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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.



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# 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, ciril  
Bunting, Lapland  
Bunting, snow  
Buzzard, honey  
Chough  
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  
Kingfisher  
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  
Treetreeper, short-toed  
Warbler, Cetti's  
Warbler, Dartford  
Warbler, marsh  
Warbler, Savi's  
Whimbrel  
Woodlark  
Wryneck