hyacinth macaws from 2006 to the present. This involved examining origin, movement between keepers, marking details, parentage, details of previous certificates/permits and found no significant issues of concern.

3.7 Introduction of Non Native Species

Current Picture

There have been 16 reported incidents in relation to the release of non native species during the last three seasons as table 22 shows. This is fairly consistent with the same period last year when 17 reports were made. The case involving the estate owner and the escaped beavers (Tayside) who has breached his licence is currently ongoing.

Table 22 Incidents of Non Native Species

Submitting Force	Beaver	Dwarf orange lobster	Gerbil	Goldfish	Grey Squirrel	Japanese Knotweed	Terrapin	Wallaby	Total
Tayside	6								6
Lancashire						1		1	2
Avon & Somerset					1				1
Gloucestershire						1			1
Lothian & Borders		1							1
Northamptonshire				1					1
Northumbria			1						1
South Wales							1		1
Staffordshire						1			1
West Mercia							1		1
Total	6	1	1	1	1	3	2	1	16

Plan Owner Update

An individual from FERA has agreed to be the plan owner for this new intelligence requirement.

4.0 Non Priority Areas

Current Picture

Habitat destruction currently accounts for one tenth of all reported wildlife crime over the last three seasons (Sept 2010 – May 2011). This is a decrease of around 3% against the number of incidents habitat destruction accounted for in the Strategic Assessment. Table 23 provides a breakdown of the type of incident being reported. Gloucestershire reported the greatest number of incidents over the last three seasons (53% / 137) though this is probably due to better recording practices than an increase in crime.

Table 23 Habitat Destructions by Sub Category

Category	No.	%
Off Roding	129	50%
Environmental Damage	49	19%
Burning	30	12%
Protected Species	18	7%
European Protected Species	10	4%
Theft	7	3%
Tree Felling	7	3%
Developers	4	2%
Non Commercial Development	3	1%
Shellfish	1	0%
Total	258	100%

Convictions Updates

- In August 2011, Basil Todd, owner of Wensum Valley Hotel, Golf and Country Club at Taverham, near Norwich, was given a 28 day prison sentence suspended for two years and ordered to pay Natural England's costs of £6,438.95 after the judge found him in breach of a legal undertaking he made to Norwich County Court on 7 January 2011. The Government's wildlife advisor went to court (7 January 2011) to obtain an injunction after Mr Todd carried out a catalogue of damaging works on the SSSI over 12 months¹³.

Despite repeated concerns raised by Natural England staff and reassurances that he would seek consent, he continued to do unauthorized work on at least three separate occasions which has resulted in further damage to the river. The breaches of the terms of the Undertaking since January constitute repeated contempt of Court. This left Natural England with no choice but to approach the Court for resolution.

His Honour Judge Darroch found that Mr Todd had flagrantly breached the undertaking on two counts. Judge Darroch said he was under the "firm impression that Mr Todd finds the SSSI tiresome, that it his land, and that he will do what he likes with it." In summing up he said: "Mr Todd has taken a cavalier and casual attitude towards the SSSI." Emphasising the role that owner occupiers play in protecting our natural environment, he concluded: "The public finds SSSIs important to our heritage and Mr Todd's attitude is singularly unhelpful."

- Another case heard in August 2011 concerning Honister Slate Mine Ltd resulted in the company being fined for damaging an area of Honister Crag Interest SSSI, within the Lake District National Park. As one of the most important nature conservation sites in the country, Honister Crag SSSI is highly protected by national and European wildlife law. There are only an estimated 6-7 hectares of similar mountain ledge vegetation in England, and Honister Crag is the only known location in the country for a species-rich type of Alpine Lady's-mantle grass heath. Honister Slate Mine Ltd constructed a walkway called a Via Ferrata and a zip wire,

¹³ Provided by Natural England

within the SSSI, without seeking Natural England's permission. The pursuit of these activities by paying members of the public caused significant damage to the vegetation through trampling. The company pleaded guilty to permitting the carrying out of recreational activities likely to damage the SSSI at Workington Magistrates' Court today. Magistrates fined the company £15,000 and ordered them to pay £13,190 costs.

- A field sports company and its director have been fined a total of £40,000 and ordered to pay costs of £125,000 after admitting damaging Farndale Site of Special Scientific Interest (SSSI) in the North York Moors National Park in September 2011. The prosecution, brought by Natural England, centred on a number of activities associated with pheasant shooting in Farndale, a wooded valley renowned for its wild daffodils. At York Crown Court the company and director challenged the extent to which they had changed the game management in the SSSI and the severity of the damage this had caused. However, Judge (Stephen) Ashurst found that they had significantly increased the number of pheasants reared for shooting; that the decision to do so was made for commercial interests and in full knowledge of the unlawfulness of such an action; and that the increased number of birds had contributed to the significant reduction in vegetation.

The woodland ground flora, which includes wild daffodils *Narcissus pseudonarcissus*, was extensively damaged over an area of 20 hectares (50 acres) by pheasants. This involved pheasants scratching and pecking the plants. Although bridges and feeders have been removed from the site, pheasants remain and the SSSI shows little sign of recovery.

- **Significant Outcome in Proceeds of Crime Act (POCA) Case**

A student who stole 299 rare bird skins from the Natural History Museum, Tring (Hertfordshire) to fund his studies was ordered to pay £125,150 under the Proceeds of Crime Act in July. Edwin Rist, aged 22, from the USA, was sentenced in April for the burglary, which took place on 24 June 2009. He was previously given a 12-month prison sentence, suspended for two years, and a supervision order for 12 months. Following a hearing at St Albans Crown Court the student was also given a confiscation order to pay back £125,150, after also pleading guilty to money laundering offences. This is the amount that it is estimated he later made by selling the bird skins, stolen from a private collections area in the museum, on places like Ebay.

The student, who was studying music in London, planned to steal the bird skins in 2008, having visited the museum under false pretences. He arranged a visit to the Museum in order to photograph a sample of bird skins in the collection on behalf of a colleague, before returning to break in to the premises on the 24 June 2009.

Key Dates for Planning

- Wales Wildlife and Environmental Crime Conference hosted by Dyfed-Powys, Carmarthenshire, 23rd November 2011
- PAW Open Seminar, Kew Gardens, 1st March 2011

5.0 PESTELO issues

5.1 Political

- **Natural Environment White Paper**

The Government's natural environment white paper 'The Natural Choice'¹⁴ was published in June 2011 and proposes a detailed programme of action to redress damage previously carried out on the environment. The plans are closely linked to findings published in the UK National Ecosystem Assessment¹⁵ (June 2011) which found that 30% of the social and economic benefits we get from nature are in decline. It recognises the value of protected areas and the opportunities available from greener goods and services and equally the cost to the economy if we continue to neglect the environment. The need to protect vulnerable species is discussed as the global target to significantly reduce the rate of biodiversity loss by 2010 was missed. Furthermore, specifically within England 18 of 42 priority habitats are still in decline.

Key themes of the paper include;

- Natural assets have been over-consumed beyond the economically efficient level (which would include most un-priced natural assets) e.g. fish stocks; lowland peat bogs
- Stocks of specific natural assets are subject to critical thresholds or irreversibilities
- Cost-savings to business and the economy can result from investments in natural capital (e.g. managed realignment schemes for flood alleviation; upstream water management to improve water quality)
- The market does not incorporate the full value of ecosystem services (many of which have public good aspects) leading to a sub-optimal level of provision (e.g. landscape payments)

The paper outlines how the Government intends on ensuring this investment by pledging the following support;

- £1 million in 2011/12 to build capacity for Local Nature Partnerships
- Encourage local partnerships to create new Nature Improvement Areas (NIAs) where there are significant opportunities to enhance and reconnect nature. To inspire action we will set up a competition to identify 12 initial areas and will provide £7.5 million to support this.

5.6 Legislation

- **Law Commission View of Legislation ~ Eleventh Programme**

In July 2011, the Law Commission revealed its new programme of law reform projects. Ideas for the Commission's Eleventh Programme were generated through wide debate with various people and organisations across England and Wales. More than 200 proposals were received during the consultation period of which 14 were selected. One of those projects was 'wildlife – modernising the law on wildlife management, simplifying it and making it easier to understand'. Reasons for this were; that the principal modern Act – the Wildlife and Countryside Act 1981 has become so amended it can be difficult to use. Law reform in this area would seek to provide a modernised and simplified framework, with an appropriate balance between primary and secondary legislation, and guidance. It would involve some consideration of criminal offences associated with the regulation of wildlife. There will also be

¹⁴ www.defra.gov.uk/environment/natural/whitepaper

¹⁵ <http://uknea.unep-wcmc.org/>

a significant European Law dimension. It is necessary to ensure both that the current law is compliant with EU law requirements and that it is capable of easy amendment to reflect new requirements.

After an initial internal scoping process, the Law Commission will produce a consultation paper in the second half of 2012. After analysing the results and coming to conclusions on the way forward, the results will be shared with Defra with a view to reviewing the future development of the project in March or April 2013. If both Commission and Government agree at that point that the project should continue, they will aim to produce a final report, with draft bill, by mid-2014. If, at the review, either party decides that the project should not continue, a narrative report of the conclusions will be written in about May 2013. This project concerns the law of England and Wales. Some aspects of the law relating to wildlife are devolved to Wales while some remains the responsibility of the UK Government. They aim to work closely with the Welsh Assembly Government on the development of the proposals.

- **Transforming Regulation Enforcement**

The Government has launched two documents underpinning a consultation period on regulatory enforcement to seek views on the best ways to deliver improvements. Proposed changes will deliver commitments made in the Growth Review as part of a package of measures to free up business from unnecessary regulatory burdens. The Coalition Government has already put in place radical measures to tackle regulatory burdens and include the following:

- Red Tape Challenge (see next section)
- One-in One-out process and the Statement of New Regulation. These restrict the volume of new regulation. They force government departments who wish to add regulations that have a net cost to business to remove regulations with an equivalent net cost for business. We have reinforced this system by creating a powerful new Reducing Regulation Committee (RRC) of Cabinet to ensure that no regulation can proceed until the independent Regulatory Policy Committee (RPC) has validated the costs that it will impose on business and an offsetting deregulatory measure has been identified.
- These efforts to reduce the stock and flow of regulation are not enough. It is equally important to reform the way in which regulation is enforced on the front line.
- Work already started on reforming some of the most disproportionate enforcement systems and has commissioned a number of independent external reviews to examine specific areas in detail.
- Implementing Lord Young's proposals to reform the enforcement of health and safety law; we are reviewing the enforcement of employment law; and we have recently received the recommendations of the Farming Regulation Task Force on ways for government, regulators and business to reduce heavy-handed enforcement of regulation in the agriculture and food-processing sectors.

This short paper sets out the basic principles of the proposed approach to regulatory enforcement and outlines ways in which we plan to tackle the issues that businesses have already identified.

- **Red Tape Challenge**

The Red Tape Challenge has been created to promote open discussion of how the aims of existing regulation can be fulfilled in the least burdensome way possible. The coalition government are asking the public to provide their opinions experience and ideas of those who deal with regulation day-in, day-out to help cut red tape on a website; www.redtapechallenge.cabinetoffice.gov.uk

The Red Tape Challenge puts a ‘spotlight’ on different areas of regulation in turn. For each spotlight theme, there is a five week window during which you can submit your views on regulation. The six cross-cutting themes are open for comment throughout the whole Red Tape Challenge process. During 1 – 21 September the theme of environmental regulation was looked at and sought opinion from the public on the following;

- Biodiversity, wildlife management, landscape, countryside and recreation

The website asks for the public to tell them what they think should happen to these regulations and why, being specific where possible:

- Should we scrap them altogether?
- Could their purpose be achieved in a non-regulatory way (eg through a voluntary code?)

How?

- Could they be reformed, simplified or merged? How?
- Can we reduce their bureaucracy through better implementation? How?
- Can we make their enforcement less burdensome? How?
- Should they be left as they are?

The website raises; “For example, you might consider whether the different Spring Traps Approval Orders could be replaced with one single piece of legislation to streamline and simplify requirements.”

- **Definition of ‘Commercial’**

As part of the overall review of the EU Wildlife Trade Regulations, the UK are reconsidering the term 'commercial' on behalf of the EU and what this constitutes. Commercial sales and purchases appear to be dealt with in a similar way across the EU. However 'display for commercial purposes' is interpreted differently with particular reference to zoos and charities such as 'sanctuaries'. Work in the UK is ongoing with submissions to the EU likely later this year.'

5.7 Organisational

- **Creation of Single Environmental Body - Wales**

Work is currently underway by the Welsh Government regarding a single environment body in Wales (SEB). The amalgamation of CCW, EA Wales and Forestry Commission Wales is being considered which may impact on both enforcement on the ground and the priorities going forward.

- **Natural England ~ Civil Sanctioning**

On 8 August Natural England, launched an eight-week public consultation to seek views on how to help people to comply with laws protecting wildlife and the natural environment, and on how these laws should be enforced if regulations are broken. Natural England has enforcement responsibilities in a number of areas, including Sites of Special Scientific Interest, heather and grass burning, breaches of certain wildlife licences, breaches of the Environmental Impact Assessment (Agriculture) Regulations, and damage caused by injurious weeds. Until recently, the only options available to tackle many breaches of the regulations in these areas were either to issue warning letters and cautions or to proceed to full criminal prosecution. Following the decision by Defra to enable Natural England to impose “civil sanctions”, Natural England can now stop illegal activities, order the restoration of environmental damage and accept voluntary enforcement undertakings where legislation has been breached. Before the new sanctions can be used, Natural England undertook an eight-week consultation which ran from 8 August to 30 September 2011 and the consultation package can be found on their website.

Janette Ward, Natural England's Director of Regulation said: "In the current economic climate it is particularly important that we offer people and small businesses help and support to comply with the laws which we are responsible for enforcing. We value public opinion and feedback, and the responses to this consultation will help us to ensure that we are achieving this.

- **Significant Cuts in Animal Health**

20% cut backs within Government Departments has impacted upon Animal Health Veterinary Laboratories Agency (AHVLA) Wildlife Licensing. Since April 2010 the Compliance Team has reduced staffing by 50%. This has meant a reappraisal by the Compliance Team of what and how AHVLA do. As a result low-level non compliance / enforcement will be dealt with by Licensing Officers. The Compliance Team will focus upon high risk and medium risk casework. The practical outcome from this is that the Compliance Team is unlikely to complete the numbers of releases of information to the police that has happened in the past. However, the Compliance Team will always support enforcement actions with statements relevant to CITES by both police forces and the UKBA.

- **Changes to Contracts within the CAIP**

The Campaign Against Illegal Poisoning (CAIP) was set up in 1991, to protect some of Britain's rarest birds of prey and wildlife from pesticide poisoning. The Chemicals Regulation Directorate (CRD) of the Health and Safety Executive (HSE) leads the Campaign on behalf of Defra. It is strongly supported by a range of organisations associated with animal welfare, nature preservation, field sports and game-keeping, including: the Scottish Government, Welsh Assembly Government and Department of Agricultural and Rural Development (Northern Ireland), the Royal Society for the Protection of Birds (RSPB), Natural England, the Countryside Alliance, British Association for Shooting and Conservation and the Game and Wildlife Conservation Trust.

The Government maintained an external campaign on this since 1991, and in 2007 the work was tendered out to a consortium headed by Goldsworthy Associates. This consortium brought a fresh approach to the Campaign. The group developed new resources including a new website and training and information literature for landowners, farmers, gamekeepers, veterinary surgeons and the general public. It has delivered training to farmers and gamekeepers. In addition market research carried out by the Campaign helped inform and direct these actions, and provided some useful information for those with an interest in this area. All of this material can be viewed on the campaign website, www.caip-uk.info. The contract for this work ended on 31 March 2011. Like every part of Government, HSE is focussed on delivering value for money to the taxpayer, whilst maintaining an effective regulatory system. To this end, it has been decided to transfer the work of the Campaign against accidental or illegal poisoning (CAIP) in-house. We remain committed to the aim of protecting some of Britain's rarest birds of prey and wildlife from pesticide poisoning and are grateful for the continuing support of our stakeholders in delivering the messages of the Campaign.

NOT PROTECTIVELY MARKED

Appendix One – Reported Incidents to the NWCUC (Sept 2010 – May 2011)

Submitting Agency/Force	Badger Persecution	Bat Persecution	CITES Caviar	CITES Ivory	CITES Tortoises	CITES Traditional Medicines	Finch Trapping	Fox Hunting	Freshwater Pearl Mussels	Habitat Destruction	Hare Coursing	Nest Destruction/ Disturbance	Non Native Species	Poaching - Deer	Poaching - Fish	Poaching - Other	Poisoning - Baits	Poisoning - Non Raptors	Poisoning - Raptors	Raptor Persecution	Shooting	Traps/ Snares	Wild Bird Egg/Chick Theft	Total	
Avon & Somerset	5							4			1	3	1	4	1									19	
Badger Trust	23																							23	
Bat Conservation Trust	38										4	1												38	
Bedfordshire										1	5	2		1	5				2	1	1	1		16	
Central Scotland	7	1						4		1	5	1		2	2				1	2				6	
Cheshire								1		8	7	1		19	4					5	17	4	1	91	
Cumbria	14	1						9		1	2	1		4	2		1			1	2			20	
Derbyshire	7	1						9		1	2	13		6	1					1	9	4		55	
Devon & Cornwall	7	4						5		28	3	3		3	1									54	
Dorset	15							5		2	3	3		9	12				2	3	1	3		45	
Dumfries & Galloway	6	1					1			2	3	1		6										8	
Durham								1		10	2	2		4	4				1	3	5	2	1	42	
Dyfed-Powys	6	11						4		1	49	5		4	4						6			91	
Essex	12	2		1				1		1	3	3		11	8				1	1	6	1		42	
Fife	3	1						13		137	11	2	1	10	6					1	17	1		212	
Gloucestershire	10	2						7		1	5	4		7	15				3	3	13	16		75	
Grampian	7							4		7	3	5		3					1	1	2	1		27	
Gwent	2	3						1		4	3	3		13	3					1	10	1		92	
Hertfordshire	4	2						7		4	48	1		2	7					1	1			21	
Humberside	10							1		3	3	3		7	1					1	10	1		23	
Humber	2							11		3	6	2	2	8	1					6	3	2		41	
Kent	8							2		3	3	3		1	1					4	3	2		18	
Lancashire	1							14		2	4	2	1	14	4					4	3			18	
League Against Cruel Sports (LACS)	7	3						2		1	4	2	1	9	2	4	1	8	7	4	1	7	1	53	
Leicestershire	10							1		2	4	2	1	9	17					4	9	1		64	
Lincashire	7	1						22		4	7	1		4										8	
Loftham & Borders measeyside	1									1	5	4			2					2	2	2		21	
MOD Police										2	5	4									2	2		2	
North Devon	6							1		13	1	3		7						2	6	1		32	
North Wales	12	3						1		5	3	7	1				2			2	1			43	
North Yorkshire					1			2		1	1	1	1								12			19	
Northamptonshire								1		3	1	1		2	1					7	2	3	7	1	27
Northern	12							1		1	7	2	1	2	3					2	12	2		37	
Northumbria	1							1		1	1	3		2	1					2	4			17	
Nottinghamshire	15	1						11		1	1	3		5	3					2	14	4		82	
PSNI								1		1	1	1								7				8	
RSPB																								136	
RSPCA	125																							13	
Scottish Badgers	13																							13	
South Wales	8	6						1		11	11	3	1							1	2		2	39	
South Yorkshire	1										4			1							1			3	
SSPCA	6																							6	
Staffordshire	5	1						2		2	2	1	1	18	2					3	2			19	
Stratclyde	5	1						2		2	1	2		2	12				1	1	7	5	1	54	
Suffolk	2							1		2	2	2		2	1					1	1	1	2	16	
Surrey																								1	
Sussex	14							2		3	4	13		5	1					1	10	1		55	
Tayside										2	11	2	6	13	5					4	4	11		70	
Thames Valley	1	1								1	54	7		8						1	1		1	76	
UKGA			10	11	1	90																		112	
Warwickshire	9	4						4		1	1	11	1	2	3					1	5			17	
West Mercia	1									2	1	1	1	2	1					1	11	1	2	49	
West Midlands	2	1								1					1						4			9	
West Yorkshire	3	1								1		3		2	1					1		3		10	
Wiltshire	5										8	2	2	2	2					1	2			22	
Total	419	94	10	11	4	93	8	126	4	258	733	128	16	205	127	4	8	40	43	67	211	80	13	2702	

NOT PROTECTIVELY MARKED