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# LEGAL EAGLE

THE RSPB'S INVESTIGATIONS NEWSLETTER

SEPTEMBER 2005 No 46

## Increased penalties for COTES offences



Mark Hamblin (rspb-images.com)

Illegal trade in species like the peregrine now carries a prison sentence of up to five years

**People convicted of trading in endangered species, their parts and their derivatives will face up to five years in prison under new laws introduced on 21 July 2005.**

The new laws bring with them stronger powers for police officers in fighting wildlife crime, including powers of arrest, entry, search and seizure.

Biodiversity Minister Jim Knight, announcing the new penalties at Bristol Zoo, said: 'Species such as the elephant, rhinoceros, tiger, many birds of prey, some species of orchid and many other animals and plants are under threat from illegal trade. The legislation I am introducing will send a strong message to those people who are plundering the world's rarest wildlife that their activities will not be tolerated. As well as being a significant penalty for those who break the law, the possibility of five years in prison will be an important deterrent to potential wildlife criminals.'

The Control of Trade in Endangered Species (Enforcement) (Amendment) Regulations 2005 (Statutory Instrument 2005 No 1674) can be viewed at [www.opsi.gov.uk/si/si2005/20051674.htm](http://www.opsi.gov.uk/si/si2005/20051674.htm). This has amended Regulation 8 of the Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES) and increased penalties for offences under that regulation from three to six months imprisonment on summary conviction, and from two to five years on conviction on indictment. The new penalties will apply throughout the UK.

These new regulations give effect to Section 307 of the Criminal Justice Act 2003, which provides for new offences to be created attracting these increased penalties, notwithstanding the provisions of the European Communities Act 1972. The increase in the maximum penalty to five years has the effect of making those offences

*Continued overleaf*



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'arrestable' in England, Wales, and Northern Ireland. Parallel arrest provisions were introduced at the same time in Scotland, and a constable may arrest without a warrant a person (a) who has committed or attempted to commit an offence under regulations made under section 2(2) of the 1972 Act for the purpose of implementing any relevant Community instrument (which includes COTES), or (b) whom he has reasonable grounds for suspecting to have committed or to have attempted to commit such an offence.

There has been some delay in producing these regulations following relevant changes to other legislation in November 2003. However, these amendments should now make it significantly easier for the police to investigate these offences. A draft Statutory Instrument to replace the current COTES Regulation was published for consultation on 4 January 2005. Consideration of the consultation responses is underway, and a replacement for COTES will be published later in 2005.

## NEWS



Mark Thomas (RSPB)

### Rural Payments Agency receives wildlife crime training

More than 80 Rural Payment Agency (RPA) inspectors have been given first hand wildlife crime training by the RSPB Investigations Section.

From January this year, farmers have had to comply with a set of environmental standards known as cross-compliance in order to receive their subsidy cheques. These rules encompass existing legislation such as the Birds Directive and introduce new rules; for example, to protect hedges and ditches. We hope that cross-compliance will act as a deterrent to eliminate illegal practices in the countryside such as bird of prey persecution, nest destruction through unnecessary hedgerow cutting during the breeding season or illegal poisoning or trapping.

Inspections are to be carried out by the RPA and any breaches of the scheme will be reported to the police and could result in loss of payments to farmers.

### Out for a duck

On 16 February 2005, Merseyside Police WCO Andy McWilliam was engaged on duty near to the Waterloo Cup hare coursing event at Altcar, when he came across a car containing five men, who had with them two Harris' hawks. He searched the car and found a holdall in the boot belonging to Dean Nugent of Snowberry Road, Huyton, Liverpool. Nugent claimed the bag contained only rabbits, but there was also a dead mallard, which had only recently been killed. Nugent admitted that he

had taken it with his Harris' hawk. Mallards cannot be killed after 1 February (or 21 February for birds killed below the high water mark). Nugent was reported for possession of a wild bird and intentionally killing a wild bird under the Wildlife and Countryside Act 1981. He appeared at North Sefton Magistrates Court on 15 June 2005 and pleaded guilty to both offences. He was given an absolute discharge.

## Trial anticipated for major wildlife enquiry

In May 2004, the Norfolk Police and the RSPB, assisted by HMCE, raided a mansion in Hanworth, Norfolk and seized a large quantity of items, including taxidermy specimens, animal skins, birds' eggs and documentary material. With assistance from the Leicestershire Police, a further warrant was executed at an address near Leicester. Following a lengthy investigation, two men were charged with a range of wildlife-related offences and on 7 July 2005, both appeared at Norwich Crown Court.

Michael Barclay, a Company Director from Hanworth, Norfolk, pleaded not guilty to 26 charges. These included 10 charges under Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES), relating to the purchase of more than 150 clutches of bird of prey eggs and the purchase of taxidermy specimens; 15 charges under Customs and Excise Management Act 1979 (CEMA) relating to the Fraudulent Evasion of Prohibition on the import of animals specimens (skins of two black bears, a polar bear, an American lynx, a cougar skin, a great grey

owl, a snowy owl, two goshawks, eggs of raptors and wildfowl and three narwhal tusks). These charges result from allegations that the items were imported from Canada, Scandinavia, Russia and Iceland in breach of the controls under the Convention on International Trade in Endangered Species (CITES). There was a further charge of executing unauthorised works on a Scheduled Monument on North Rona, Scotland contrary to the Ancient Monuments and Archaeological Areas Act 1979 (AMAA).

John Charles Metcalf, a retired Magistrate from Long Lane, Billesdon, Leicestershire, pleaded not guilty to eight charges under COTES, two charges under CEMA relating to import of wildfowl eggs and two charges under the AMAA relating to incidents on North Rona.

A trial is anticipated in February 2006; Legal Eagle will report further on the outcome of this complex enquiry.



Items seized in the raid included the skin of a polar bear.

Chris Knight's (rspb-images.com)

## Borders gamekeeper escapes realistic punishment

**The RSPB is concerned that inappropriate plea-bargaining in a poison case failed to properly represent the seriousness of a case in Scotland.**

On Friday 15 August 2003, Dave Dick, the RSPB's Senior Investigations Officer in Scotland, was looking for a goshawk nest with Malcolm Henderson – an off-duty Lothian and Borders Police WCO and co-ordinator for the Borders Goshawk Study Group. At the side of a track next to a pheasant release pen on the Fairnington Estate, Kelso, they found several dead pheasant poults covered in blue granules. A set self-locking snare was also found adjacent to the pen and within two metres of a badger latrine.

Suspecting that these were poisoned baits, the two seized the poults and sent them to be analysed by the Scottish Agricultural Science Agency, which confirmed that the granules contained carbofuran. This agricultural pesticide was banned in 2001, and is the most regularly

abused substance for the illegal killing of birds of prey. On Tuesday 19 August, a search team of police, SEERAD and RSPB officers met at Fairnington Estate. As they began to search the area for evidence of pesticide abuse, John 'Jock' Whellans (68), the sole gamekeeper for the estate run by Mr Nigel Salvesen, arrived in a Land Rover. His vehicle was searched and found to contain quantities of carbofuran, alphachloralose and strychnine. He told the police that the carbofuran mixed with alphachloralose was for killing rats, although use of both of these products in this way is illegal. When asked about any training he had received he was very dismissive and said that a man of his experience (50 years) did not need any.

At Fairnington Farm buildings, close to a number of family dwellings, Whellans pointed out his storage areas. In an unlocked brick hut with a broken window, ironically adjacent to an electricity sub-station with large 'DANGER' signs, was a container of mevinphos (Phosdrin) and more strychnine, beside boxes of recently purchased spring traps and large quantities of unlocked ammunition. Mevinphos was banned more than 10 years ago, but abuse cases still occur.

Whellans was interviewed by the police and made many admissions regarding his possession and use of the pesticides plus his total lack of knowledge of health and safety requirements. He was charged with 48 offences under the Wildlife and Countryside Act 1981, the Food and Environment Protection Act 1985 (FEPA) and the Firearms Act. At Jedburgh Sheriff Court on 10 June 2005, after plea-bargaining, Whellans admitted just four offences under FEPA and the Firearms Act and was fined a total of £190 – reference was made to his poor health and that this was a first offence.

The abuse of pesticides on sporting estates remains a serious problem, with inherent risks to people and wildlife. The RSPB is concerned that the pleas accepted from Whellans failed to represent the seriousness of this case. A highly critical article in a local newspaper included a call by the RSPB for all such cases to be dealt with by designated 'Wildlife Fiscals'. The RSPB would like to thank WCOs Malcolm Henderson and Mark Rafferty for their efforts with this investigation.

**A container of the banned pesticide Phosdrin seized from the Fairnington Estate.**



## Birdcrime 2004 summary

The RSPB's annual report on offences against wild birds was published in September 2005. We believe that these published figures represent only a small fraction of the total number of incidents, as many remain undetected and unreported, particularly those that occur in remote areas. In 2004, the RSPB received 481 reports of potential offences against wild birds, including:

- 122 reports of shooting and destruction of birds of prey with the confirmed shooting of 18 birds
- 102 reports of poisoning incidents, involving 108 poisoned birds and other animals
- 62 egg collecting incidents including confirmed egg robberies from the nests of 21 Schedule 1 species.
- 16 reports of illegal taking, possession or sale of birds of prey
- 22 reports of illegal taking, possession or sale of wild birds other than birds of prey, predominantly finches.

This was the lowest number of reports received in the last five years (the 2000–2004 average is 616 incidents). Whether this reflects an actual reduction in bird crime incidents is difficult to assess. Although there are indications that some areas of wildlife crime may be reducing, we also believe that an increasing number of reports may be made directly to the developing Police Wildlife Crime Officer's network, and other agencies, which are not necessarily recorded in RSPB figures. The police are currently trying to standardise the recording of wildlife crime incidents to provide a better picture of incidents at a national level.

At least 32 people were brought before the courts. These cases involved 118 charges, of which 78 were found guilty, 16 not guilty and the remainder discontinued. Four custodial sentences were awarded in 2004, and fines totalled £14,883.

**The main Birdcrime issues in 2004 included:**

### Use of conservation priorities for focusing work of the enforcement authorities

Four priorities were identified by the Joint Nature Conservation Committee (JNCC) in consultation with the statutory nature conservation organisations. These were hen harrier persecution, bats, trade in CITES species and SSSI damage. The first project to begin was 'Operation Artemis', the response of the UK Police to the systematic persecution of hen harriers, which was launched at the PAW seminar in February 2004.

### House of Commons Environmental Audit Committee report on wildlife crime

In October 2004, the Audit Committee published its findings after taking evidence from Defra, police, the RSPB and other agencies. The report highlights the failure of the Government and police to recognise wildlife crime and asks the Government to restate its commitment to tackling the issue. Among 41 recommendations are calls for the Government to improve legislation, the recording and investigation of wildlife crime and for all police forces to appoint a full-time Wildlife Crime Officer. In March 2005, Defra produced a response, which accepted many of the concerns raised and identified areas where it was intended that further progress would be made.

### New wildlife laws

In October 2004, the Nature Conservation (Scotland) Act 2004 came into force. The key points include the wider inclusion of 'reckless' offences, extra protection for bird leks and nests, tighter controls on snares and pesticides and improved police powers. The definition of 'wild bird' was amended to afford wider protection to European birds following a similar change in July for England and Wales by Statutory Instrument 1487 of 2004.

### Specialist prosecutors in Scotland

In September 2004, during the Scottish Wildlife Conference at Tulliallan, Fife, Elish Angiolini QC, Scotland's Solicitor General, announced that a national network of specialist prosecutors had been set up across the country to help bring wildlife criminals to justice. In the announcement, she said that the protection of Scotland's natural heritage depended on education, crime prevention and enforcement.

### Schedule 4 of the Wildlife and Countryside Act 1981

In April 2004, new regulations in England and Wales removed the requirement for keepers to re-register Schedule 4 birds every three years and allow a bird to be registered without a Defra-issued ring if it is marked in accordance with the European regulations implementing CITES. Following these changes the JNCC was asked to review the criteria for including birds on Schedule 4 and to come up with a new species list. The proposals include retaining the peregrine and goshawk and adding a number of threatened 'exotics', such as the Bali starling and Lear's macaw. The issue is expected to go out to public consultation in 2005 before a final decision is reached.

Copies of *BirdCrime 2004* can be obtained by contacting Diane James at the address on the back page of this issue of *Legal Eagle*.



## Record-breaking number of nesting ospreys

Experts predict that the number of nesting ospreys could pass 200 pairs this year, for the first time since records began. It marks a major milestone in the recovery of this magnificent fish-eating bird of prey. Moreover, for the second successive year, ospreys have bred in England and Wales, as well as in their Scottish stronghold.

The osprey is a migratory bird of prey that was persecuted to extinction during the 1800s. The last pair bred in Britain during the First World War and by the 1940s they had disappeared from many other parts of Europe. The return of the osprey is still shrouded in a little mystery, but in 1954 a pair bred in Scotland once more. The RSPB was involved in protecting osprey nests from the outset, most publicly at the Loch Garten site in Strathspey, where the pair became early stars of black-and-white television, and more than 14,000 people visited the viewing hide in the summer of 1958. Ospreys have since nested almost every year at Loch Garten, and over two million people have visited, bringing millions of pounds into the local economy.

From those early beginnings, with the help of sympathetic landowners and managers and dedicated volunteers from Scottish Raptor Study Groups and the

RSPB, the osprey population began to increase, but slowly. Nest platforms were built to encourage the birds to expand their range; nevertheless, by the mid 1970s, there were still only 15 territorial pairs. Unfortunately, the osprey continued to be plagued by egg collectors and the situation was particularly bad in the late 1980s with 10 or more clutches being plundered each spring. However, continuing action by the police, supported by the RSPB, resulted in a number of high profile prosecutions for osprey egg thieves. Encouragingly, only one nest has been raided in the last four breeding seasons.

Stronger legal protection, active nest protection and, more recently, the introduction of custodial sentences for crimes against wildlife, have been integral to the recovery of this amazing raptor, which has doubled its population in a decade. In recent years, ospreys have moved south, with pairs breeding in England since 2001 and in Wales since 2004. The omens look good – the osprey is back!

The return of the osprey is just one of many stories featured in *Lifeline to recovery – the RSPB's species recovery success in the UK*. Copies are available, price £7.50, from the RSPB.

## Frog spawn on eBay: seller cautioned

A woman from Gateshead has been cautioned by police for trying to sell frog spawn on eBay, an internet auction site.

The National Criminal Intelligence Service tipped off Northumbria Police after discovering the spawn for sale. eBay was advised that the potential sale of frog spawn contravened the Wildlife and Countryside Act 1981 and the item was removed.

Northumbria Police Wildlife Crime Officer, PC Paul Henery, said: 'People seem to think you can sell anything simply because eBay exists. Other items covered by the legislation include birds' eggs or butterfly collections, even if they are many years old. You commit an offence as soon as you attempt to trade.'

Ray Kennedy (rspb-images.com)



Sale of frog spawn is unlawful



Chris Gomersall (rspb-images.com)

## Avocet egg theft in Essex

Police are investigating the theft of up to 72 avocet eggs from Hadleigh Castle Country Park in Essex.

The theft, believed to have occurred on Monday 16 May, was discovered when a ranger found that eggs from 18 nests were missing from Two Tree Island Lagoon in the park. Human and dog footprints were visible nearby.

## £16,500 fine for damaging moorland SSSI in South Pennines

A landowner has been fined £16,500 and ordered to pay £17,026.44 costs after causing damage to moorland habitat in the South Pennine Moors Site of Special Scientific Interest (SSSI).

On 22 August, Walshaw Moor Estate Limited pleaded guilty at Keighley Magistrates' Court, Bingley, to three offences relating to track building and dumping material on a grouse moor. This is the second successful prosecution brought by English Nature for SSSI damage recently (see *Legal Eagle* 45).

The partially-completed track is 2.3 km long and cuts through blanket bog and wet and dry heath habitats on Wadsworth Moor. On a separate part of the estate, rock and soil was dumped on 1,225 square metres of moorland habitat. Magistrates ordered restoration works to be carried out at the estate's expense, under the supervision of English Nature.

The South Pennine Moors are designated under European law as a Special Area of Conservation for habitats, notably blanket bog and heather moorland, and as a Special Protection Area for breeding birds including merlins and golden plovers.

Dr Andy Clements, English Nature's Director of Protected Areas, said, 'Dumping and construction of tracks in this manner, without English Nature's consent, has caused significant damage to this important site. We will try to maintain positive partnerships with owners and occupiers, but we will prosecute when necessary.'

English Nature



# PROSECUTIONS



S Harris

## Human DNA catches nest thief

Merseyside WCO PC Andy McWilliam reports on a case in which human DNA recovered from a crime scene resulted in the prosecution of a juvenile for taking two barn owl chicks.

'On 26 July 2004, staff working at Royden Park, Frankby, Merseyside found that the clock tower and adjacent coach house there had been broken into, although nothing appeared to have been stolen. The clock tower was a regular nest site for barn owls and three chicks had been ringed a month earlier. When WCO PC Steve Harris and I arrived, we found an empty nest – the chicks had been taken. A Police Crime Scene Investigator recovered a drop of blood, which had been left at the point of entry into the building.

Two days later, a member of the public saw a group of youths with two young barn owls. He was concerned about the way the birds were being treated and took possession of them. The youths told him the chicks were from Royden Park and that they had removed the BTO rings. Malcolm Ingham, the Head Ranger for the Wirral Borough Council, returned the chicks to the nest and their parents resumed feeding them. It is believed a third, older chick, flew out of the nest at the time of the raid.

A DNA match was made with the sample recovered from the scene and, in January 2005, I arrested a youth on suspicion of taking the two barn owls and burglary. He admitted that he had broken into the clock tower, but denied any knowledge of the barn owls.

At Wirral Youth Court on 26 July 2005, the 17-year-old male pleaded guilty to taking the two barn owls from the clock tower. The court was told that this was 'an audacious and determined attack on the nest.' He was sentenced to a six-month referral order with £300 costs. This is believed to be the first time human DNA left at a crime scene has led to a successful prosecution for an offence against wild birds.

In 2001, the clock tower at Royden Park was one of only three known barn owl nest sites on the Wirral Peninsula. Thanks to work by the Wirral Barn Owl Trust in providing nest boxes and helping landowners to improve habitat, by 2005 the number of successful sites had grown to 30. Sadly, the clock tower appears to have been abandoned this year, possibly due to last year's raid.'

## Peregrines being watched

In early July 2005, following reports of human disturbance at a peregrine nest in Nottinghamshire, and the taking of a peregrine falcon chick, the RSPB carried out surveillance at the site. The information gathered led to the execution of a search warrant and arrest of three men, all registered keepers of Schedule 4 birds of prey, by the Nottinghamshire Police on suspicion of unlawful disturbance of peregrines. All three have been interviewed and bailed pending further enquiries.

## Egg collection seized in Cumbria

Following an incident in the Western Isles in June 2005, information was passed via Operation Easter to two English police forces. At an address in Cumbria, a substantial collection of eggs was seized. Enquiries are now under way to establish the provenance of the eggs in the collection.



John McWilliam (rspb-images.com)

## Bat colony destroyed in criminal attack

Dozens of young bats have been killed in a systematic attack on a nest site in Wareham Forest, Dorset. Pipistrelles, noctules and rare natterer's bats – all protected species – perished, devastating a long-standing conservation project.

On the evening of 20 June, 18 bat boxes were smashed down from their positions high up in conifer trees and left broken on the ground. The young bats inside died.

Bats and their roosts are protected under the Wildlife and Countryside Act 1981. Forestry Commission staff and the police are now seeking public help in tracking down whoever was responsible.



Chris Gomersall (rspb-images.com)

Pipistrelle bat

## Former Wildlife Enforcer of the Year axed!

Essex Force WCO and winner of the 2003 Wildlife Enforcer of the Year award, Barry Kaufmann-Wright, has resigned from the police after his post was axed by new Chief Constable, Roger Baker.

Barry won the WWF-sponsored award in recognition of his work in enforcement and in providing educational talks on wildlife crime issues. He had been with Essex

Police for 33 years, spending 18 years as a WLO/WCO and the final three years in the full time post of Force WCO.

The RSPB is sorry to see Barry go in such unfortunate circumstances after all the hard work he had put into the role and we wish him well for the future. We are seeking clarification from Essex Police about what this means for the future of wildlife law enforcement in the county.

## Operation Necklace launched

On 1 June, Scottish Natural Heritage (SNH) and the Scottish Police Service launched a campaign to help prevent the taking of endangered freshwater pearl mussels (right).

Pearl mussels are protected under Schedule 5 of the Wildlife and Countryside Act 1981, strengthened by the Nature Conservation (Scotland) Act 2004. It is an offence intentionally or recklessly to kill, injure, take or disturb the mussels or their habitat. It is also illegal to sell or advertise pearl mussels for sale without a license from the Scottish Executive. Despite this, illegal pearl fishing persists and freshwater pearls continue to be found at Scottish jewellery (see *Legal Eagle* 44).

Scotland is home to more than half of the world's freshwater pearl mussels, in 61 known breeding sites. The activities of pearl thieves are, however, contributing towards the disappearance of the mussels from Scottish rivers – at the rate of two rivers per year since 1970. Many mussels may be destroyed in the search for a single pearl.

Operation Necklace will provide police and river workers with information on the prime sites where pearl theft continues and the main contacts to alert. A new leaflet has been published, funded by the Scottish Executive through its role in leading the Partnership for Action against Wildlife Crime (PAW) in Scotland. The

leaflet highlights the recent legislation changes and a new commitment by police to stop the crime.



Scottish Natural Heritage

## Notorious wildlife smuggler held in India

Sansar Chand, believed to be behind the recent disappearance of tigers from a reserve in Rajasthan state, has been arrested in Delhi after an intensive manhunt lasting several months.

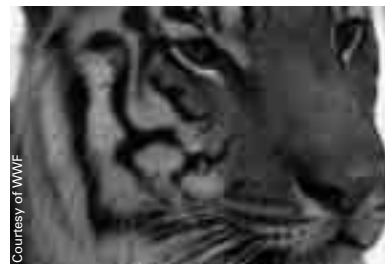
Officials confirmed that up to 10 tigers had been poached from the Sariska reserve in the past two years, and evidence gathered by the Central Bureau of Investigation strongly links Chand to these incidents.

In 2004, Chand, 47, was sentenced to five years imprisonment by a court in Rajasthan for smuggling two leopard skins. However, he was released on

bail three months later and was at large until his recent arrest in June, wanted by police in several Indian states in connection with more than 30 smuggling incidents.

The decline in tiger numbers in India has been so alarming that the United Nations has appealed to the Indian government to take steps to protect them; a task force has since been set up. Wildlife campaigners have identified a number of enforcement issues, claiming that the Indian police tend to ignore hunting expeditions by the rich and powerful, thereby thwarting conservation

efforts. Although poaching is illegal in India, hunting remains popular. Despite this, investigators revealed that forest guards at Sariska had limited communication facilities and were unarmed.



Courtesy of WWF

## Release imminent for micro-chipped turtle

In July 2005, Vietnamese police seized a 15 kg mangrove turtle, or Batagur, a critically endangered species, from a wildlife smuggler's home. Thanks to a microchip inserted under the animal's skin by conservationists two years earlier, the turtle will soon be released back into the Cambodian river where it was first found.

The turtle, listed on Appendix I of CITES, was confiscated alongside 300 lb (150 kg) of other turtles in a shipment headed for China, where turtle meat is often used in soups and the shells used in traditional medicines. When the 20-year old male turtle was inspected by Vietnamese wildlife officers, the microchip was discovered and revealed that

the turtle came from the Sre Ambel river in southern Cambodia. The turtle had first been caught in Cambodia in 2003, by fishermen who passed it on to biologists who implanted the chip as part of a conservation programme. The species was thought to be extinct in Cambodia until Wildlife Conservation Society workers found a small population on a nesting beach in 2001.

The Batagur is listed as critically endangered on the IUCN's Red List of Threatened Species, with declines chiefly attributed to poaching, habitat loss and fishing nets. Their eggs are considered a delicacy in many Asian countries, hence the high incidence of poaching.

## Stolen vulture eggs seized in Italy

Eight Egyptian vulture eggs were discovered in the Italian port of Ancona, in a car on board a ship arriving from Greece. Four black stork eggs were also seized.

The discovery was made on 14 May by an Italian customs officer and CITES representatives. A German carrier, who received the eggs from a Turkish egg thief, was transporting them to an Austrian dealer.

The eggs, which were stolen in Turkey, were transported in an incubator powered by a car battery. Although some soft material cushioned the eggs, one of the vulture eggs and two stork eggs had broken. Three of the vulture eggs have since hatched in a breeding centre in Italy. The Egyptian vulture a Species of European Conservation Concern, has declined throughout its European range, with Spain and Turkey holding the bulk of the population.



Chris Gomersall (rspb-images.com)

## Interpol to appoint full-time wildlife crime officer

The General Secretariat of Interpol is to appoint a Criminal Intelligence Officer in the Specialized Crimes Directorate to deal with wildlife crime issues full-time. The candidate will be appointed either under contract or under a paid secondment. The projected initial period of contract is for three years with the possibility of it being extended. Because the post is externally funded, it may be stopped at any moment if funding is no longer available.

Interpol expects to appoint someone who is a law enforcement official with proven international experience. Amongst the specific skills Interpol staff are looking for are experience in investigating wildlife crime, specialised knowledge and experience in international wildlife law and procedures and good knowledge of CITES.

## AND FINALLY ...

### Paul Beecroft retires

Paul Beecroft, a Wildlife Crime Officer (WCO) with Thames Valley Police, has retired after almost 30 years service. Paul joined the police in 1976 and was involved with wildlife law enforcement even before the Wildlife Liaison Officers' (WLO) network, as it was then called, was set up in the late 1980s.

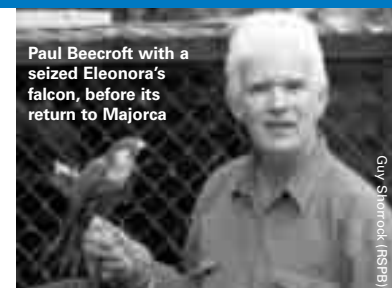
During the 1990s, Paul played a major role in many high profile investigations. A passionate falconer, he played a particularly important role in enquiries involving the illegal possession of wild-taken peregrines and golden eagles and the smuggling of rare Eleonora's falcons into the UK from Majorca. Paul lives in the Chilterns, the site of the first

red kite release project, and another of his important cases involved the prosecution of a farmer who had poisoned one of the reintroduced kites. The conviction resulted in the highest ever fine for a wildlife poisoning case in the UK.

His final contribution to combating wildlife crime came recently with the conviction of two gamekeepers for killing a buzzard in a crow trap on a shooting estate near High Wycombe (see *Legal Eagle* 45). In all of these cases, Paul was assisted by the RSPB, with whom he has always had a close and productive relationship.

Paul may be retired from the police but he is still keeping busy as

Paul Beecroft with a seized Eleonora's falcon, before its return to Majorca



Guy Shorrocks (RSPB)

Coroner's Officer for West Berkshire. He is also serving as an elected member of the Hawk Board, which looks after the interests of bird of prey keepers. The RSPB would like to thank Paul for the important contribution he has made to wildlife law enforcement over the years. We are sorry to lose such a good friend and we wish him well in the future.

## Chris says farewell

Chris Townend, the RSPB's Database Manager, has left the Investigations Section to take up a post with the RSPB in the southwest of England as a cirl bunting project officer. Chris started with the RSPB in 1999 with responsibilities for managing the Investigations Birdcrime database. He increasingly took on the role of investigative work and was involved with a number of successful cases. Chris has a particular fondness for Wales and helped to set up a number of peregrine nest watch schemes, which had the dual purpose of showing the birds to the public while at the same time helping to combat the threat of persecution. One of his major court cases was helping South Wales Police with the first successful prosecution of two pigeon fanciers for the illegal poisoning of one of these magnificent birds.

Chris was instrumental in the development of the RSPB's new database between 2003 and 2004. This has significantly improved the ability of the RSPB to record and analyse offences against wild birds and assist the police with investigative work. The team at Sandy will all miss his infectious good humour but we wish him well for the future.



Chris Townend enjoying his goodbye cake

Guy Shorrocks (RSPB)

## Head of Investigations appointed

We are pleased to announce the appointment of Ian West as the new head of the RSPB's investigations section. Ian has long been involved in law enforcement. After joining the Metropolitan police force in 1973, he worked both on division and in a number of specialist postings, including the Flying Squad, Drugs Squad, Anti-Terrorist Branch, Murder Investigation Teams and the Detective Training School. In July 2000, after four years part-time study, he received an Honours degree in Law from Thames Valley University. Two years later, Ian gained a postgraduate diploma in Professional Legal Skills from the Inns of Court School of Law and was called to the Bar at Lincoln's Inn in March 2003. He left the police in 2003, as Detective Superintendent, to join the Department of Trade and Industry as an Investigations Officer, engaged in fraud investigation.

Ian has a keen interest in wildlife and environmental issues and is a long-standing member of the RSPB. We welcome him to our team.



Ian West – the new head of investigations at the RSPB

## More support for WCOs in North Yorkshire

The RSPB previously reported on problems with a bird trapping and pesticide investigation in North Yorkshire in 2003 (*Legal Eagle* 44), resulting in a case being discontinued. Following this article, the RSPB had an open and productive meeting with Superintendent Coutts. It was acknowledged that errors were made during the investigative process, but this had highlighted important

learning opportunities, which were being actioned. Furthermore, Superintendent Javid Ali has been appointed as the main point of contact for wildlife-related matters. Despite the disappointment over the failure of the original enquiry, the RSPB would like to thank the North Yorkshire Police for a positive approach in trying to resolve the problems that arose during the investigation.

## Write to be read

We welcome contributions to *Legal Eagle*. Please let us know about wildlife crime initiatives, news, events and prosecutions in your force. Send your articles, no later than 17 October 2005, to the Editor, The RSPB, Investigations Section, The Lodge, Sandy, Bedfordshire SG19 2DL, by e-mail to [sarah.eaton@rspb.org.uk](mailto:sarah.eaton@rspb.org.uk) or by fax to 01767 691052. The views expressed in *Legal Eagle* are not necessarily those of the RSPB. Please help us keep the WCO mailing list up to date by letting us know of any changes.



The RSPB is the UK charity working to secure a healthy environment for birds and wildlife, helping to create a better world for us all. We belong to BirdLife International, the global partnership of bird conservation organisations.

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