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RSPB Northern Ireland Headquarters, Belvoir Park Forest, Belfast BT8 4QT. Tel: 01232 491547.

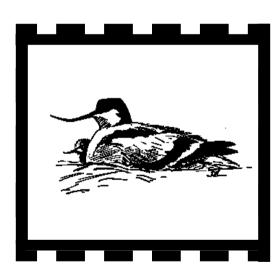
RSPB Scottish Headquarters, 25 Ravelston Terrace, Edinburgh EH4 3TP. Tel: 0131 311 6500.

RSPB Wales Office, Sutherland House, Castlebridge, Cowbridge Road East, Cardiff, CF11 9AB. Tel: 02920 353000

The Royal Society for the Protection of Birds is the charity that takes action for wild birds and the environment. With other wild bird and habitat organisations worldwide it forms a global partnership called BirdLife International.



# BIRD PHOTOGRAPHY AND THE LAW



**INFORMATION** 

Photography of wild birds in Britain is limited by law where it involves the disturbance of rare breeding species, as explained in paragraph 9 below. Other legal and moral restrictions, such as those affecting access to nesting colonies, or feeding and roosting sites, may also be relevant to photographers seeking close views.

The birds' welfare must always come first—photography should not disturb their normal activity. At times this will mean not taking photographs.

# Some extra considerations apply to photography at the nest:

- 1 Ensure you have the landowner's permission.
- 2 Keep the nest site secret. Choose a site away from public view, and if a hide is used, camouflage it well. Leave no tracks or signs that may lead predators to the brood.
- 3 Keep visits to the nest as few and as short as possible. Changes of photographer should be kept to a minimum and should not take place in bad weather.
- 4 Leave the nest as you find it. Any 'gardening' of a nest should be kept to a minimum to avoid exposing the nest to predators or adverse weather. Tie back vegetation rather than cutting it so it can be restored to its original position.
- 5 When using a hide, erect it some way off, moving it closer over a period of days so the birds grow used to it. Ensure at each stage that the hide has been accepted. If there is any doubt, move it back. Many species will need at least a week's preparation.
- 6 The use of a friend is recommended as a 'walk-away', accompanying the photographer to and from the hide. Certain species may require two people for this purpose. This is often the only responsible method to minimise disturbance.
- 7 Fingers and lenses suddenly poked out of a hide, flapping cloth and loud noises scare birds. Get them used to small sounds, talk to them perhaps, before taking pictures.
- 8 Remember that public opinion generalises actions, and that the thoughtlessness of one bird photographer may damage the reputation of others.
- 9 To protect rare breeding birds, the law prohibits intentional disturbance of any species included in Schedule 1 of the Wildlife and Countryside Act 1981. This applies while such

a bird is building a nest, or is in, on or near a nest containing eggs or young. It is also illegal to intentionally disturb dependent young of Schedule 1 birds.

Photographers cannot visit such nests unless they obtain the appropriate licence from the relevant authority. These are as follows:

# **English Nature**

Northminster House, Peterborough PE1 1UA. Tel: 01733 340345

# Countryside Council for Wales

Plas Penrhos, Fford Penrhos, Bangor, Gwynedd LL57 2LQ. Tel: 01248 370444

## Scottish Natural Heritage

Research and Advisory Service, Bonnington Bond, 2/5 Anderson Place, Edinburgh EH6 5NP. Tel 0131 554 9797

### SCHEDULE 1

Birds that are protected by special penalties and that may not be photographed at or near a nest without a licence:

Avocet

Bee-eater

Bittern

Bittern, little

Bluethroat

Brambling

Bunting, cirl

Bunting, Lapland

Bunting, snow

Buzzard, honey

Chough

onougn.

Corncrake

Crake, spotted

Crossbills (all species)

Divers (all species)

Dotterel

Duck, long-tailed

Eagle, golden

Eagle, white-tailed

Falcon, gyr

Fieldfare

Firecrest

Garganey

Godwit, black-tailed

Goldeneye

Goose, greylag (Outer Hebrides, Caithness, Sutherland & Wester Ross only)

Goshawk

Grebe, black-necked

Grebe, Slavonian

Greenshank Gull, little

Gull. Mediterranean

Harriers (all species)

Heron, purple

Hobby

Hoopoe Kinafisher

Kingrishe Kite, red

Merlin

Oriole, golden

Osprey

Owl, barn

Owl, snowy

Peregrine

Petrel, Leach's

Phalarope, red-necked

Pintail

Plover, Kentish

Plover, little ringed

Quail, common

Redstart, black

Redwing

Rosefinch, scarlet

Ruff

Sandpiper, green

Sandpiper, purple

Sandpiper, wood

Scaup

Scoter, common

Scoter, velvet

Serin

Shorelark

Shrike, red-backed

Spoonbill

Stilt, black-winged

Stint, Temminck's

Stone-curlew

Swan, Bewick's

Swan, whooper

Tern, black

Tern, little

Tern, roseate

Tit, bearded

Tit, crested

Treecreeper, short-toed

Warbler, Cetti's

Warbler, Dartford

Warbler, marsh

Warbler, Savi's

Whimbrel

Woodlark

Wryneck