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The RSPB's investigations newsletter

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Legal Eagle

Ivory in the spotlight

In this issue: Suspended sentences for ivory traders

- Illegal tortoise trade stopped
- Satellite tagging provides evidence of persecution

Suspended sentence for ivory smuggler

Enquiries into an internet auction site showed persistent illegal trade and export in ivory.



Dr Andrew Kitchener

On 3 November 2016, Chao Xi, 32, from Kingston Road, Portsmouth, Hampshire, appeared at Portsmouth Magistrates Court where he pleaded guilty to two charges under the Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES) and Customs and Excise Management Act 1979 relating to the illegal keeping for sale and export from the UK of elephant ivory. He was sentenced to one year imprisonment, suspended for two years. He was also given a one year Community Order with a requirement to do 150 hours' unpaid work, costs of £85 and a victim surcharge of £85.

The case resulted from a joint investigation by the Hampshire Police, which was led by Countrywatch and Wildlife Officer PC Corinne Irving, and the National Wildlife Crime Unit (NWCUC) coupled with intelligence received from Border Force. In October 2015, the NWCUC became aware of "ivory" type objects being sold on the auction website ebay. Although described as "bovine bone" it was strongly suspected the items were ivory and being misrepresented to evade ebay filters, which prohibit trading in ivory. Enquiries with ebay revealed that over a two-year period Xi had sold 78 of these type of items, valued at £6,408. Of these, 59 items, valued at £4,881, were exported outside the EU.

On 17 February 2016, officers from Hampshire Police and the NWCUC executed a search warrant at the

One of the ivory items seized during the investigation.

home of Xi. During the search, another 55 items suspected of being ivory were seized. These were subsequently examined by Dr Andrew Kitchener from Edinburgh University who confirmed that 43 were elephant ivory, one was hippopotamus and one was believed to be sperm whale. Seven of the items were classed as unworked. Dr Kitchener was also able to state from examination of Schreger lines on screenshots taken of the items sold on ebay that these were in fact elephant ivory. Schreger lines are cross-hatchings that appear in ivory.

Xi was subsequently interviewed and admitted selling and exporting the items. When sentencing, the Magistrate, Rita Behan, stated, "Mr Xi I'm not going to say much to do with this matter apart from to say this is a despicable crime. If no-one like you was selling the items then there would be no need for these beautiful animals to be killed in the wild, suffering long and painful deaths, and have small baby elephants dying because their mothers have been killed. That sounds like quite an emotional response, but in considering sentence we have set emotions to one side."

This case comes after two investigatory documentaries, recently shown on the BBC, highlighted the possible impact that the legal sale of ivory in the UK may have in contributing to the illegal sale of modern ivory. At the recent CITES conference in Johannesburg, all 183 parties in CITES, including the UK, promised to close down any legal domestic market for ivory that is contributing to poaching or the illegal trade in ivory.

Another ebay ivory seller appears in court

After falsely advertising ivory as cow bone, forensic testing also confirmed it was modern. Cumbria WCO Helen Branthwaite reports.

On 13 September 2016, Shane William Ball of Derwent Avenue, Workington, Cumbria, a 26 year old antiques dealer, pleaded guilty at Carlisle Crown Court to two charges relating to the trading in elephant ivory. These were the prohibited keeping and offering for sale of ivory carvings contrary to the Control of Trade in Endangered Species (Enforcement) Regulations 1997 (COTES). He was sentenced to seven months' imprisonment to run concurrently, and suspended it for 18 months. He was also ordered to attend a Rehabilitation of Offenders Course and pay £1,134 costs to cover radiocarbon dating tests.

In July 2015, adverts offering "Cow bone carvings" for sale were noticed on ebay. However, the accompanying photographs appeared to be elephant ivory. In 2009, ebay had imposed a global ban of the sale of elephant ivory on their website. Intelligence from previous enquiries indicated that some traders were advertising ivory as either "ox-bone" or "cow bone" in an attempt to bypass ebay's filters.

The seller stated that his grandmother had been in Africa and brought the carvings back to the UK in 1947, which coincided with the date of the "worked derogation". "Worked" means that it has been altered from its natural state for jewellery, art, adornment, musical instrument or utility; so an ivory carving made prior to 1947 is exempt from COTES. It was suspected that the items, as well as being ivory, were more recent in origin.

Enquiries with ebay identified the seller as Ball, who over a four week period had posted 22 adverts for

carvings all carrying the pre-1947 provenance. On 17 July 2015, officers from Cumbria Constabulary and the NWCUC executed a search warrant at Ball's home address where they seized the carvings that had been advertised on ebay. The items were all labelled as being ivory and priced up for sale.

Ball was interviewed and accepted that they were ivory, but maintained that he had inherited the carvings from his grandmother who had brought them back from Africa in 1947 and therefore not subject to COTES.

Ivory samples were sent to Professor Gordon Cook at the Scottish Universities Environmental Research Centre, so they could be radiocarbon dated. Financial support was provided by the PAW Forensic Analysis Fund (FAF) and the costs from this case will be paid back into the fund to support future enquiries.

The testing established the carvings were modern as the ivory had come from elephants that had been living after 1947. Ball was re-interviewed, but refused to provide any additional provenance. Ball pleaded not guilty at an earlier hearing, but changed his plea prior to a trial set for January 2017. The prosecution offered no evidence on two additional charges relating to a leopard skin.

Recorder Grice told Ball that inventing the provenance for the ivory as being pre-1947 was an aggravating factor and stated: "It must be made clear to you and anyone else who may become aware of this or any similar case that those who trade in African elephant ivory are, by that trade, promoting the slaughter of such animals."

I would like to thank the NWCUC, the Crown Prosecution Service, Professor Cook and the financial support from FAF.



Radiocarbon tests indicated that one of the carvings came from an elephant that was probably living in the 1970s.

NWCUC

Rug pulled from under tiger trader

A trader has narrowly avoided jail for illegally trading in tiger skin rugs. WWF Law Enforcer of the Year, WCO DC Sarah Bailey of the Metropolitan Police Wildlife Crime Unit, reports.

On 29 September 2016, Dovile Vaitkeviciute, now of Trinity Avenue, Nottingham, was sentenced at Highbury Corner Magistrates Court following an earlier guilty plea to offering for sale a tiger skin rug and making a false declaration to obtain a certificate, contrary to COTES.

She received two consecutive sentences of three months' imprisonment (suspended for 24 months), 180 hours' unpaid work, costs of £605, including £520 for forensic carbon dating, and an £80 victim surcharge.

The enquiry started when the Metropolitan Police Wildlife Crime Unit came across an advert for a "Javan" tiger skin rug on an online auction site under the seller name of Mr Muffins Tiny Shop. To be considered an antique, and therefore exempt from COTES, the tiger used to make the rug would

need to have been killed prior to 1947. The tiger skin rug appeared to be in better condition than would have been expected for such an old item. Vaitkeviciute was aware of the necessity for certification and had previously obtained Article 10 Certificates allowing her to trade in specific items.

On 23 May 2014, a warrant was executed at the former home of Vaitkeviciute on Mark Road, Haringey, where several skins of CITES species were seized for examination by a Department for Environment, Food and Rural Affairs (Defra) appointed Wildlife Inspector. The Inspector was of the opinion that the "Javan" tiger skin rug had been prepared after 1947. Vaitkeviciute disputed this and the skin was subsequently radio carbon dated, which showed that the tiger from which the rug came had died in the late 1970s.

During the course of the investigation, Vaitkeviciute offered a further tiger skin rug for sale online and suggested it may be a Bali tiger. She claimed that she had not bought the skin, but that it had been a gift from someone in Italy. She also claimed that it was prepared prior to 1947. Again a Defra Wildlife Inspector examined the skin and was of the opinion that it was more recent. Enquiries uncovered that Vaitkeviciute had paid £2,500 for the skin and had therefore provided false information to the Animal and Plant Health Agency (APHA) in relation to the import of the item. She was therefore also charged with making a false statement in order to obtain a certificate.

Thanks to the CPS, the NWCU, and Defra for their work on this case and for the support from the PAW Forensic Analysis Fund.



Forensic testing showed the tiger used for this rug died in the 1970s.

Guy Shorrock (RSPB)



Border Force

A tiger tail and paws intercepted at Heathrow led to the conviction of a trader.

Big paws at the airport

A customs interception and intelligence work led to a conviction for trading in tiger parts. Alan Roberts of the NWCU reports.

On 19 August 2016, at Norwich Magistrates Court, Ruolan Mi, identified by her business name: MZ Trading, of Thorpe Road, Norwich, was convicted of four offences in relation to trading in tiger skin rugs between April and November 2015, contrary to COTES. She was fined a total of £2,000 with £120 victim surcharge and £85 prosecution costs.

The enquiry started when Border Force officers picked up a package at Heathrow Airport's World Distribution Centre, during one of their targeted operations. The package was on its way to China from Norwich and contained four paws and a tail from a tiger skin

rug. The intelligence was passed to Norfolk Constabulary and the NWCU.

It transpired that Mi had bought and sold other similar rugs and so a search warrant was executed at her home in Bowthorpe. Although no other animal parts were found, during interview Mi admitted that she had bought at least two more rugs, cutting off the paws to send to a contact in China, before reselling the rugs on ebay for a loss on her purchase price.

This case shows the value of co-operation between the Border Force, NWCU and Police WCOs who have been working together

on Operation Cobra and other related operations. This was clearly an established route between known individuals, being run in a systematic and organised manner. It demonstrates that the dissemination of intelligence can lead to more than a simple seizure, that it can also secure a conviction and disrupt a smuggling route.

I would like to thank all the officers involved at Border Force, WCOs Sgt Richard Bedder and Sgt Tom Mann from Norfolk Constabulary and CPS wildlife specialist Kevin Eastwick.

Auctioned ivory owner prosecuted

Legal Eagle 80 reported on the prosecution of auctioneers Christie's in relation to unlawful trading in ivory. The owner of the item that was offered for sale has now also been prosecuted.

On 7 September 2016, Barry Collins, 64, was found guilty at the City of London Magistrates Court of offering elephant ivory for sale, contrary to COTES. He received a Conditional Discharge, costs of £620 and a victim surcharge of £15.

police traced this to Collins after it failed to sell. When interviewed at The London Silver Vaults in August 2015, Collins stated he discovered the ornament in a loft after his mother died and was not aware of legislation relating to endangered species.

At court, the defence maintained he had been misled by antiques experts at Christie's and if they had not broken the law that Collins would not have committed the offence. Chair of the bench John Scott said, "We find beyond reasonable doubt that Mr Collins took this item to Christie's with the intention that it be offered for sale, and therefore we find him guilty of the offence." The item was confiscated and will be kept on display by the Metropolitan Police's Wildlife Unit for training purposes.

The enquiry was run by WCO PC Rowena Roberts, with support from the Metropolitan Police Wildlife Crime Unit. On 15 May 2015, police officers attended Christie's Auction House in relation to a piece of ivory tusk being offered for sale. The

He claimed he had sold the item for £100 at Portobello market. However, the following day, he told officers the item was still in his possession and he had made an error.

Ivory market trader fined

Market trader fined for offering hundreds of ivory ornaments and items of jewellery for sale.

On 15 September 2016, Pandelis Filosidis, 57, of Stoke Newington, London, pleaded guilty at Thames Magistrates Court to five charges of illegally offering for sale 232

pieces of ivory, contrary to COTES. He received a five month custodial sentence on five charges to run concurrently. This was suspended for 18 months. He also received a

fine of £1,000 plus £250 costs and a £115 victim surcharge.

The enquiry was run by DC Chris Jones. On 25 February 2016, Filosidis, was found by police with hundreds of items of jewellery at his stall at Spitalfields Market in Whitechapel, east London – one of London's busiest markets. Amongst the items seized were 109 rings, 78 bangles, 11 pairs of earrings, seven brooches, seven bangles, twelve Chinese puzzle balls and five miniature elephants. None were priced, but Filosidis claimed he bought the trinkets from Belgium. The items were examined by an APHA Wildlife Inspector Dr Kitchener who confirmed much of the ivory appeared of recent origin, most probably within the last 20 years.



Some of the ivory items seized from Filosidis.

Dr Andrew Kitchener

Law catches up with tortoise traders

Police offering support during an animal health inspection uncovered a couple illegally smuggling and trading in protected tortoises.

On 13 September 2016, at Hammersmith Magistrates Court, Kamel Gadouchi, 44, and his wife Frederique Chasles, 40, both of Shackleton Court, London, W12, were found guilty of offences relating to smuggling and trading in spur-thighed tortoises.

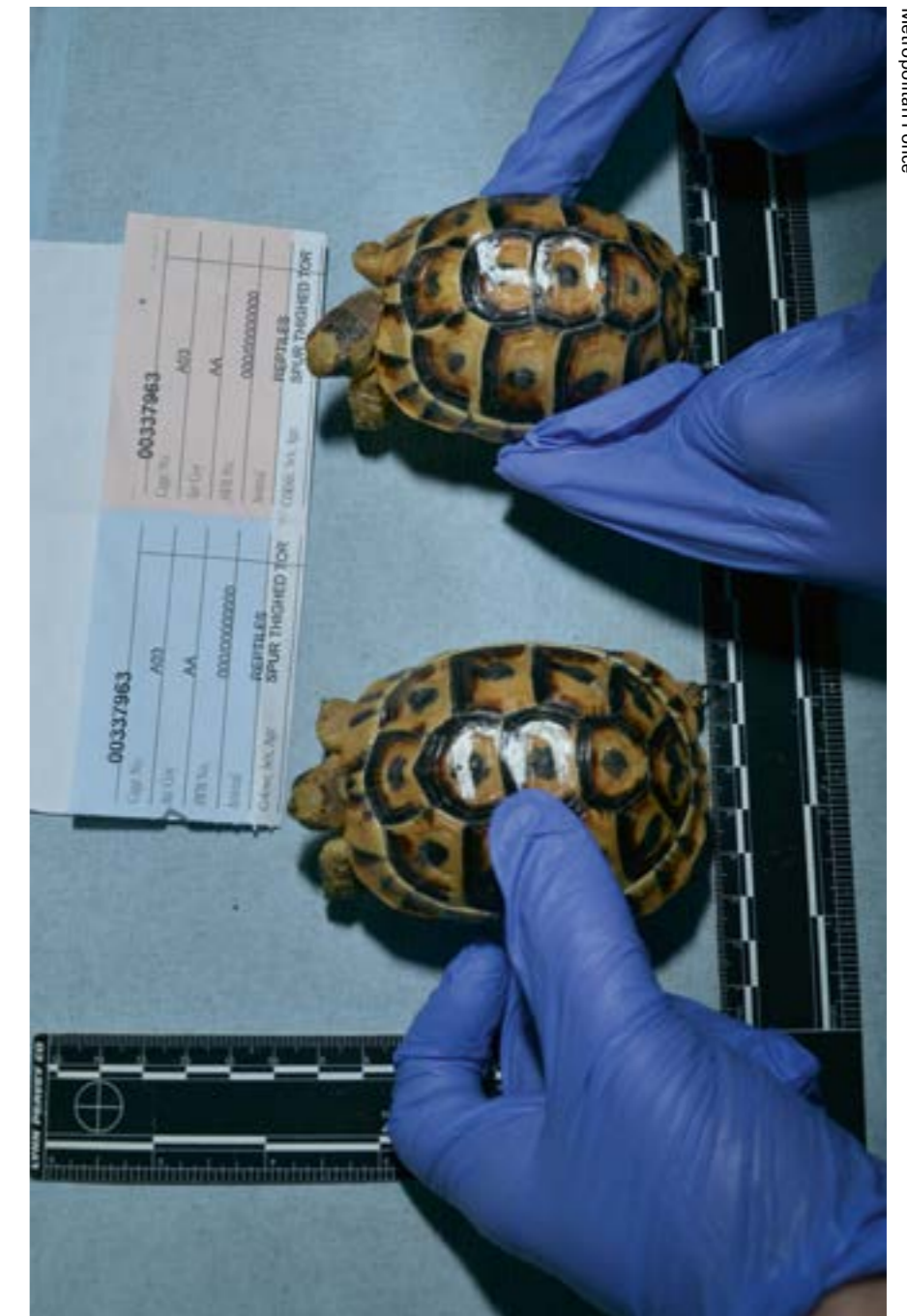
Kamel Gadouchi faced one count of illegally importing six of the tortoises, contrary to the Customs & Excise Management Act 1979 and one count of keeping for sale six tortoises contrary to COTES. Chasles faced one count of offering for sale the six tortoises contrary to COTES. Gadouchi received a fine of £600 for the illegal importation, £600 for offering for sale, £372 court costs, £198 towards boarding costs and £60 victim surcharge. Chasles received a fine of £600 for offering for sale, £372 court costs, £198 towards boarding costs and £60 victim surcharge

The investigation began on 29 April 2015 when officers from the Metropolitan Police accompanied a City of London Animal Health Inspector to the address of the couple after intelligence suggested that the address was concerned in the illegal importation and sale of kittens from Algeria. On attending the address, the AH Inspector recognised six reptiles as spur-thighed tortoises and they were seized by police. This species is listed on Appendix II of the Convention on International Trade in Endangered Species Fauna and Flora (CITES) and on Annex A of the EU CITES Regulations.

The tortoises were temporarily housed by Animal Health while the police made enquiries into their importation and offering for sale. Enquiries showed the animals had

been advertised for sale on the website Gumtree.com, and that there were no import permits or Article 10 Certificates to allow their trade. Neither defendant was able to provide proof of lawful import to

police or Border Force. This confirmed the animals had been imported illegally. They were seized by HM Revenue and Customs and have since been rehomed.



Two of the spur-thighed tortoises seized during the enquiry.

Metropolitan Police

Egg collector Beaton again

Following a recent prosecution in Scotland, an egg collector has received another heavy financial penalty. WCO PC Martin Beck reports.

On 9 November 2016, William Charles Beaton, a 73-year-old retired solicitor from Burrator Road, Yelverton, Devon pleaded guilty at Plymouth Magistrates Court to five charges under the Wildlife and Countryside Act 1981. These related to the possession of twelve eggs of Schedule 1 species; 435 other eggs; the intentional taking of barn owl and red-throated diver eggs from Norfolk and Orkney; and the possession of articles capable of being used to commit offences. He was fined £4,750 plus £85 costs. The eggs were forfeited and will be passed to the Natural History Museum.

The investigation was brought about after Beaton was caught taking eggs in Scotland in June 2016. He was fined £4,200 for these offences at Kirkwall Sheriff Court (see *Legal Eagle 80*). Whilst Beaton was in Scotland awaiting his court appearance, Devon and Cornwall Police were notified of his activities. I obtained a search warrant and, with assistance from Ian Guildford (NWCUC), discovered over 500 birds' eggs in drawers in a study room, together with diaries detailing from where they were taken, plus maps of collecting areas and various books relating to nests and identification of eggs.

RSPB Investigations Officers Guy Shorrocks and Howard Jones catalogued the collection, analysed the records and provided conservation impact information. The records showed that Beaton had been involved in egg collecting as a child and began again in earnest in the 1990s. The majority had been taken locally in the south west, and then from 2005 he had made regular collecting trips to north Scotland and Norfolk. The collection was a little unusual in that it contained mainly single eggs, with a limited number of the traditionally highly-sought Schedule 1 species. There were however, eggs of the curlew, little tern, red-throated diver, avocet and barn owl.

Beaton was interviewed and admitted possession and taking the eggs in his collection for a period of seven decades. At court Beaton represented himself and stated, "The number of eggs in my collection may seem like a lot, but it was built up over a number of decades. I'm glad I have been caught – it will enable me to appreciate the seriousness of what I have done".

Magistrate Lin Martin told Beaton: "I'm going to start by saying we have taken into account the remorse you have shown" adding, "We appreciate your mitigating letter. We do not want to see you back in court". The RSPB helped in notifying the media and the case was well-reported locally and in Scotland and Norfolk.

I would like to thank the NWCUC, the RSPB and the CPS for their assistance with this investigation.



PC Beck (right) and Howard Jones (RSPB) with the eggs seized from Beaton.

Guy Shorrocks (RSPB)



Natural England

The site where unlicensed work relating to great crested newts took place.

Great crested newt habitat destroyed

A landowner was taken to court for developing a site containing great crested newts without a valid Natural England licence and for ignoring mitigation measures, WCO PC Lynn Owen reports.

On 23 September 2016, Colonel John de Benham-Crosswell, 81, from Bordon, Hampshire, pleaded guilty at Basingstoke Magistrates Court to four charges contrary to The Conservation of Species and Habitats Regulations 2010. These related to the damage or destruction of the breeding site or resting place of European Protected Species, namely a great crested newt, at dates between 2015 and 2016. He was fined a total of £1,165, with £85 costs and £117 victim surcharge. Two other offences were discontinued.

In August 2015, I received reports that work was going on at a disused brickworks in Selborne Hampshire. There was planning permission for an anaerobic digester to be built on the site, which contained several large ponds. A survey of these had found great crested newts were present and this information, and the proposed mitigation, was used to apply for a licence with Natural England (NE). The mitigation

measures required also formed part of the planning conditions.

An amendment was made to the NE licence by the developer to change the dates for the work to be completed. During the process, the landowner withdrew his permission for the developer to continue the work, and started to work on the site himself. This work was done without adhering to any of the newt mitigation. This included dumping large piles of earth and rubble near the ponds and creating new roads around the site. Due to the fact that the original developer was no longer involved, and that no consideration was being made for the newts by the landowner, the original NE licence became invalid.

In early September 2015, I visited the site with an officer from NE and photographs were taken of the site and the work that had been done. After the visit, I spoke to the landowner and his solicitor and advised him to stop work until a valid licence was in place and that

by continuing with his work he could be committing further offences. I also requested he came in for an interview.

A second visit was made to the site in early December. This found that new piles of earth had appeared and a trench had been dug between a pond containing fish and the pond identified as the newt breeding pond (allowing access by fish can be detrimental to newts). I again contacted the solicitor about these matters. In April 2016, I visited the site with NE and found the newt breeding pond had been completely drained.

Mr de Benham-Crosswell would not voluntarily attend an interview, so having gathered significant evidence of offences on site, and detailed evidence from NE, he was reported for summons. I would like to thank Justin Evans from NE and Mark Gammon, a CPS wildlife specialist, for their work on this enquiry.

Ben Andrew



Hare coursers and people illegally pursuing wildlife are being targeted by Dorset Police.

Dorset crackdown on illegal hunting

PC Claire Dinsdale, Dorset Police's Rural Crime Team Co-ordinator, reports on recent successes in tackling poaching.

On 27 and 29 July 2016 at Weymouth Magistrates Court, four men pleaded guilty to offences under the Hunting Act 2004. Ian Rosenberg, 52, of South Haven Close, Poole, was fined £100. His Toyota 4x4 vehicle was also forfeited for a driving off road offence. Mark Harry Giles, 52, of Strood Lane, Billingshurst, Sussex, was fined £120, Mark Anthony Giles, 30, from Marringdean Road, Billingshurst, was fined £250 and Ethan Giles, 21, from Kirdford, Billingshurst, was fined £150. All four had additional £85 costs and a victim surcharge.

In the early hours of 21 December 2015, with the assistance of a National Police Air Service (NPAS) helicopter, police filmed the occupants of a Toyota 4x4 searching for hares while driving across arable farmland near Sixpenny Handley. When they located a hare, they released dogs from the vehicle and followed the pursuit. Several hares were killed by their dogs. The NPAS

directed officers on the ground to intercept the vehicle. When searched, the men were found in possession of two handheld lamps, one connected to the electrics in the car, and five lurcher-type dogs.

On 8 August 2016, at Weymouth Magistrates Court, two men pleaded guilty to Hunting Act offences. Ty Warren, 54, and Victor Mabey, 70, pleaded guilty to hunting a wild animal with dogs, contrary to section 1 and 6 of the act. Mabey also admitted possessing an offensive weapon in relation to a lock knife. They were each fined £150 for the hunting offences, plus £85 in costs. Mabey was ordered to pay an additional £100 for possession of the knife.

On the evening of 2 June 2016, a 999 call reported that hare coursing was taking place by a golf course near Blandford. Two men were seen acting suspiciously in a dark blue Daihatsu Fourtrak 4x4 and

witnesses saw two dogs coursing after a hare through a field of freshly-planted maize. Officers arrived and watched one dog course after a hare through several fields. Warren and Mabey left the scene and headed into a wooded area. Officers, assisted by the dog section and a NPAS helicopter, searched the area and arrested the pair as they emerged from the woods.

Dorset Police will not tolerate hare coursing, nor off-road driving across farmers' fields, in the illegal pursuit of wildlife. Offenders will be prosecuted and whenever possible vehicles and their dogs seized. Further to this, we will ask the court to make driving disqualifications and put in place restraining orders. We will also apply for Criminal Behaviour Orders for repeat offenders. Dorset Police are grateful to the public for reporting these incidents to us.

Heavy fine for gassing offences

A Norfolk farming firm has been prosecuted for putting workers and members of the public at risk from a dangerous pesticide being used to control rabbits. Dr Ed Blane of Natural England reports.

On 22 September 2016, at Norwich Magistrates Court T Long and Company Limited of Whitehall Farm, Crownthorpe, Wymondham, pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc Act 1974. They were fined £15,000 and ordered to pay costs of £4,967 along with a victim surcharge of £120.

On 14 January 2015, a resident in the village of Bracon Ash, near Wymondham saw two men trespassing in her garden. When confronted, they told her they were "gassing rabbits" but did not give her any other information about the substance they were using or the risks involved. After asking them to leave, she found a number of blocked rabbit holes and an empty container of a pesticide containing aluminium phosphide. Aluminium phosphide breaks down on contact with moisture, including moisture in the air, to produce phosphine gas, which is very toxic, highly flammable and dangerous to the environment. This pesticide is widely used by farmers, pest controllers and game keepers to control pests, such as rats. When used correctly, by trained operators, there is very little risk to people. However, when it is used in a negligent way, people and wildlife can be seriously injured or killed.

An initial Natural England investigation identified approximately 56 treated burrows in six different parts of the garden, including in the hedgerow of the public lane, running alongside the property, used by local residents. There had been no precautions taken to inform or protect either the householder or members of the public from risks to their health from

possible exposure to phosphine gas. Remains of the gassing tablets were also found exposed on the grass in the garden. The garden was being managed for wildlife, including a population of great crested newts, which are a protected species. In January, when the gassing was done, it is expected that the newts would have been living in the rabbit burrows in the garden. It is not known if any newts died as a result of this incident.

A subsequent Health and Safety Executive (HSE) investigation found that the workers using the gassing compound did not have the appropriate competence or certificates to apply the product. They were not wearing appropriate personal protective equipment and were not properly trained or

supervised to carry out this type of work. In sentencing, the Magistrates highlighted that the use of this poison in a garden and alongside a public road could have endangered any child or dog that investigated the blocked holes.

HSE Inspector Paul Unwin said, "Pesticides are carefully regulated to protect people and the environment and can cause severe harm or, indeed, fatalities if not used properly by trained and competent persons. There was a cavalier use of aluminium phosphide in this case. HSE will take robust action against those who unnecessarily put the lives of workers and the public at risk and endanger the environment through inappropriate use of pesticides."



Two rabbits found unlawfully gassed during the site visit.



DC Sarah Bailey (centre), WWF Wildlife Law Enforcer of the Year 2016

Work to tackle wildlife crime is recognised at conference

The 28th annual Wildlife Crime Enforcers' conference was held in Warwickshire in November, 2016.

Around 140 delegates attended the event, which was organised by Craig Fellowes of the Wildlife Training Consultancy, with financial support provided by World Animal Protection, the Humane Society International and the RSPB.

Rural Taskforce. The conference also welcomed Per Eric Lindbäck from a new wildlife crime unit in Sweden and professional ornithologist Thomas Birko, who has been supporting the work of the unit.

The conference was chaired by Chief Constable Dave Jones of North Yorkshire Police, who had recently taken on the role of Wildlife Crime lead on the National Police Chiefs' Council (NPCC). He thanked the work of his predecessor CC Simon Prince. He said that it was vital the police resonate with rural communities and protect the countryside for the next generation, adding, "We need to create a hostile environment for those who want to break the law". He was accompanied at the conference by Acting Assistant Chief Constable Amanda Oliver, and officers from the newly-formed

Three key updates were given on the Saturday morning. Martin Sims, head of the NWCUC, outlined the work of the unit and support to statutory agencies. He confirmed the unit had secure funding until 2020, and thanked NGOs for their lobbying in relation to this. Grant Millar of Border Force updated the conference with a highly impressive range of work to tackle the illegal CITES trade. Sue Heming, the CPS lead for wildlife crime, provided an update of casework and outlined the support they had been providing to the authorities in Kenya and Tanzania.

The excellent work tackling wildlife crime was once again recognised by WWF-sponsored awards. The Wildlife Law Enforcer of the Year Award 2016 was presented to WCO DC Sarah Bailey of the Metropolitan Police Service. Sarah, who has been involved in a string of significant CITES cases during her time with their Wildlife Crime Unit, was recognised following the conviction of a trafficker in primate parts and other animals (*Legal Eagle 79*). Information uncovered during the investigation resulted in Indonesian police foiling attempts to smuggle hundreds of dead and preserved endangered animals, which were destined to be sold overseas.

Tim Luffman of the Border Force CITES Team took the award for Wildlife Crime operation of the Year for Operation Quiver. He made an outstanding contribution targeting UK historic ivory being exported



Tim Luffman (centre), WWF Wildlife Crime Operation of the Year 2016.

from the UK to South-East Asia. His work, linking in with the police, has led to a number of arrests of individuals collecting ivory for resale and export from the UK. Tim researched and planned this operation following Operation COBRA III, after identifying suspicious routings for online auction site sales. Operation Quiver has successfully identified numerous ivory exporters, resulting in over 180 seizures of ivory to date.

A runner-up award for Operation Costa, tackling deer poaching, was presented to WCOs Sgt Andy Whysall from Avon and Somerset Constabulary and PC Martin Beck from Devon and Cornwall Police; and Maria Endean of Trading Standards.

Particularly pleasing was the presentation of a WWF Lifetime Achievement Award to Peter Karner, recently retired from Natural England, after more than 30 years

tackling wildlife poisoning cases and an extensive contribution to police training (see also page 21).

The rest of the conference was devoted to an interesting mix of presentations, case studies and workshops. North Yorkshire WCO Gareth Jones, attending his last conference prior to retirement, received a PAW Certificate of Merit and an RSPB Certificate of Appreciation (see also page 20).

Global award for Head of NWCUC

Chief Inspector Martin Sims, Head of the UK National Wildlife Crime Unit, has been honoured with the prestigious Clark R. Bavin Wildlife Law Enforcement Award for "leadership of one of the world's most outstanding police units dedicated to combating wildlife crime".

On 4 October 2016, Martin received the award, presented by the US based Animal Welfare Institute (AWI). The award recognises individuals and organisations that have demonstrated excellence in combating wildlife crime. Martin carried out exceptional work leading

his 12-member team, which has been described as one of the world's leading police units dedicated to supporting wildlife crime investigations through intelligence collection and analysis.

Martin has played a leading role in developing Authorised Professional Practice guides to help police officers increase their effectiveness in combating wildlife crime. He routinely works with NGOs to support enforcement work.

The award is named after the late Clark R. Bavin, former Chief of the US Fish and Wildlife Service's Office



of Law Enforcement, who elevated the fight against wildlife crime. Some 40 awards have been presented, 12 posthumously to law enforcement officers that have made the ultimate sacrifice whilst protecting wildlife.



10 year celebrations of NWCU

The NWCU officially launched 10 years ago on 16 October 2006 as a stand-alone Police Unit dedicated to tackling wildlife crime.

Historically, much of the specialist support provided to the police in the investigation of wildlife crime came from NGOs, notably the RSPCA, SSPCA and the RSPB. With the development of the Wildlife Crime Officers network, followed by Partnership for Action Against Wildlife Crime in the 1990s, it became clear there was a lack of statutory co-ordination and guidance.

In 2002, under the guidance of the then North Wales Chief Constable, Richard Brunstrom, who was the lead for wildlife crime, the Wildlife Crime Intelligence Unit (WCIU) was set up within the National Crime Intelligence Service (NCIS). The

WCIU dealt solely with gathering and disseminating intelligence to and from police forces and other law enforcement agencies. Despite the unit's efforts, much of the intelligence it produced was not acted upon. As a result, many serious cases weren't properly investigated.

In 2006, the Serious and Organised Crime Agency (now the National Crime Agency) was formed and it swallowed up NCIS, which left the WCIU without a home. Chief Constable Brunstrom offered the unit a temporary home with North Wales Police while he argued the case for a new dedicated unit that would offer investigative and

analytical support to police and enforcement agencies, whilst still maintaining its role as an intelligence unit.

Government funding was agreed and the unit was formally launched in October 2006. The NWCU, now based in Stirling, is now firmly established as part of UK Policing and its long-term funding has been agreed until at least 2020. The unit has been involved in thousands of investigations and hundreds of prosecutions involving all aspects of wildlife crime. The NWCU has also become established on the global stage and regularly works with law enforcement agencies from around the world.

Wildlife Crime in Scotland Report 2015

The latest report of wildlife crime in Scotland has recently been published.



On 25 November 2016, the *Wildlife Crime in Scotland – 2015 Annual Report* was published. This is the fourth annual report and it highlights new data from the financial year 2014–15. The report brings together data from the Scottish Government, the Crown Office and Procurator Fiscal Service, Police Scotland and other sources who are members of the Partnership for Action Against Wildlife Crime Scotland (PAW Scotland).

Recorded wildlife crimes dropped by 20% in the five year period to 2015, according to the report. While the five-year trend is positive, the latest figures show a rise from 255 recorded wildlife crime offences in 2013–14 to 284 in 2014–15, an 11% increase.

Roseanna Cunningham, Cabinet Secretary for Environment, Climate Change and Land Reform, said, "This fourth wildlife crime annual report continues to shine a spotlight on the ongoing issues we are facing to protect Scotland's wildlife from illegal activity." She added, "We continue to respond to the challenges that we face and that is why I recently instructed a review of satellite tagging data to get to the bottom of why so many of our tagged birds of prey are going missing."

The full report can be read on the Scottish Government website at gov.scot/Publications/2016/11/7270

Satellite tags shine a light in dark places

The increasing use of satellite telemetry to study species such as golden eagles, red kites and hen harriers is providing compelling evidence about illegal persecution.

A suite of scientific peer-reviewed studies has demonstrated unequivocally that persecution occurs disproportionately on land managed as grouse moor. At least 10 tagged raptors were found to have been illegally killed since satellite transmitters were first used in Scotland around 10 years ago. Five had been poisoned, others victims of shooting or illegal trap use. More recently, tagged birds have tended to go "off the radar" and in every case, data received prior to their disappearance indicated the tags were functioning correctly. Many of the disappearances have been in areas intensively managed for game bird shooting, often with an appalling history of raptor persecution.

In August 2016, RSPB Scotland issued an appeal following the disappearance of Brodie – a two-year-old satellite tagged golden eagle. Her last position on the 2 July was in the Monadhliath mountains, where driven grouse moor management dominates the landscape. Since November 2011, eight tagged golden eagles have disappeared in this area. The birds were being monitored by RSPB Scotland, the Highland Foundation for Wildlife, Natural Research Ltd and Forestry Commission Scotland. Despite comprehensive searches, none of the birds or transmitters were recovered, and no further data has been received.

A week later, came a further announcement that a young male hen harrier, Elwood, who had been tagged as part of the RSPB's EU-funded Hen Harrier LIFE project, was reported missing in

the same area. The bird was the only chick to fledge from a nest in Banffshire, which was being monitored under the PAW Scotland's *Heads-up for Harriers* scheme. Cabinet Secretary for Environment, Climate Change and Land Reform, Roseanna Cunningham has since ordered a review of raptor satellite tracking data in Scotland.

Running until 2019, the Hen Harrier LIFE project combines satellite tagging, monitoring, nest protection, investigations work, awareness-raising; and working with raptor workers, landowners and communities to protect these birds in northern England and southern and eastern Scotland. Members of the North of England Raptor Forum and the Scottish Raptor Study Groups have played a vital part in the project.

Some 17 hen harrier chicks were satellite tagged in 2016 – 12 as part of the RSPB LIFE project, five by Natural England (two of which were sponsored by the Hawk and Owl Trust, HOT). In October 2016, Cumbria Constabulary announced that, following some excellent fieldwork by NE, one of the NE/HOT sponsored birds, Rowan, had been found dead on the edge of the county. A Zoological Society of London post mortem examination, including a radiograph of its fractured left leg, showed the bird's injuries were entirely consistent with it having been shot.

By February 2017, only seven of the 17 were known to be alive. Aside from Rowan, seven had disappeared (four in suspicious circumstances) and two were found dead. You can follow the RSPB hen harriers at rspb.org.uk/henharrierlife and [twitter @RSPB_Skydancer](https://twitter.com/RSPB_Skydancer).



Natural England recovering the shot hen harrier, Rowan.



Suitable regulation of grouse estates is needed to give better protection for hen harriers and other raptors.

Petitions against persecution

Two public petitions have highlighted the continuing problem of raptor persecution and other environmental concerns.

On 22 August 2016, the Scottish Raptor Study Group (SRSB) lodged a petition calling for a state-regulated licensing system for game bird hunting in Scotland in order to deliver an effective deterrent to the illegal killing of birds of prey. This would address adverse environmental impacts of game bird hunting and provide for the revocation or amendment of licences where a licence-holder fails to comply with their terms and conditions. The petition also called for the implementation of the recommendations of the *Review of Wildlife Crime Penalties in Scotland*, including increased penalties. More details are at parliament.scot/GettingInvolved/Petitions/PE01615

Scottish Natural Heritage (SNH) has been undertaking a review of the regulation of game bird hunting in Europe. Scotland is moving firmly in the direction of recognising the public as well as the private interest and responding where there is a case for change, for example, taking positive steps towards sustainable deer management – there is no reason why game bird management should be any different.

RSPB Scotland supported the petition, as self-regulation by the game bird shooting industry has patently failed and it is clear that a change in the law is required. New regulation should be part of a package of measures to support

effective enforcement underpinned by effective deterrent sanctions. Estates and land managers operating within the law would have nothing to fear.

A private e-petition calling for a ban on driven grouse shooting was lodged with the UK Government and Parliament. It was initiated by campaigner Mark Avery (a former RSPB employee) and gathered astonishing support. More than 123,000 people signed the petition, which raised concerns about a range of negative environmental issues including raptor persecution.

On 18 October 2016, the Petitions and Environment, Food and Rural Affairs Committees heard evidence from Mark Avery, the RSPB, the Moorland Association and the Countryside Alliance. The RSPB presented a case for regulatory reform rather than a ban, and made it clear that the current status quo could not continue. A range of serious environmental concerns associated with driven grouse moor management were highlighted. These include concerns about loss of carbon contributing to climate change; concerns about water quality and aquatic biodiversity; the poor condition of many upland peatland SSSIs (under 15% in favourable condition); whether society is getting value from payments under the Common Agricultural Policy and potential effects on flood risk for some downstream areas. The RSPB was

hopeful this forum would present an opportunity to discuss much-needed change. We believe changes to make sporting estates more accountable, such as vicarious liability and a robust system of licensing, are badly needed. More information, including a detailed written submission from the RSPB, can be found at petition.parliament.uk/petitions/125003

On 1 November 2016, a Parliamentary debate took place followed by a statement from Thérèse Coffey, the Parliamentary Under Secretary of State at Defra. The RSPB was very disappointed with the quality of the debate, which failed to address a range of serious environmental and social concerns and offered no new meaningful commitments to address these. The RSPB believes that pinning hopes on the controversial Hen Harrier Action Plan (*Legal Eagle 80*) and existing levels of enforcement will do little to alleviate the pressure on this species.

These petitions have also highlighted that it is not just hen harriers that are under threat and we believe that licensing is the best way to deliver the substantial changes needed to tackle raptor persecution and other inappropriate actions that are damaging our upland environment.

Lifting the lid on grouse moors

RSPB Investigations Officer Howard Jones reports on finding an illegal pesticide cache on a grouse moor in North Yorkshire, a county with an unenviable record for raptor persecution.

In December 2014, during routine fieldwork with colleague Guy Shorrocks on the East Arkengarthdale Estate grouse moor, a tiny piece of blue plastic caught my eye amongst the pine needles in a small plantation. As I started to lift a lid on a bucket buried in the ground, revealing a large container, Guy immediately advised me to put it back down. Had we found an illegal pesticide cache? We had plenty of intelligence about secret pesticide stores for use in preparing poisoned baits.

This was a unique situation. Our work is primarily about trying to create a deterrent climate, and with so few opportunities to get cases to court, we decided to identify the cache user. We needed surveillance equipment, but were concerned evidence may go missing. We had protective gloves and a forensic sampling kit, so took a tiny sample from the container and carefully put everything back.

This was a remote site, with a round trip of about seven miles, so we installed a motion activated camera as this used very little power and required less maintenance. In some terrible weather just before Christmas, we installed the camera, but, annoyingly, a visit had been made in the interim and a second small container was now present; again we took a tiny sample.

Periodically we changed batteries and reviewed footage. Despite some entertaining wildlife images, we were getting a little despondent. However, on 16 March 2015 the cache contents had been moved, and images showed a man four days earlier removing the large container and replacing it a few hours later. There were only brief

views of his face, so we let the last camera run finish. The final visit found the small container was missing, but present was a sachet of Ficam W; an approved insecticide, with the active ingredient bendiocarb – the third most abused product for wildlife poisoning in recent years. Annoyingly, after many weeks of reliable service, the camera ended early and we had missed this visit.

We reported the matter and had an excellent response from North Yorkshire Police and Natural England. A local gamekeeper was identified as the suspect and two search teams deployed. At his home various items were seized including an electronic calling device with a selection of raptors and predatory birds. These devices can be used for legitimate pest control, such as shooting foxes, but are unlawful for the killing or taking of birds.

At the cache, the Ficam W was recovered and on site testing by NE confirmed the large container held Cymag. Banned in 2004, this gives off the highly toxic hydrogen cyanide gas when subject to moisture. The sample from the missing small container was later confirmed as alphachloralose, the second most commonly abused product for wildlife poisoning.

The gamekeeper declined to comment, but with forensic evidence linking him to the cache, we were hopeful of a prosecution. However, the CPS, in addition to some procedural concerns, was not satisfied with the identification evidence. We didn't share their views, and after some really challenging work, this was a disappointing outcome.

The police revoked the gamekeeper's firearm certificates



Guy Shorrocks (RSPB)

Howard Jones RSPB during discovery of an illegal pesticide cache.

and on 8 December 2016, this was appealed at Teesside Crown Court. The gamekeeper's barrister was highly critical of the investigation, in particular the work of the RSPB. It was apparently accepted that the gamekeeper had placed the Cymag and the Ficam W in the cache. The Judge allowed the appeal, stating that despite the gamekeeper's act of stupidity, he felt the revocation was disproportionate.

In closing, he told the gamekeeper he owed his legal team a debt of gratitude and needed to watch his future behaviour. Interestingly, he added "I detest people who kill raptors" and that he would be keeping an eye on the estate during his walks in the countryside.

The RSPB is grateful for the efforts of North Yorkshire Police, NE, Fera and raptor expert Dave Anderson.

Moor problems for peregrines

A scarecrow erected next to a peregrine breeding site on a grouse moor invoked a police investigation and an official warning for the landowner.

In early April 2016, the RSPB received a report of a scarecrow above a peregrine breeding site on a grouse moor in Northumberland. It was suspected that the item had been placed there to deter the birds from breeding. The location was on a Site of Special Scientific Interest, designated for upland flora.

The matter was reported to Northumbria Police and Natural England (NE). Despite being a remote site, WCO PC Philip Jack, supported by an NE officer and a licensed Raptor Worker from the Northumbria Ringing Group, visited the site. The scarecrow, consisting of a metal frame covered with white sheeting and a high visibility jacket, was still present and was seized. As peregrines were in the area, the visit was kept brief to avoid any unnecessary disturbance.

A gamekeeper for the moor was interviewed and accepted being aware of the peregrine breeding site and placing the scarecrow.

He claimed this was one of several placed to try to reduce predation on grouse by large gulls. In August 2015, he had placed three near the peregrine site after the birds had finished breeding, in order to protect second broods of red grouse chicks from gulls in late July and early August. He claimed to have removed two of them but missed the one by the nest site as it was not easily visible and he had simply forgotten about it. He denied trying to prevent the birds from breeding.

Red grouse are effectively single-brooded and claims about second broods did not appear to fit with the biology of the species. Further enquiries established that the scarecrow had not been present in late August 2015. In July 2016, police returned with a Raptor Worker and an RSPB Investigations Officer who absailed into the site.

This visit indicated that the peregrines had not bred in 2016. As the site has a poor history of

success, it was not possible to establish whether this failure was due to the scarecrow. A file for potential Wildlife and Countryside Act offences was submitted to the CPS for consideration. However, despite clear concerns over the motive for placing the scarecrow, it was felt there was insufficient evidence to take the case to court.

NE issued a warning letter to the landowner for failing to obtain consent in relation to the use of the scarecrows on the SSSI. The RSPB is concerned about the number of incidents of bird disturbance that are being reported as it has also heard of gas guns being used on grouse moors to prevent species like hen harriers from settling. The RSPB would like to thank PC Jack for his excellent work in this investigation and the support received from Northumbria Ringing Group, NE and Jonathan Moore of the CPS.



The scarecrow positioned over a peregrine site in Northumberland.



The scarecrow used at the site.



PC Claire Dinsdale (right), PCSO Tom Balchin and Killy Tucker of the new Rural Crime Team.

New Dorset Rural Crime Team gets into gear

In August 2016, a new Dorset Police Rural Crime Team was launched.

The new Rural Crime Team includes WCO PC Claire Dinsdale as team co-ordinator, an engagement officer and a crime analyst as well as nominated officers in each of Dorset's five rural sections: Bridport, Dorchester and Sherborne, Purbeck, East Dorset and North Dorset. The team's first meeting took place at Kingston Maurward College, with the officers present, as well as councillors and representatives from Dorset and Wiltshire Fire and Rescue Service, the National Farmers' Union and Trading Standards.

Dorset Police and Crime Commissioner Martyn Underhill launched the team and opened the meeting at the college. Mr Underhill said: "I know from the many rural residents and business owners I have met in Dorset that

the fear of crime is high in rural areas. I also know the severe impact rural crime has on victims and their livelihoods. Introducing a dedicated team will ensure that more proactive work is done to target this type of criminality, and that we can make people living and working in Dorset's many rural areas feel safe. It also introduces consistency across intelligence, investigation and crime prevention." Assistant Chief Constable Mark Cooper further outlined Dorset Police's vision for the team and that they were looking to develop a "bespoke approach" to tackling rural crime.

WCO PC Claire Dinsdale, rural crime team co-ordinator, said: "We will be attending a number of events over the coming weeks and look forward to meeting as many

members of our rural communities as possible. PCSO Tom Balchin and I, along with the rest of the team, are passionate about rural crime. We know that the new team will be a valuable resource, but we can't expect success without the help of the public. Reporting crime and suspicious incidents is fundamental to catching offenders and bringing them to justice, so we will be enlisting the help of our communities to tackle rural crime. We can't wait to get started."

Following the launch, the unit has already taken part in an anti-poaching seminar organised by the Wessex Branch of the British Deer Society with attendance from a range of interested organisations and the CPS.



WCO PC Gareth Jones (right) receiving an RSPB thank you at the Wildlife Enforcers' Conference.

Gareth moves on

WCO PC Gareth Jones has recently retired from the North Yorkshire Police and reflects on his time tackling wildlife crime.

Back in 2004, I was asked to become a WCO because of my background in farming and love of wildlife, and was appointed to cover the Harrogate District. My first significant job was helping with a warrant on a falconer suspected of laundering wild birds. This was followed by Operation Worm, a joint operation with the RSPB and Natural England into the alleged supply of the pesticide alphachlorolose from Southern Ireland to gamekeepers in the Yorkshire Dales for poisoning wildlife. Four warrants were executed and one gamekeeper prosecuted for serious pesticide offences.

Since that time, I have investigated numerous wildlife offences. These have included more raptor persecution cases, including the high profile shooting of a hen harrier known as Bowland Betty, along with bats, badgers and poaching. A small claim to fame was the prosecution of a man for shooting a mute swan during a pheasant shoot. He pleaded guilty to criminal damage and to using lead shot to shoot wildfowl. This was the first conviction using the Environmental Protection Regulations 1999.

In 2010, my colleague PC Rasbeary retired and I became the main point of contact for the force and gained

a seat on the Badger Persecution Priority Delivery Group (PDG). Mark had kindly agreed to host the 2011 Wildlife Enforcers' Conference in Harrogate then promptly left – leaving me to do a presentation on wildlife policing in North Yorkshire!

North Yorkshire has a particular problem with raptor persecution and I was subsequently invited to join the Raptor Persecution PDG. I am greatly saddened that this issue continues to blight the county and hope its unenviable reputation will be improved by work of the recently formed Rural Taskforce. I would like to thank all the agencies and individuals who have supported me.

Peter Karner retires

In September 2016, Peter Karner retired from Natural England. Colleague and friend Paul Cantwell reflects on Peter's long and distinguished career.

Peter, retiring after 33 years, started his career in Wales in 1983, then moving through various restructures, ended in Cambridge as NE's Senior Species Compliance and Enforcement Specialist. In his early days, Peter investigated a number of cases in Wales relating to the misuse and abuse of pesticides. This work now comes under the Wildlife Incident Investigation Scheme (WIIS) and NE operates the scheme on behalf of the Health and Safety Executive in England.

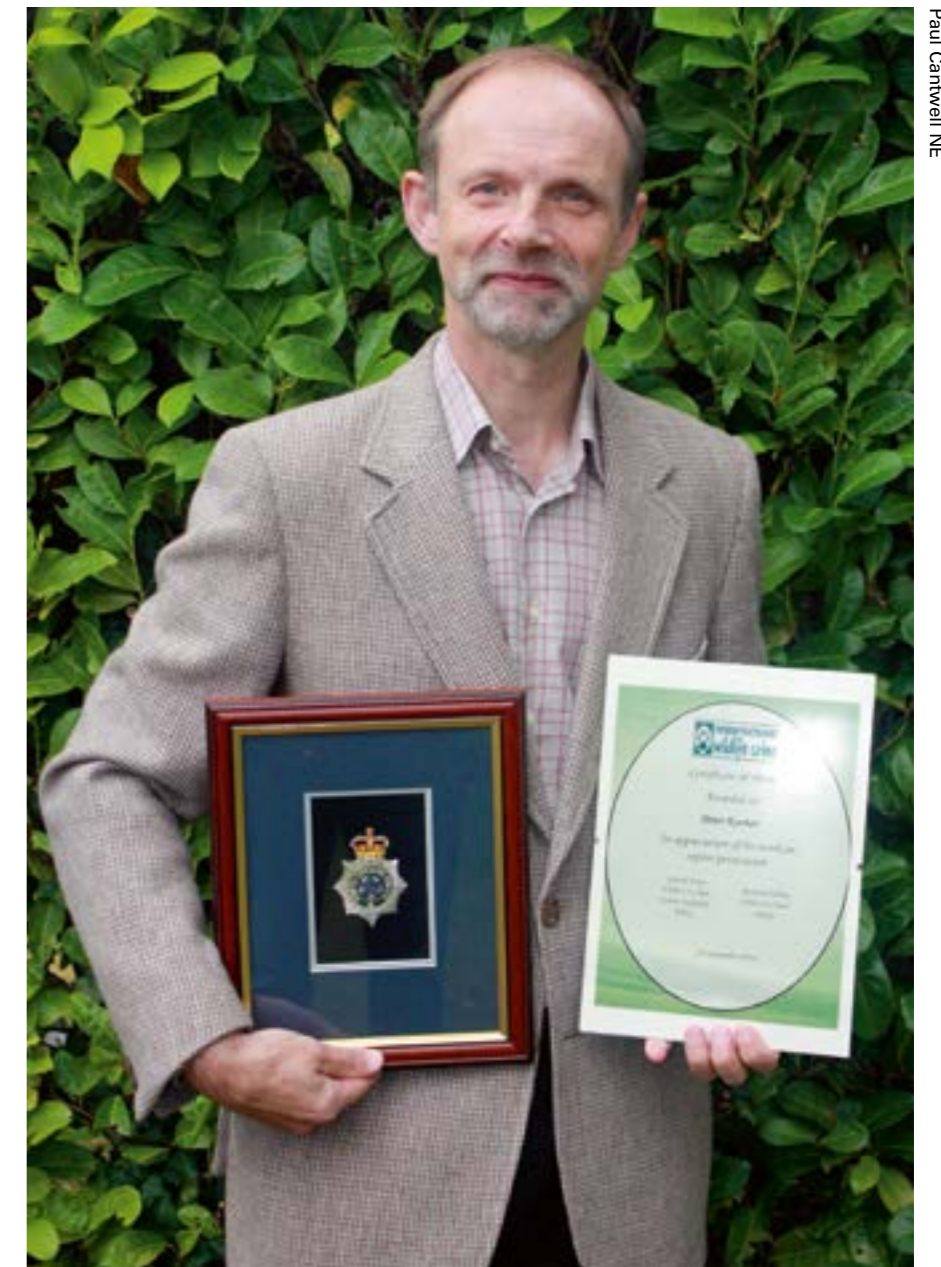
Peter moved to Cambridge on promotion in 1991 and continued to investigate WIIS cases. He soon started to train our own staff and the Police on WIIS cases and helped to train hundreds of WCOs on the National WCO Foundation Courses. Peter has also provided training at many other events in England and Wales on wildlife crime, legislation and legal pest control methods.

Peter became our National Technical Lead for WIIS and oversaw NE input to the scheme for many years. During his time, Peter has led on, and assisted with, a range of high profile wildlife poisoning cases. Notably, he helped with a case in Norfolk, which led to the first gamekeeper in England receiving a custodial sentence (albeit suspended) for the poisoning of birds of prey. He also assisted with Operation Worm in North Yorkshire, investigating raptor poisoning on sporting estates. Peter has worked on other wildlife crime too, and appeared as an expert witness in badger sett interference cases.

Peter was one of the founding members of the Cambridgeshire Partnership for Action Against Wildlife & Environmental Crime (CPAWEC), which was an early

forerunner of the Regional Wildlife Crime Enforcement Groups. More recently, Peter led for NE on the Raptor Persecution Priority Delivery Group in producing raptor persecution maps. In recognition of his contribution, Peter was recently presented with a PAW Certificate of Merit by Acting Assistant Chief Constable Amanda Oliver, and a North Yorkshire Police badge.

The RSPB would also like to acknowledge Peter's outstanding career. Having worked with him on many issues, his knowledge, dedication and infectious enthusiasm will be well remembered.



Peter with his PAW Certificate of Merit and North Yorkshire Police badge.



Trapper caught at mist net during RSPB surveillance.

Cyprus undercover

During autumn 2016, RSPB Investigations worked with the Sovereign Base Area (SBA) Police in Cyprus in a successful covert operation to tackle the illegal trapping of migrant birds. Guy Shorrocks reports.

The illegal trapping and hunting of millions of migrant birds around the Mediterranean has been well publicised in recent years. There are a number of serious black spots including Malta, Italy and Egypt. There is also a huge problem in Cyprus with the illegal trapping of migrant birds for the expensive delicacy ambelopoulia – grilled, pickled or boiled songbirds.

I have been out to Cyprus several times during the last 16 years, and unfortunately illegal trapping remains rampant on parts of the island. The Cape Pyla area within the Eastern SBA has been a particular problem. During the last 20 years, trappers have planted and irrigated large areas with a fast growing non-native acacia. Trapping rides are cut within these to allow kilometres of mist nets to be illegally set. These are used in conjunction with electronic calling devices, which play during the night pulling the migrating birds out of the sky. In the morning, the birds

are flushed into the nets, killed and taken away and sold into the retail trade outside the base in the Republic of Cyprus.

In 2015, the SBA authorities started a programme of clearing the acacia (see Legal Eagle 77). Unfortunately, attempts in 2016 to continue this work resulted in local demonstrations from the trapping community, with even Cypriot MPs turning up to join in the protest. As a result, it was not safe for the contractors to start the proposed clearance work. Against this political backdrop, in autumn 2016 a colleague and I went to work with the SBA Police to install covert video cameras at a number of trapping sites. The SBA Police had obtained the appropriate surveillance authority for this work and we installed several cameras over a four-week period. Despite years of experience of this work in the UK, we were a little anxious how things would go in a completely different type of terrain.

However, things turned out very well and we recorded 18 individual trappers at a number of sites.

We also did a “freelance” job in the Republic in a notorious trapping area in a remote area west of Larnaca. Arriving in the dark, we had a difficult walk down a steep hillside to get into position. We both got excellent video footage of two trappers hard at work using mist nets and limesticks. In a couple of hours they collected around 200 birds, probably worth around 400 Euros. This evidence was passed to the Cypriot authorities and a few days later we heard both men had been arrested.

On arrival back in the UK, a fairly hectic session of evidence and DVD preparation was carried out, with packages of evidence supplied to the SBA Police. We understand a number of cases are proceeding to court and we hope to provide more details later in the year.



The shot booted eagle, one of many victims in autumn 2016.

Where eagles die

A spectacular eagle migration on Malta has unfortunately resulted in yet more illegal hunting. The BirdLife Malta Conservation Team reports.

On 1 November 2016, an exceptional migration event occurred on Malta with an estimated 61 booted and short-toed eagles seen roosting overnight on the island. Unfortunately, this incredible natural spectacle was met with rampant illegal hunting. Four eagles were seen shot down by BirdLife Malta (BLM) staff that evening and the following morning. Clear shot damage was observed on a further four short-toed eagles, and reports were received of five booted eagles targeted in the following days.

During the morning of 2 November, two BLM teams filmed a booted eagle being shot, and the carcass was later retrieved by the police. Justin Chetcuti, 23, of Mosta, was seen hunting in the area where the eagle was shot, and filmed discarding and hiding cartridges. Police investigations revealed that he was the only hunter in the area.

The cartridges he was filmed discarding were found to be larger than legal size, specifically designed to shoot at large birds, which convinced the police that he had gone hunting specifically with the intention of targeting the eagles that had been seen coming down to roost. He was charged with killing the eagle, denied bail and kept overnight to appear at court. Due to a previous conviction for a hunting offence, a higher sentence of a €10,000 fine was issued, with bail granted against a €2,000 deposit and a personal guarantee of payment of the remainder.

These incidents are only a small sample of the hunting illegalities being witnessed every day. This year has seen a spike in illegal killing in the autumn hunting season. Between 1 September and mid-November, BLM rescued 22 illegally shot birds, ten of which

were birds of prey. Depending on the injury, some of these were rehabilitated, however, many had to be euthanised by a vet. A further 54 protected birds were seen to be shot and killed in this period, from barn swallows and bee-eaters to honey buzzards and black storks.

Whilst BLM welcomes the prosecution against the booted eagle, it is clear that enforcement in Malta is failing to keep illegal hunting in check and this remains the only illegal hunting case taken to court this season. Back in September, after the bloody start to the season, BLM again called for the suspension of hunting until after the peak raptor migration. This call went unheard, despite the prime minister having closed hunting seasons in the past due to illegal killings. The government has shown that it is not going to act to improve enforcement or sanction measures to prevent wildlife crime.

And finally...

Thank you!

The RSPB would like to acknowledge the work of a couple of individuals



▲ Procurement Fiscal Kate Fleming

In December 2016, Procurement Fiscal Kate Fleming of the Crown Office Wildlife and Environment Crime Unit left to join the Serious and Organised Crime Unit. The RSPB would like to thank Kate Fleming for her tenacity and attention to detail in dealing with a number of high profile wildlife crime cases during her busy five years with the unit. We have no doubt she will be successful in her new area of work.

We would like to thank Raptor Worker John Turner. After more than 20 years as the Chairman and co-ordinator of the Shropshire Peregrine Group, he is standing down and Jim Almond will be picking up the role. RSPB Investigations have liaised with John in connection with numerous persecution incidents and are grateful for his support and assistance. John will still be supporting the work of the group and keeping his eye on local peregrines.



▲ Raptor worker John Turner

PAW

PAW is The Partnership for Action Against Wildlife Crime, a multi-agency body of organisations involved in wildlife law enforcement in the UK.

PAW provides opportunities for statutory and non-governmental organisations to work together to combat wildlife crime, and to promote the enforcement of wildlife conservation legislation, particularly through supporting the networks of Police Wildlife Crime Officers and officers from HM Revenue and Customs and the UK Border Agency.

Want more info?

Visit defra.gov.uk/paw



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Write to be read

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The RSPB is the country's largest nature conservation charity, inspiring everyone to give nature a home.

The RSPB is a member of BirdLife International, a partnership to give nature a home around the world.

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Cover photo by the Metropolitan Police



For more information on wild birds and the law, visit rspb.org.uk/birdlaw