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Policing Wildlife: The Nature of Wildlife Crime in the UK and its Public Policy Response

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Any errors or omissions in this research are ours.

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1. Introduction

Wildlife crime is widely recognised as a significant area of crime with wildlife trafficking accepted as one of the most lucrative forms of criminal activity globally (Nurse, 2015; Wyatt, 2013). Interpol and the United Nations Environment Programme (UNEP) estimated that natural resources 'worth as much as USD 91 billion to USD 258 billion annually are being stolen by criminals' (Nellemann et al., 2016, p:4). Yet prior research has identified inconsistency in enforcement and prosecution approaches as well as identifying loopholes in UK wildlife law (Nurse, 2012, 2015). In 2015, the Law Commission proposed reform of UK wildlife law, primarily to consolidate the existing disparate wildlife law into a single integrated wildlife management act. Some of the Commission's proposals were implemented in the Infrastructure Act 2015 while devolved legislation has resulted in some strengthened legislation in Scotland that arguably provides for increased wildlife protection.¹ However, wildlife crime is still considered to be an under resourced area of crime both nationally and internationally.

This project builds on prior work by the Principal Investigator (Dr Angus Nurse) and Co-Investigator (Nadine Harding) that examines the current state of wildlife crime in the UK and its enforcement. Prior research has identified that wildlife crime remains an under resourced area, an issue arguably made worse by austerity cuts in policing. In addition, various research has identified; inadequacies and inconsistencies in the recording of wildlife crime; issues in the allocation of enforcement resources, lack of knowledge among prosecutors and inconsistent application of penalties which tend to be applied at the lower end of the scale. The UK Government has committed to international initiatives to combat wildlife crime and in Defra's Spring 2021 animal welfare action plan has pledged legislation to reduce the illegal trade in ivory and provide for increased animal protection (Defra, 2021). However, the perception of NGOs and conclusion of past research is also that the policing of wildlife crime has been adversely affected by austerity cuts to policing with several police forces having abolished their Wildlife Crime Officer posts and prioritizing other forms of crime. As a consequence, despite Government statements that wildlife crime is taken seriously, the perception remains that it lacks importance in policing priorities and enforcement remains heavily dependent on NGOs such as the RSPB, RSPCA and League against Cruel Sports (LACS). Concerns have also been raised that the UK's wildlife law framework has been weakened by Brexit given that much UK environmental and wildlife protection law originated in the EU (McCulloch, 2019; Hilson, 2018).

This research will provide a major contribution to green criminological research on wildlife crime and will be the first comprehensive review of UK wildlife law and enforcement responses since the Law Commission's 2014 legislative review and work on wildlife crime enforcement published by Nurse (2015) and Wyatt (2013). This project has been commissioned by the International Fund for Animal Welfare (IFAW) to provide the evidentiary basis for NGO review of UK wildlife crime policy and campaigning for better wildlife protection. It is being carried out by independent researchers from Nottingham Trent University and the University of Gloucestershire.

¹ See [Wildlife Law | Law Commission](#) for the Law Commission's wildlife project

2. Contextualising Wildlife Crime

Despite its importance as one of the highest value areas of crime globally (Wyatt, 2013; Nurse, 2015) wildlife crime is generally a fringe area of policing, aspects of which are commonly dealt with via administrative or civil law processes rather than the criminal justice system (Nurse, 2012). International wildlife law sets the framework for wildlife protection through a range of treaties and conventions that generally dictate that wildlife can continue to be exploited subject to sustainable use considerations and the provisions of international environmental law that populations of wildlife should not be exploited to extinction.² However, arguably 'there is no binding international treaty for the protection of animals and thus no clear legal standard on animal protection (Nurse, 2013a, p.7). Instead, regional and domestic legislation provide the specifics of wildlife protection and create specific offences in respect of prohibited methods of taking and killing wildlife, as well as classifying the specific levels of protection afforded to individual species. Thus, animal law, distinguishes between companion animals, generally afforded a greater level of protection, and provides for 'criminal anti-cruelty laws, the statutory and regulatory animal welfare laws, and animal management and control laws' alongside conservation and protection law (Schaffner, 2011, p. 6). As a result, a variety of laws relating to wildlife exist, from those providing general protection (e.g. Wildlife & Countryside Act 1981) through to those creating specific offences and dealing with specific species (e.g. the Protection of Badgers Act 1992).

The focus of this research is primarily on the enforcement of those laws. Detecting and punishing wildlife crime offences by bringing prosecutions are the criminal justice policy and law enforcement perspective and is carried out by both Police and Non-Governmental Organisations (Nurse, 2009). This socio-legal approach to the justice system response to wildlife crime is concerned with current criminal law and quality of associated investigations, law enforcement, prosecutions and convictions (White, 2012). The law enforcement response however, is not solely confined to the activities of mainstream policing agencies. NGOs play a significant part in exposure and investigation of wildlife crime (White, 2012) and in the UK bodies such as the Royal Society for the Protection of Birds (RSPB), Royal Society for the Prevention of Cruelty to animals (RSPCA) and League Against Cruel Sports (LACS) are active in the investigation and sometimes prosecution of wildlife crime (Nurse, 2013b).

However, wildlife crime is arguably viewed with a lack of seriousness, not by those involved in tackling wildlife crime, but due to political impetus not allowing for wildlife crime to be high on political agendas (Wellsmith, 2011). This illustrates that criminal priorities lie elsewhere in politics and examples were highlighted by the Naturewatch (2005) survey of Police Wildlife Crime Officers. In that survey, where 47 of the 51 Police Forces in Great Britain responded, there was agreement that insufficient priority was being given to wildlife crime with 87% of Police Forces agreeing that the Home Office need to take a stronger lead in tackling issues relating to wildlife crime. Also, there are no agreed standards on how to police wildlife crime across the UK as well as a shortage in specialist officers able to bring prosecutions (Gray,

² See, for example the World Charter for Nature 1982 and the principles contained in the Rio Convention on Biodiversity, 1992 <https://www.cbd.int/rio/> as well as other international law measures such as the Convention on Migratory Species (CMS) and the Convention on International Trade in Endangered Species CITES)

2009). In 2009, Ian West of the RSPB highlighted that there are many competing demands on the police, but wildlife crime is all too often neglected in favour of other issues (Gray, 2009).

In the Naturewatch survey (2005), 87% of Police Forces also agreed that serious wildlife crime should be notifiable. More recently more than 100 organisations led by the RSPB said that wildlife crime was being overlooked as it is not taken seriously enough by the police (Gray, 2009). This was echoed in 2012 by the LACS who stated that it was important for wildlife crime to be notifiable to afford it the effective strategic assessment, prioritisation and deployment of enforcement resources required and for performance to be measured. Also, in 2012, several NGO's made representations to the Environmental Audit Committee for wildlife crimes to be made notifiable arguing that this type of crime is something the police should be required to record (currently it is not).

Notifiable offences in the UK are serious crimes that are reported to the Home Office by the Police for statistical purposes (Environmental Audit Committee, 2009). No wildlife crimes are notifiable except for serious offences regarding the trafficking of endangered species and prescribed offences under the Control of Trade in Endangered Species (enforcement) Regulations of 1997 and the Wildlife and Countryside Act 1981. Offences that are not notifiable are recorded as miscellaneous and are therefore difficult to measure. Indeed Lowther *et al.* (2002) highlighted that the UK has many stakeholder agencies (statutory, enforcement, voluntary and campaigning) who are currently involved in combatting or monitoring wildlife crime. Currently there is no national system in place to indicate which agency should take the lead in relation to the enforcement of wildlife crime. In 2022 there have been no changes to make further wildlife offences notifiable.

2.1 Defining Wildlife Crime

Wildlife crime can be broadly defined as the illegal exploitation of wildlife species, including poaching (i.e. illegal hunting, fishing, killing or capturing), abuse and/or trafficking of wild animal species. In UK law, wildlife is generally defined as any non-domesticated non-human animals. For example, the Wildlife and Countryside Act 1981, the primary law protecting wildlife in Britain, defines wildlife according to criteria that specifies wildlife as animals living 'naturally' in a wild state and excludes animals bred in captivity.³ Separate legislation (e.g. the Animal Welfare Act 2006) protects companion animals. However, it should be noted that legislative definitions of wildlife vary across jurisdictions and in academic discourse such that some definitions would exclude fish and other definitions define wildlife as including fauna and flora (see later discussion of CITES and UK endangered species legislation). UK wildlife law provides for general protection of wildlife, subject to a range of permissible actions that allow wildlife to be killed or taken for conservation management purposes (e.g. culling to maintain herd health or to conserve other wildlife), killing for legal (and regulated) sporting interests (e.g. shooting and fishing), or to protect farming or other commercial interests (e.g. the killing of so-called 'pest' species). However, wildlife laws often contain prohibited methods of killing or taking wildlife such as prohibitions on using snares, poison or taking or harming or disturbing

³ For example, the guidance in the Act states that the definition of 'wild bird' in section 27(1) is to be read as not including any bird which is shown to have been bred in captivity unless it has been lawfully released into the wild as part of a re-population or re-introduction programme.

wildlife during the breeding season. Accordingly, wildlife law creates a range of offences whilst arguably allowing continued exploitation of wildlife.

Thus, for an act to be a wildlife crime, it must be (Nurse and Wyatt, 2020, p.7):

1. something that is proscribed by legislation;
2. an act committed against or involving wildlife, e.g. wild birds, reptiles, fish, mammals, plants or trees which form part of a country's natural environment or be of a species which are visitors in a wild state;
3. involve an offender (individual, corporate or state) who commits the unlawful act or is otherwise in breach of obligations towards wildlife.

These elements clarify that wildlife crime is a social construction as it relates to violation of *existing* laws. Accordingly, laws can be changed, which can reconfigure what is considered to be a crime according to contemporary conceptions. For example, the United Kingdom historically allowed hunting wildlife such as foxes with dogs, but this practice was banned in 2005 with the implementation of the Hunting with Dogs Act 2004. However, this Act could simply be repealed by the government and hunting with dogs could become legalised again. The socio-legal classification of crime as defined as by the criminal law (Situ and Emmons, 2000, p.3) also means that any behaviour not prohibited by law is not a crime. Thus, for example, the killing of wildlife within regulated hunting activities (e.g. trophy hunting) or 'pest' control does not constitute a crime as long as the regulatory provisions are complied with (e.g. not using any prohibited methods of taking wildlife, compliance with humane killing methods). In this context, wildlife crime has clearly defined notions of victimisation in respect of the non-human animals that may be killed, taken or otherwise exploited, and those which may not.

2.2 Perspectives on Wildlife Crime

Wildlife crime is recognised as being one of the major illicit forms of crime globally. This perception is primarily linked to the discussions of wildlife trafficking (Wyatt, 2013) acknowledged as a significant area of transnational crime. However, in the context of this research, wildlife crime involves a range of activities considered to be a breach of legislation that protects wildlife.

2.2.1 Animal Protection Laws in Context

International perspectives allow continued use and exploitation of animals with the proviso that such use should be sustainable.⁴ Even where this does result in animal killing, there is a general presumption in law that any suffering should be the minimum necessary in respect of the permissible act. But this also means that there are variations in the level of suffering or pain that are legally permissible in different practices that may involve harm to animals. Thus, notions of what constitutes abuse are arguably socially constructed and vary across

⁴ See, for example the World Charter for Nature 1982 and the principles contained in the Rio Convention on Biodiversity, 1992 <https://www.cbd.int/rio/>

jurisdictions. Most jurisdictions now have laws that make animal abuse an offence and provide for general wildlife and companion animal protection; albeit some variation exists in how offences are framed.

At a basic level, animal laws generally provide protection for companion animals in the form of anti-cruelty statutes that govern the relationship between humans and their non-human animal companions. As a minimum, these statutes prohibit the deliberate, intentional, and arbitrary inflicting of pain. In respect of livestock and animals that are exploited for human consumption in the food industry, animal welfare laws provide a regulatory function, ensuring or attempting to ensure that animals are reared and slaughtered in a humane manner and that the suffering experienced by animals is minimised so far as is possible. In respect of wildlife, laws provide for the conservation, management, protection and prohibition on certain methods of killing wildlife (Nurse 2015; Vincent 2014). But arguably wildlife living outside of human control is protected less than non-human companions and is protected only so far as the interests of wildlife coincide with human interests (Schaffner 2011; Nurse and Ryland 2013; Nurse and Wyatt 2020). An underlying principle is that wildlife is arguably defined as a natural resource available for human exploitation, particularly in those countries that rely on revenues from animal tourism and sport killing (game and trophy hunting) and may use at least some of these revenues for wildlife conservation (Nelson et al., 2013; Lindsey et al., 2006). Other laws may also regulate the transport of animals, use of animals for clothing, use of animals in scientific experiments and possession of animal parts or derivatives including those derived from hunting and game activities. Laws may also distinguish between different types of wildlife; for example, between animals naturally occurring in the wild and living free and wildlife managed for game purposes.

Animal law thus attempts to do various things and offers different levels of protection to animals dependent on their status and the intended human use or relationship to animals. Accordingly, 'the law criminalizes deliberate individual acts of gratuitous cruelty towards most animals yet allows and even supports institutional cruelty of animals' (Schaffner 2011, p.3). Animal law thus has to contend with a range of issues concerning the legal social and biological nature of non-human animals. The status of animals which generally determines domesticated animals as the private property of their human or corporate owners is important (Deckha 2021). Thus, while laws such as the UK's Animal Welfare Act 2006 provide for a duty of care towards animals, which includes a requirement to consider the needs of the individual animal, they remain property. As a consequence, the harm suffered by animals is largely a harm visited on the 'owner' or person responsible for that animal. Thus, while laws may construct harm caused to animals or the illegal exploitation and killing outside of the exploitation permissible by law as a crime, such laws generally construct these harms as property crimes (including theft of state property in the context of trophies) or in respect of the commission of a prohibited act, rather than a crime in respect of the animal victim. Indeed, in many jurisdictions an animal cannot be legally defined as a crime victim due to not having legal personhood and as lawyer Stephen Wise states 'without legal personhood, one is invisible to civil law. One has no civil rights. One might as well be dead' (Wise 2000, p.4).⁵

⁵ The idea of legal personhood is essentially the concept that an entity should be treated as if it were a person and so is given rights that a person might claim. The idea has been applied to artificial and fictitious persons such as corporations. Legal personhood is not quite the same thing as human rights although there have been legal arguments raised in some court cases that non-human animals should

Animal law is accordingly 'quite diverse and cuts across every substantive area of the law including property, tort, contract, criminal, family and trusts; all jurisdictional boundaries – federal, state and international; and every source of law – constitutional, statutory, regulatory and common law' (Schaffner 2011, p.5).

2.2.2 Wildlife Law and Wildlife Crimes

The nature of wildlife crimes often relates to the commission of prohibited acts which are specified in legislation. Wildlife and animal protection law frequently includes the words 'knowingly' or 'recklessly' to discuss the extent to which a person knew or ought to have known that the actions they undertook would have harmed animals. UK law defines recklessness in respect of:

(1) a circumstance when they are aware of a risk that it exists or will exist; [or]

(2) a result when they are aware of a risk that it will occur.

The law then considers the extent to which in the circumstances known to the person committing the act it is unreasonable for them to take the risk (R v G [2003] UKHL 50, [2004] 1 AC 1034, at [41]). The Law Commission in its 2014 analysis of wildlife law identified that 'the concept of "recklessness" covers a wider range of knowledge and attitudes than the term "deliberate" as defined by the Court of Justice in Commission v Spain' (Law Commission 2014, p.68). In this case, the Commission identified that one reading of 'recklessness' could be that the concept criminalises *all* instances where 'it is established that the defendant knew about a risk of harm to a species and carried out the activity despite that knowledge (in circumstances where the court considers that it was unreasonable for the defendant to do so)' (ibid.). As a result, any harm to animals where there was some knowledge of the potential harm could create a risk of a court deciding that it was unreasonable to take the risk of harm. Indeed, the term 'knowingly or recklessly' is also included in some legislation as a phrase that reflects the fact that animal harm can be a result of either type of activity; something carried out by somebody in full knowledge of their actions and how they might harm animals, or an act that is carried out in a manner that is reckless as to the risks.

2.2.3 Criminology and Wildlife Crimes

The impact of consumerism and the media in respect to the corporate perspective on wildlife crime should also be considered. Daly and Cobb highlighted this issue in 1994 to discuss how crime occurs when the direct environmental harm and indirect human health issues were classed as economically unimportant, and these costs are often externalised or socialised to become part of the costs incurred by entities and individuals outside of the corporation in question. Such large corporations can be seen to have sway on political agendas and may form part of the reason why enforcing wildlife crime is not high on the Government agenda. Reports involving the links between human violence and animal abuse in the media can invoke control theory which is concerned with crime being prevented due to both formal and informal

be treated as legal persons in order to provide them with some benefits such as freedom from imprisonment and the right not to be kept in cages.

controls that operate within communities which causes the community to actively engage with law enforcement agencies as the crime is not tolerated (Nurse, 2013). Examples of such reports include Robert Thompson, the convicted killer of James Bulger, notoriously pulling heads off live birds as a child and the Railway Rapists of the 1970's and 80's, David Mulcahy and John Duffy, who murdered three women and raped or assaulted 12 more. Both were known to share a teenage fascination in tormenting animals (Cowan, 2005).⁶ DEFRA (2003) reported that 80% of the population of England live in non-rural areas. The issues and needs of this proportion of the population are better understood by policy makers than the rural population because of population density and existing measuring tools are more attuned to them (DEFRA, 2003).

From a criminological perspective, notions of victimhood are relevant as wildlife crime is sometimes described as a victimless crime; in part due to animals non-human nature. Norwegian critical criminologist Nils Christie developed the idea of the 'ideal victim' noting that 'being a victim is not a thing, an objective phenomenon. It will not be the same to all people in situations externally described as being the "same"' (Christie, 1986, p.18). Christie's conception identified that the 'ideal victim' is generally weaker than the offender; is considered to be blameless for what happened to them; is not known to the offender; has suffered from the behaviour of somebody who is clearly deviant; is not a threat to the dominant social norms and values. Christie's idea identifies that some victims are 'valued' more than others and criminology has considered some complex ideas around victim blaming and the extent to which, for example, children may meet the ideal victim criteria and be considered blameless and worthy of public sympathy, whereas 'others' (including criminals and those perceived as immigrants or 'others') might not or may be seen to have contributed to their victimisation. In principle, animals meet Christie's definition but with the unfortunate caveat that some forms of animal abuse and exploitation are legal and socially sanctioned, such as killing animals for food and within the confines of regulated sporting activity. Accordingly, the non-human nature of animals, their lack of a voice, and anthropocentric perspectives that legalise their killing contradicts the requirements of being Christie's ideal victim for most wildlife.⁷ It can also be argued that laws in place to protect non-human victims are not readily enforced as little importance is placed upon this and furthermore is seen as secondary to needs of humans (Lynch & Stretesky, 2007).

In contrast, Lynch and Stretesky argued in 2007 that "any analysis that examines the destruction or harm of natural forms or species that does not return to consider the impact both of and on humans has missed the point of the investigation altogether. In a world where species are connected, and the human species has by force come to dominate all others, it is always necessary to demonstrate how the destruction of one species encroaches on the

⁶ The link between animal cruelty and violent antisocial behaviour is now largely accepted by the scientific and law enforcement communities and policy circles (Linzey, 2009). At its basic level, law enforcement agencies have identified that *most* serial killers have a history of animal abuse and consider that animal abuse can be an indicator of future violent offending. This is often referred to as the Progression Thesis which essentially argues that offenders start by abusing small animals, progress onto abusing larger animals and eventually escalate to human violence (Beirne, 2004; Flynn, 2011).

⁷ Arguably companion animals who rely on humans would meet Christie's definition even if legally they are property rather than being accepted as crime 'victim' by the courts.

survival and historical path of other species, and how the action of the human species may lie behind this chain of events” (p.252).

The Environmental Crime Conference in 2009 confirmed that there is a growing interest in environmental and wildlife crimes, whilst also highlighting the limited resources available. Wellsmith (2011) said that the Conference in 2009 resulted in attention being paid to evidence gathering, identifying and prosecuting prolific and organised wildlife offenders. This resulted in a preoccupation that this method of enforcement would reduce the numbers of offences. She goes on to explain that deterrence would work in these circumstances for both the individual offender who would not want to commit further offences after being punished, and also the wider public who would be deterred from engaging in such criminal acts because of the threat of punishment. Wellsmith then argued ‘when enforcement is weak, such reductions will not ensue’ (2011, p.126). When considering deterrence through punishment coming from successful prosecutions and threats of such punishment, there must be a system that can be monitored. Although there are indications that wildlife crime is on the increase, there is a significant problem for law enforcement agencies and NGOs because the vast majority of wildlife crime offences are not currently being recorded by the police because the Home Office does not require them to do so (i.e., the majority of offences are not notifiable). Ministry of Justice prosecution statistics therefore have only limited meaning because there are no statistics indicating how many such offences occurred in the first place. There is no way of determining the relevant detection rates and subsequently deterrence because only the offences prosecuted are counted (EAC, 2012). The Home Office figures from a report released in 2005 relating to re-conviction rates show they are routinely in excess of 50% (Nurse, 2009). This would suggest that current deterrence methods are not working. Prior research (Nurse, 2009) has suggested that there are reasons for this: prison should be a highly unpleasant and tough experience and it is not succeeding in this; if crime is committed with rational choice and opportunity, that wildlife crime would be an easy option due to the lack of dedicated staff making apprehension unlikely; and the equally unlikely result of a prison sentence given the current debate surrounding the prison crisis.

2.2.4 Wildlife Crime Enforcement Policy

Wildlife crime policy has been the subject of prior review by Parliamentary select committee. In 2012 the Environmental Audit committee heard evidence that the increased poaching of rhinos, elephants and tigers was largely driven by the demand for illegal wildlife products in Asian countries, mainly China. In addition, analysis by IFAW indicated that antique ivory and rhino horn products were being advertised and sold on the internet in the UK and illegally shipped to south-east Asia and China. The Committee considered the need for the NWCU to be tasked and funded to monitor wildlife crime on the internet and also ‘the risk for funding for wildlife crime posed by future tough decisions on local police resources.’ Evidence from the (then) head of the NWCU contained in the Committee’s report states that:

The National Wildlife Crime Unit is funded from a number of different agencies, and a lot of the challenge that I have is to constantly look at securing the future funding, which takes me away from that day-to-day role of trying to address wildlife crime.

(Environmental Audit Committee, 2012)

The Committee commented that there was a need for a zero-tolerance approach with committed police resources to tackle the significant problem of wildlife crime given the numerous links between serious and organised crime and wildlife crime. This is a fact that had not changed in 8 years as the point was echoed in the Environmental Audit Committee's 2003-2004 report which also highlighted that it would be very short-sighted to refuse to accept wildlife crime as an issue that is deserving of committed police resources when consideration is given to the strong links identified between wildlife crime and serious and organised crime. Evidence for links between wildlife offenders and serious organised crime has come from many sources over the years including the NSPCC, WWF, TRAFFIC International and MSPCA among many other sources. Associated criminality has been found to include drugs, firearms, property, violence and disorder related (Environmental Audit Select Committee, 2012).

A key issue that has arisen in prior research on wildlife crime is the fact that wildlife crimes are not 'notifiable'. Simply put, this means that they are not crimes that the police are required to record data on, according to Home Office counting rules.⁸ As the majority of wildlife offences are not notifiable, the consequence of this is that they are not recorded on the Police National Computer as this is reserved for recordable offence convictions only (HSE, 2013). As a practical consideration this creates difficulties in determining how much wildlife crime takes place annually as wildlife crime falls outside of the national statistics. In addition this leads to an intelligence gap regarding offenders because data on wildlife crimes and prior wildlife offending are not always available to investigators. Given the strong links between animal offending and other serious criminality prior research has argued for the statutory recording of all wildlife crimes. One study found pet abuse to be concurrent in 88% of families under supervision for physical abuse of their children (Broidy, Nagin, Tremblay, Bates, Brame, Dodge, Fergusson, Horwood, Loeber, Laird, Lynam, Mofitt, Petit and Vitaro, 2003). Promoting animal welfare and preventing animal cruelty has benefits for society by creating an improved society living in harmony with the environment with a strongly institutionalised protection of universal civil liberties as well as preventing violence towards humans.

Roberts, Cook, Jones & Lowther (2002) stated in reference to the UK that there are currently many stakeholder agencies (statutory, enforcement and voluntary / campaigning) who are currently involved in combating or monitoring wildlife crime. Currently there is no national system in place to indicate which agency should take the lead in relation to the enforcement of wildlife crime, and this research considers this issue with a view to recommending improvements in the future of wildlife enforcement in the UK. To do this we consider the roles of the agencies involved and associated problems as part of our research.

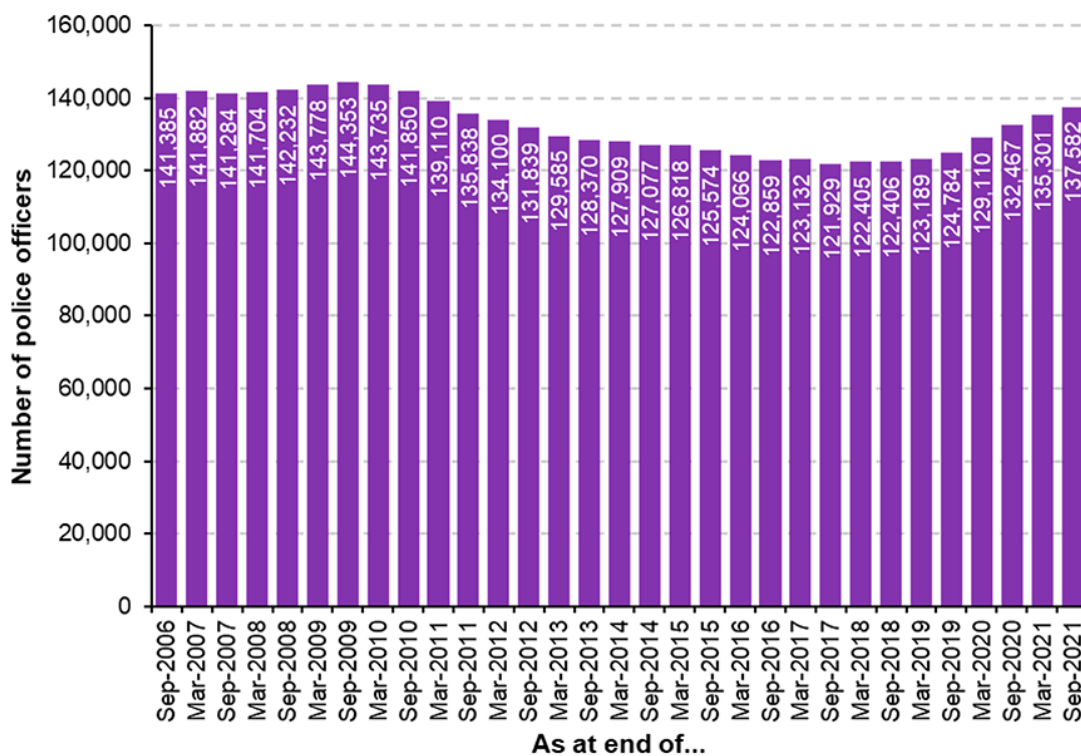
⁸ Potentially this is a complex issue as the term 'notifiable offenses' covers a wide spectrum of crimes, from minor thefts to homicide. But essentially it relates to Home Office Counting Rules that provide a national standard for the recording and counting of 'notifiable' offences recorded by police forces in England and Wales and that constitute 'recorded crime' (Gov.UK, 2013). As a result, offences that are not notifiable do not need to be recorded by police and so do not have their own category within official crime statistics. This is discussed in more depth later in this report.

2.3. Austerity Cuts in Policing

In 2010 the coalition government famously imposed severe budget cuts to policing in the UK because of austerity. The main impact of the budget cuts was a reduction in the numbers of police officers (see *figure 1* below). In 2010/2011 staff costs accounted for 82% of overall police spending. By 2016/2017 this had reduced to 77% (Morse, 2018).

Research on the impact of cuts to policing was first conducted by one of the research authors in 2013 as a response to initial reforms to policing. The research has been repeated in 2022 as part of this project to provide contemporary results and to help in understanding the impact of the long-term budget cuts faced by policing which continued beyond 2013.

In 2020 the UK Government implemented a new programme for police officer recruitment, the Policing Education Qualification Framework (PEQF) which included the requirement for a degree.⁹ The total number of new officers to be recruited is set at 20,000 which will not bring officer numbers back in line with pre-austerity levels (Welsh *et al.*, 2021. p.44). 13'576 of the 20'000 new officers had been recruited by 31/03/2022 (Home Office, 2022b) which is reflected in Figure 1 below.



⁹ The PEQF can be studied as a three-year undergraduate degree the Police Constable Degree Apprenticeship (PCDA) or as a two-year ‘conversion’ course for graduates, the Degree Holder Entry Programme (DHEP). A fast-track detective version of the DHEP is also offered by some providers. The curriculum for these degrees is specified by the College of Policing <https://www.college.police.uk/career-learning/policing-education-qualifications-framework-peqf>

Figure 1 shows the national statistics for police workforce numbers to September 2021 (Home Office, 2022a).

In addition to the budget cuts to policing over the last 12 years, there has been a significant change in the nature of crime that the police must respond to. For example, it is widely accepted that the availability of smart phones and wide internet use has created an increasing significant cybercrime demand to policing (Harkin et al., 2018; Wall and Williams, 2013). The Crime Survey for England and Wales reports an increasing proportion of recorded crimes being 'flagged' by police as online crime (Office for National Statistics [ONS], 2019), as well as creating wider and more complex lines of enquiry for most investigations. In addition to this there has been a large and sustained increase in the reporting of sexual and domestic abuse because of high-profile cases such as Operation Yewtree which resulted from the Jimmy Saville allegations around 2011.¹⁰ Changes in the policing response to abuse have also been implemented. This includes the introduction of multiagency safeguarding hubs in 2010 (Home Office, 2014), the formation of large public protection departments (Ford *et al.*, 2020), trauma informed policing and partnerships with non-governmental support agencies to ensure that victims and vulnerable persons are safeguarded and have access to relevant support to manage trauma and mental health responses to abuse (Home Office, 2014). With fewer police officers to manage traditional policing demands as well as the newer more complex demands, police forces have had to make decisions on their policing strategy resulting in reductions in some areas of policing that existed before austerity. For example, proactive policing has reduced, and most forces are now adopting 'fire brigade policing' which is mostly reactionary and utilise evidence-based and intelligence-led policing models to focus their attention on crime hot-spots (Reiner, 2012a). It is therefore possible that there have been changes to the policing of wildlife crime since the initial research in 2013.

In 2009, prior to the budget cuts, it was recognised that there were many competing demands on the police, but that wildlife crime is all too often neglected in favour of other issues (Gray, 2009). Over 100 organisations led by the RSPB said that wildlife crime was being overlooked as it wasn't being taken seriously enough (*Ibid*). There is a problem with wildlife crime being viewed with a lack of seriousness due to political impetus not allowing for wildlife crime to be high on political agendas (Wellsmith, 2011). Wildlife crime is a fringe area of policing that is commonly dealt with via administrative or civil law processes rather than the criminal justice system (Nurse, 2012). It is also one in which Non-Governmental Organisations (NGO's) play a significant part in exposure and investigation of wildlife crime (White, 2012; Nurse 2011).

2.4 Perceived problems in wildlife policing

Like many non-mainstream crimes, wildlife crime requires a specific tailored response often due to its covert and organised nature (Polner and Moell 2016). Without an appropriate way to enforce the law, there is little point in making changes to existing laws (Nurse, 2012). Wellsmith (2011) effectively summarises the problems facing enforcement of wildlife crime as:

- 1) Under resourcing and marginalisation

¹⁰ For further details see Lampard and Marsden (2015), Pitts (2015) and Gray and Watt (2013).

- 2) A large dark figure / true extent not known
- 3) Corruption
- 4) Crime not taken seriously (or not even viewed as criminal)
- 5) Overall lack of deterrent effect (which will be affected by points 1-4).

The reality is that some wildlife crime occurs as a result of externalities; the unintended consequences of a market and 'those costs avoided by an economic actor only to be imposed on others' (Stallworthy 2008, p.23). Other crimes occur as a consequence of deliberate choice where offenders are motivated to commit wildlife crime for personal gain or through other factors and motivations. The principle of wildlife as a resource available for human use and exploitation means that the lines between legal and illegal use of wildlife are often blurred (Nurse 2013) and legal protection of wildlife whilst robust in some respects is lacking in others (Donaldson and Kymlicka 2011; Wise 2000).

Akella and Allan argue that 'investments in patrols, intelligence-led enforcement and multi-agency enforcement task forces will be ineffective in deterring wildlife crime, and essentially wasted if cases are not successfully prosecuted' (2012: 11). Yet analysis of the literature and prior studies shows that wildlife crime has historically been seen and treated as a low-level offense and its increased sophistication involving organized crime and transnational operations has not been met with corresponding developments in effective enforcement. Evidence exists that effective enforcement in the form of intelligence and enforcement agency collaboration is not always supported by successful prosecutions or application of appropriate sanctions (Interpol, 2011). Instead, 'low conviction rates are endemic in wildlife crime cases' (Akella and Allan, 2012: 11) and inconsistency in sanctions and the failure to utilize asset recovery mechanisms are also perceived as problems (ibid.). Such problems are not confined to Global South countries and previous research suggests they are an integral feature of wildlife law enforcement (Wyatt, 2013; Nurse, 2012; Zimmerman, 2003).

In practice, the resources allocated to wildlife crime enforcement in the UK are largely at the discretion of the individual Chief Constable as a 'local' issue. Wildlife crimes are not dictated by the Home Office as being a policing priority and so the resource allocation varies from force to force as does the level at which it is considered within the force. Analysis of how the Wildlife Crime Officer role is implemented (Nurse, 2015; Harding, 2013; Kirkwood, 1994) demonstrates the variety in implementation of wildlife crime enforcement within police forces. The lack of full-time officers at middle management level within a number of forces means that wildlife crimes can sometimes be regarded as low priority compared with other priorities within the force. Past research has also identified difficulties experienced by NGOs in ensuring that the police investigate and gather sufficient evidence to ensure that wildlife crimes are routinely charged and prosecuted consistently across the UK (Nurse, 2015). In practice this means that however vigorously NGOs pursue wildlife crimes and encourage the police to investigate cases there is always a danger that in some areas, wildlife crime will be seen as a minor or low priority issue.

2.5 Responding to Wildlife Crime

Wildlife crime's policy response falls within the remit of the Partnership for Action Against Wildlife Crime UK (PAW UK), a UK wide partnership that brings together statutory and non-statutory bodies cooperatively to effectively tackle wildlife crime (Department for Environment, Food & Rural Affairs n.d). There are three main objectives when it comes to PAW's approach, these are to.

- Advise on wildlife crime and regulation issues.
- Ensure that current practices tackling wildlife crime are effective and impactful.
- Raise the awareness of current wildlife crime legislation and the impact of wildlife crime in which to enhance the understanding of the public alongside the police service.

(ibid)

PAW UK's main function is to act as a consortium of specialist organisations with a vested interest in fighting, reducing, and identifying wildlife crime. The body is also keen to ensure police forces are fully aware of methods and procedures they can utilise to best combat wildlife crime, the partnerships within PAW UK allow for cross discipline teaching and guidance (Forensic Working Group 2014).¹¹

Within the policing response the National Wildlife Crime Unit (NWCU) assists in the prevention and detection of wildlife crime in the UK. The NWCU utilises information from a wide range of sources to assist the police conducting wildlife crime investigations, while also identifying local and national threats in wildlife crime activity (National Wildlife Crime Unit – About n.d.). The NWCU is also responsible for conducting strategic assessments which lay out a base of recommendations that goes directly to the UK Tasking and Coordination Group (UKTCG) which is overseen by the NPCC lead for wildlife crime (ibid). Due to the widespread nature of wildlife crime the NWCU seeks guidance from two angles. The first is wildlife conservation assessments from the Wildlife Crime Conservation Advisory Group (WCCAG), comprised of bodies such as DEFRA, TRAFFIC and the Environment Agency (National Wildlife Crime Unit – How do we priorities n.d.). The second is police recorded data and reports on wildlife crime activities within the UK, to provide an extensive picture of the known ongoing and trends (ibid). Therefore, from this the strategic priorities for wildlife crime are informed by the threat posed to conservation, and highest volume of crime types being committed.

As of 2022 there are seven key areas of wildlife crime which are considered priority within the UK. These are:

- Badger persecution.

¹¹ While it is beyond the scope of this research to assess the effectiveness of PAW or the merits of PAW within structural arrangements for wildlife crime, within our analysis of the literature we note that Wildlife and Countryside Link has recommended that 'as a matter of urgency, the PAW (Partnership for Action against Wildlife Crime UK) group should adopt a more active role in developing strategies to advance wildlife crime responses in England and Wales' (Gosling, 2017: 5).

- Bat crime.
- CITES issues which are currently European Eel; Illegal Trade in Raptors; Ivory; Medicinal & Health Products; Reptiles; Rhino Horn and Timber.
- Freshwater pearl mussels.
- Poaching.
- Raptor persecution.
- Cyber enabled wildlife crime.

(National Wildlife Crime Unit – Current UK Priorities n.d.)

Traditional critiques of wildlife crime enforcement come in the form of arguing for tougher sentences for offenders (Wellsmith 2011), albeit evidence suggests that the UK government is developing a harsher stance on responding to wildlife crime and animal abuse. For example the new Glue Trap (Regulations) Act (2022), the Animal Welfare (Sentencing) Act (2021), and the development of a new action plan to respond to wildlife crime indicate increases in sentencing options. However, research indicates that it is often in the enforcement of wildlife laws that problems exist, rather than in legislative deficiencies (Nurse, 2015). Wellsmith (2011) also goes on to discuss that while specialist positions and bodies exist (such as Wildlife Crime Officers and the NWCU) they are vastly underfunded and unprioritized (something discussed in the United Nations report on the UKs wildlife crime response). The reality is that often the role of Wildlife Crime Officer only exists in tangent with the day to day work the police officer must undertake anyway, and the NWCU does not have the capacity or reach to truly effectively combat wildlife crime (ibid).

Furthermore, previous research (Nurse, 2011) highlights that while wildlife crime policy has predominantly been dominated by a culture of detection and apprehension, important aspects such as prevention prior to the criminal offence has fallen into the background. While interventions in other criminogenic behaviours to act as a preventative technique seems to be present in other forms of criminal activity, this does not seem to be the case for wildlife crime. Arguably while wildlife crime is acknowledged as an important issue, the response can only be as strong as the collective knowledge policing bodies have on the issue (Nurse, 2013). The lack of knowledge most police officers have on the area of wildlife crime, which detrimentally impacts the response and strength of investigation, is a factor and the overall response to wildlife crime is very depended on available police resources (Nurse, 2013).

Overall, research analysis of the available literature identifies that the main issues with the policing response to wildlife crime can be compartmentalised into four categories:

- Lack of resources.
- Inconsistency of legislation (post-Brexit the UK has the opportunity to recentralise its legislative response on wildlife crime by replacing EU law with new regulations such as COTES).
- Inconsistency in sentencing.
- Lack of police priority and an inconstant response in policing approaches (the diverse range of forces in the UK that are either mainly rural such as Devon and Cornwall, or mainly urban such as the Metropolitan police force).

(Nurse 2015, p.113)

In 2021 the United Nations (UN) conducted an extensive analysis into the UK's response to wildlife crime overall. The report can be broken down into three main sections regarding response, legislation, enforcement and prosecution. The report also makes very specific and tailored recommendations regarding each of these sections, the list is very exhaustive so this review will only include some key considerations put forwards regarding each stage of the policing process. The report's legislative recommendations are to:

- Review and clarify the exemptions within the Hunting Act (2004) to provide clarity to law enforcement.
- Review of how legislation across the UK aligns with the wildlife crime priorities laid out by the NWCU.
- Conduct an extensive review of COTES Regulation (2018).

(United Nations Office on Drugs and Crime 2021)

The report also makes critical recommendations regarding enforcement however these are directed towards the five main bodies that encompass enforcement activities. These are the NWCU, The UK Border Force, all Police Forces within England, Wales, Scotland and Northern Ireland. Regarding the NWCU, the report recommends action to:

- Increase funding for the unit and ensure funding is on a fixed basis with the Home Office.
- Expand the unit with more staff, international connections, and representation in regard to the unit's function and role.
- Develop standardised training for UK and UK-overseas law enforcement, as well as wildlife crime accredited training.
- Liaises with CPS and other partners to investigate why some cases do not face prosecution.
- Develop localised intelligence responses that work directly with local police forces and units.

(ibid)

Regarding the Border Force, the UN report recommends action to:

- Expand the amount of CITES officers and rotate border force officers through the CITES unit to ensure a robust knowledge of wildlife crime among border force officers.
- Expand international outlook on countries with new or current wildlife crime hotspots.
- Enhance the border force's access to intelligence resources and remit on international efforts against wildlife crime.

(ibid)

The report also makes recommendations for each police force division across the UK, divided into England and Wales, Scotland and Northern Ireland. For England and Wales, the report suggests action to:

- Expand forensic analysis to include communications devices.
- Review current training model in place for police officers regarding wildlife crime, and review issues faced by wildlife crime officers such as caseloads and succession.
- Expand the knowledge base of wildlife crime officers and increase the number of qualified investigators tackling wildlife crime.

(ibid)

Regarding Police Scotland, the report recommends action to:

- Enhance the proactive monitoring of online platforms used to traffic wildlife.
- Create wildlife crime intelligence and analyst officer positions.
- Increase the usage of detectives in combating wildlife crime as well as monitoring and measuring its impact and scale.

(ibid)

Finally, for the Police Service Northern Ireland, the report makes only one recommendation, and that is:

- To establish an intelligence analyst position within the wildlife crime liaison unit within the police service Northern Ireland.

(ibid)

Alongside recommendations put forward to the legislative and enforcement of wildlife crime, the report also highlights some key points to consider regarding the prosecution of wildlife crime. In summary, these are:

- Increase expertise and knowledge on wildlife crime issues by involving partnership organisation such as specialist NGO's.

- Establish two full time lawyer positions to act as subject experts for prosecuting wildlife crime.
- Overall review of the powers at disposable to tackle wildlife crime, such as dispersal orders and restraining orders.
- Enhance information sharing between all four jurisdictions, through aspects such as shared training and internal reviews.

(ibid)

Alongside these recommendations, the UK was praised for its overarching policy and policing structure in which to tackle wildlife crime, setting it as an example for international best practice (Department for Environment, Food & Rural Affairs and Pow 2021). The UK government accepted the UN's report and stated that it would review the recommendations put forwards and make changes and investments where possible (ibid). Overall, the UN's analysis is key in placing the UK's wildlife crime response into perspective whilst identifying areas for improvement and development.

3. Methodology

Our project is a mixed methods study at the intersection of legal studies and criminology. The first step of the research was to conduct a literature review of UK wildlife crime and discourse on UK wildlife law. This included academic sources, but also grey literature and policy documents from UK and international NGOs, the UN, and high-level national government forums and specialist groups (e.g. EU Action Plan against Wildlife Trafficking, Wildlife and Countryside Link). To assess whether wildlife crime has been effectively integrated into UK policing policy and adequately reflects international wildlife protection law we identified the following tasks, which we have broken down by our objectives.

Tasks for Objective 1: Doctrinal analysis of UK wildlife crime case law and literature review on UK wildlife crime. Critical analysis of changes in law since the Law Commission's 2015 report and analysis of any perceived loopholes in law. Digital interviews (10-25 intended) with NGO staff and academics concerning the current state of wildlife law and to identify issues in investigating cases.

Tasks for Objective 2: Questionnaires to all UK police forces and PCCs, updating the Co-investigator's previous research which assessed the impact of austerity cuts on wildlife crime policing. Collection of data on current levels of wildlife crime and analysis of prosecutions data.

Tasks for Objective 3: Literature review and content analysis on devolved wildlife law and legislative changes in the devolved regions of the UK. Digital interviews with NGOs, academics and policy professionals on changes to wildlife law.

The sample of our interview participants was purposive as we targeted people with a specific knowledge set. In conducting interviews, we also aimed for equal gender representation as well as voices from different parts of the UK (e.g. we conducted interviews aimed at engaging with NGOs that focus on Scotland, NI and Wales).

3.1 Questionnaire Research

Questionnaires were compiled to assist in understanding the current position for wildlife policing in the United Kingdom (UK). The questionnaires were sent out to every police force in the UK for completion by one wildlife crime officer (WCO) and also to every Office for the Police and Crime Commissioner (OPCC).

Self-completion questionnaires were constructed in a short, structured and easy to follow manner (Bryman, 2012) using Microsoft Forms for the 2022 research and MS Word for the 2012 research. Separate questionnaires were constructed for police officers and for PCCs to ensure that questions were relevant to the roles. This method of data collection was favoured as the interview process is time consuming and respondents may have been less likely to engage (*Ibid*). Questionnaires can be completed during a convenient time for the recipient (*Ibid*) and policing can create unpredictable pressure on the time of the officers due to its nature. It also keeps the cost of the data collection down (*ibid*). Interviews with fewer recipients were arranged separately aimed at a wider cohort across the UK response to wildlife crime (see following section) and this ensures that the risk of achieving a lack of depth in data from questionnaires is mitigated (Denscombe, 2003). The richness of experiences shared in interviews could also make the data unsuitable for generalisation due to non-standard responses and the resulting complex analyses required (Denscombe, 2003). The questionnaires comprised largely of closed questions to reduce the risk of respondent fatigue and confusion due to the absence of an interviewer to clarify any ambiguities (Bryman, 2012). Closed questions tend to provide short responses and are useful for clarifying specific points as well as removing any bias caused by an interviewer (*Ibid*). Questionnaires are pre-coded and data immediately ready for analysis which is preferable for the available time scales set for this research and the associated costs (Denscombe, 2003). There were areas on the questionnaire where it was possible for recipients to make their own comments if they wished, to add to the richness of the data.

In 2013, contact was made with each police force using publicly available phone numbers (i.e. those published on force websites). The nature of the research was explained and a request made to make contact with a WCO who would be in a position to respond to the questionnaire. Once individuals were identified, email details were exchanged, and all relevant information was sent electronically to the respondents.

A mixture of phone calls and emails were made to every Office of the Police and Crime Commissioner depending on what information was available on their website. The nature and scope of the research was explained and the relevant information and questionnaire subsequently sent via email.

Both Police forces and PCCs returned completed questionnaires via email within a set timeframe.

In 2022, initial contact was made with each police force via their general electronic contact method as this was the only option for general enquiries. The research was explained, and a request made for contact with a WCO to whom we could send the research information and link to the police questionnaire. Email contact was then made with all identified WCOs that included the research information and link to the police questionnaire. Research information included assurance that all responses would be anonymous in line with research ethics, information was supplied on how to withdraw data from the study, what the data was to be used for and signposting to support agencies if required. Contact details for the researcher were also provided to allow for timely responses to any queries.

The same method was used to contact each OPCC, and an email was then sent to all identified recipients with the research information and link to the PCC questionnaire.

In 2022, all recipients were asked to respond within a three-week deadline. Due to a low response rate, reminder emails were sent out and a further three-week window allowed for any further responses.¹²

3.2 Semi-Structured Interviews

Semi-structured interviews with NGOs, academics and one police officer involved in wildlife crime were conducted as part of this research. We conducted nine interviews with a mix of male and female academics and NGOs including participants with region specific expertise (i.e. Scotland, Wales, Northern Ireland).¹³ Each of our interviews commenced with an explanation of the scope of the project, and clarification of what it did and did not cover. Participants were asked a core set of questions concerning their involvement in wildlife crime, views on the public policy and enforcement response to wildlife crime in the UK, knowledge of current levels of UK wildlife crime and on the adequacy of resources for wildlife crime enforcement as well as on the adequacy of UK wildlife law. In addition to the core questions, participants were invited to express their views on how wildlife crime enforcement might be improved and to also add any additional issues or comments they wished the research team to consider. Participants also directed the research team to relevant publications/reports and to case law that illustrated particular issues of relevance to wildlife crime. Later sections of this research report summarise the information obtained during the interviews. Interviews are reported on anonymously in this research report in compliance with the requirements of our ethical approval.

3.3 Ethical issues

Empirical research conducted by research staff at Nottingham Trent University and the University of Gloucestershire is subject to first obtaining ethical approval relevant to the research being conducted.

¹² A further reminder was subsequently sent out although the response rate remained lower in 2022 than 2013.

¹³ Our police participant 'opted in' to the research interviews and volunteered an interview to supplement the questionnaire.

This research was reviewed by the School of Social Sciences Research Ethics Committee at Nottingham Trent and ethical approval was granted before any field research was conducted. Our ethical approval covered: compliance with data protection regulations on accessing, storage and retention of data; ensuring consent for collection and use of any personal data; ensuring that all research participants were fully informed on the nature and parameters of the project and provided informed consent to participate before interviews could be conducted. Our ethical guidelines also dictated that considerations outside of the research focus should not be taken into account in how the data are presented or disseminated. Our research further adhered to the British Society of Criminology ethical guidelines.¹⁴ University of Gloucestershire ethical approval was obtained for questionnaire research.

4. Overview of UK Wildlife Law

The UK is bound by certain international legislation which provides a framework for national wildlife protection legislation. However, there is variation in the level of protection afforded to wildlife in different parts of the UK. Regional and international law also identifies requirements for legislation to address certain wildlife crimes, particularly those involving the trade in endangered Species and protection of habitats (Nurse, 2015). When considering reform for simplification to existing wildlife legislation, requirements under international laws need to be considered alongside obligations to enforce these laws.

4.1 Wildlife and Countryside Act 1981

The Wildlife and Countryside Act 1981 (as amended) is a key piece of legislation providing general protection for wildlife in the UK. The Wildlife and Countryside Act (1981) (WCA) aligned with the introduction of the European Union's (EU) procurement of the Bird Directive, aiming to enhance the protection of all European wild and native birds (European Union 2019). The WCA aimed to meet this objective of the protection of wild birds, criminalising the killing, injuring, or 'taking' of wild birds as defined under Section 27 of the WCA. The WCA also criminalised the possession of any wild bird or wild bird eggs either dead or alive if they were procured unlawfully either under the WCA or under contravention of the Protection of Birds Act (1954). The application of joint enterprise can also be functional here if the wild bird/eggs are found to be in the possession of multiple occupants. The WCA also goes further to protect a large number of animals from acts that may either lead to or directly cause them harm, the regulation of methods used such as traps, pesticides and poisoning are covered under separate forms of legislation. The WCA also aims to enhance the protection of native species by prohibiting the release or escape of animals considered non-native to Great Britain. This was especially in reaction to previous incidences such as the introduction of the grey squirrel (*Sciurus carolinensis*) and the role this played in the decline of the native red squirrel (*Sciurus vulgaris*) population across the UK (Harrop 1997).

The WCA also went on to increase the number of designated sites and habitats under protection due to their prescribed identity as areas of natural conservation, sites of special scientific interest (SSSI), areas of natural beauty/countryside, and national parks. In regard to

¹⁴ The British Society of Criminology's guidelines are available at: [CodeofEthics.pdf \(britsocrim.org\)](https://www.britishec.org/codeofethics.pdf)

wildlife crime the SSSI are upheld as areas of biological diversity renowned for their significant population of taxonomic groups of protected species and natural habitats. Last (1999) has suggested that this was to deflect the threats to habitats brought on by the agricultural industry, the increased management and overarching conservation has led to an increase overall protection of wildlife from a diverse range of threats. The WCA has been used as a platform and basis of extending various forms of legislative protection of wild animals (and plants) from harm, destruction and disturbance.

4.2 Other legislation

While it is beyond the scope of this report to provide a comprehensive analysis of wildlife law, Table 2 provides an overview of key provisions relevant to wildlife crime discussion and analysis.

Table 2 – Legislation Overview

Legislation/Policy	Description
Deer Act 1991	Reformed the Deer Act 1980 and introduced protective regulation relating to the safeguarding of all six deer species present in the UK. The Act set closed seasons for all six species making it a criminal offence to take or kill any deer within this season, the legislation also banned use of specific weapons and articles in which to trap, snare, or poison deer. The Act made it illegal to hunt deer at night. Exceptions to offences permitted in some circumstances e.g. where the deer is on private land, where the deer poses a threat to public health and safety, and also where the deer becomes invasive to natural habitats and heritage (in England).
Protection of Badgers Act (1992)	Consolidates badger protection and creates offences in respect of: <ul style="list-style-type: none"> • Killing, injuring, or taking of a badger. • Ill-treatment or cruelty to a badger. • Interfering with a badger sett (home) by causing damage, destruction, obstruction, or forcing a dog to enter a sett (highlighting the involvement of dogs in badger baiting).

	<ul style="list-style-type: none"> • Sale or possession of a live badger. • Marking or ringing a badger (e.g., attaching a tag or other forms of marking devices).
Wild Mammals (Protection) Act 1996	Makes it a criminal offence if any person inflicts or is intent on inflicting suffering on a wild mammal through methods such as mutilation, kicking, beating, impaling, stabbing, burning, stoning, crushing, drowning, dragging, or asphyxiating. A possible defence exists if the offence can be argued as a method of mercy-killing or carried out for the control of pests.
Protection of Wild Mammals (Scotland) Act 2002	Bans the use of dogs in hunting wild mammals such as foxes, mink, hares and deer. Contains exceptions in respect of stalking and flushing from cover, use of dogs in falconry and shooting and searching for a wild mammal with no intention of harming that mammal.
Hunting Act 2004	Bans the use of dogs in hunting wild mammals such as foxes, mink, hares and deer, however it does not ban the use of dogs in the hunting process (such as flushing out and finding wild animals).
Wildlife and Natural Environment (Scotland) Act 2011	Provides protection for Scottish wildlife and specifies prohibited methods of taking or killing wild birds and specially protected animals. The Act amends earlier environmental legislation, including the Wildlife and Countryside Act 1981 and the Deer Act 1996.
Control of Trade in Endangered Species Regulations 2018	Implements the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The UK's earlier COTES Regulations implemented Council Regulation (EC) No 338/97. Following the UK's departure from the EU new COTES regulations were implemented.

These legislative provisions provide for general protection for wildlife whilst also creating specific offences in relation to prohibited methods of taking or killing wildlife and restricting the extent to which wildlife can be exploited. Accordingly, the investigation and enforcement of wildlife crimes relates to identification of specific offences and proving both the *actus reus* and relevant *mens rea* of the offence (Horder, 2016).

5. Police Research Results 2013

In the 2013 survey, 38 out of 44 forces (86%) responded, four did not engage at all and two responded to say that they did not have any Wildlife Crime Officers.

5.1 Budget changes and changes in reported crime

Responses indicated that in 2013 the policing budget for wildlife crime had not increased in the preceding five years (see figure 2), however 63% of respondents stated they perceived that wildlife crime was increasing (see figure 3). Fifty percent of police forces noted a decrease in available budget for wildlife crime over the preceding five years. Some respondents noted that it was a not just wildlife crime that was experiencing a decrease in available budget, it was a problem across all aspects of policing. Forty-two percent of police forces said that the budget for wildlife crime had remained the same over the preceding 5 years. The majority commented that they had never had a budget dedicated to the policing of wildlife crime. Eight percent of police forces said that they had seen an increase in the available budget for policing wildlife crime, however it was noted that this had been secured from agencies outside of policing.

Figure 2 – Changes in available budget for wildlife policing between 2008 and 2013 as reported by wildlife crime officers.

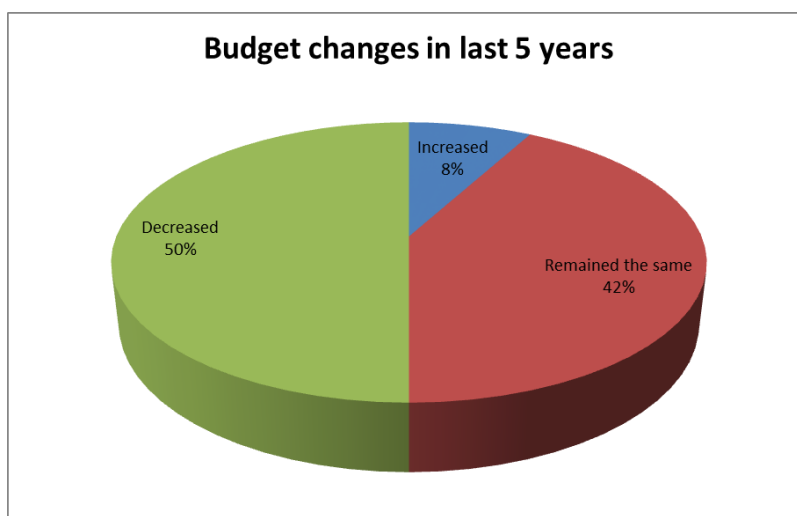
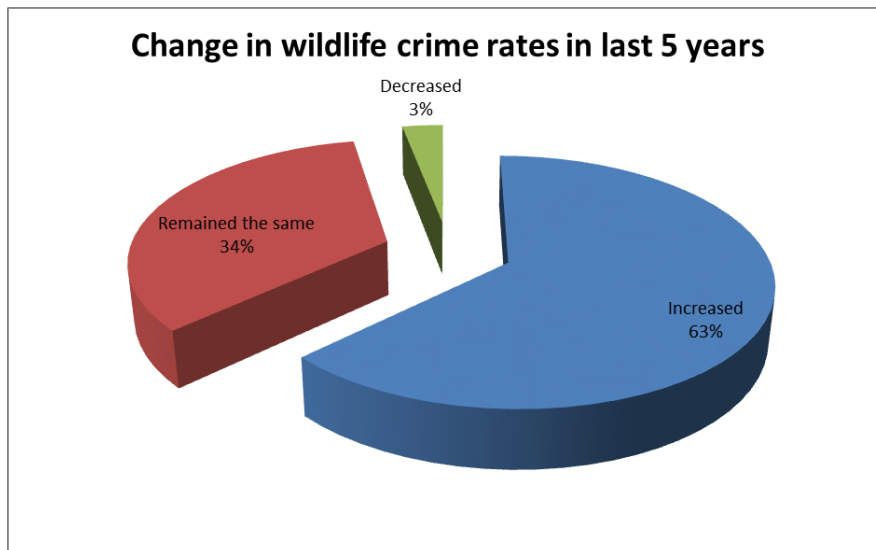


Figure 3 – Changes in volume of Wildlife crime reported as perceived by wildlife crime officers in 2013



5.2 Dedicated or part-time staffing

Fifty-eight percent of police forces had voluntary WCOs who perform the role alongside their other police duties. Five percent of police forces had no WCOs at all. Just over a third of police forces have a WCO who is dedicated to the role, however one of these police forces had a WCO in a strategic position who would not get involved in investigations but no other WCOs. Another dedicated WCO reported that their role was soon to be discontinued and there would soon be no dedicated WCO. The exact number of WCOs per force was not ascertained. Figure 4 shows whether each force adopts a full-time WCO approach to policing wildlife crime or whether they have trained WCOs who are not dedicated to the role but perform wildlife policing duties alongside their permanent role in other area of policing.

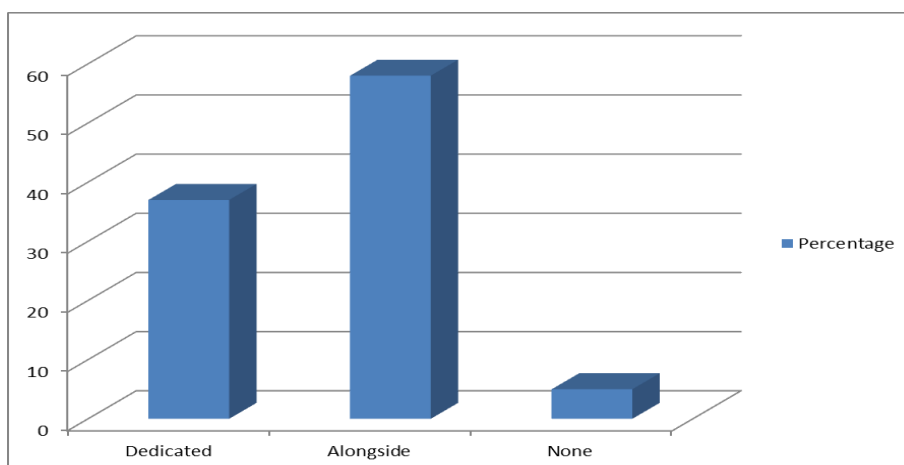


Figure 4 – Do forces have full time wildlife crime officers or do they have staff trained who perform the role alongside a separate day job?¹⁵

Of the police forces with dedicated WCOs, the majority thought that they had enough staff to deal with wildlife crime, whilst those officers who performed the role of WCO voluntarily alongside their other police duties felt that there were not sufficient numbers of staff dealing with wildlife crime. Most police WCOs dedicated to their role stated that the coalition government budget cuts had not affected their role, while they also commented that they did not receive sufficient specialist training. The voluntary WCOs performing their role alongside other police duties were more evenly split in their views as to whether the budget cuts had affected their role and, in their views, regarding whether they had received enough specialist training.

WCOs, regardless of whether they are dedicated to their role or not, do not believe that wildlife crime is treated with equal importance to more traditional offences such as rape, robbery, and burglary however all WCOs said that it should be treated with equal importance and further state that wildlife crime offending is strongly linked to other forms of crime including theft related offences, drug offences, violence, firearms offences and sex crime. None of the WCOs thought that wildlife crime was always treated with the same importance to that afforded to more traditional types of crime such as burglary, robbery, and rape, with 71% saying it was never treated with the same importance, yet 95% of the WCOs stated that wildlife offending had strong links to theft related offences and 32% believed that wildlife offending was linked to sex offending. Figure 5 shows the breakdown of offences thought linked to wildlife crime by the WCOs. One hundred percent of the wildlife liaison officers said that wildlife offending was linked to other forms of traditional serious criminality, and 89% said that wildlife crime should be afforded the same priority as more traditional types of crime.

¹⁵ NB the exact numbers of individual trained officer whether full time wildlife crime officers or doing the job alongside a separate policing role has not been ascertained and does not form part of these data.

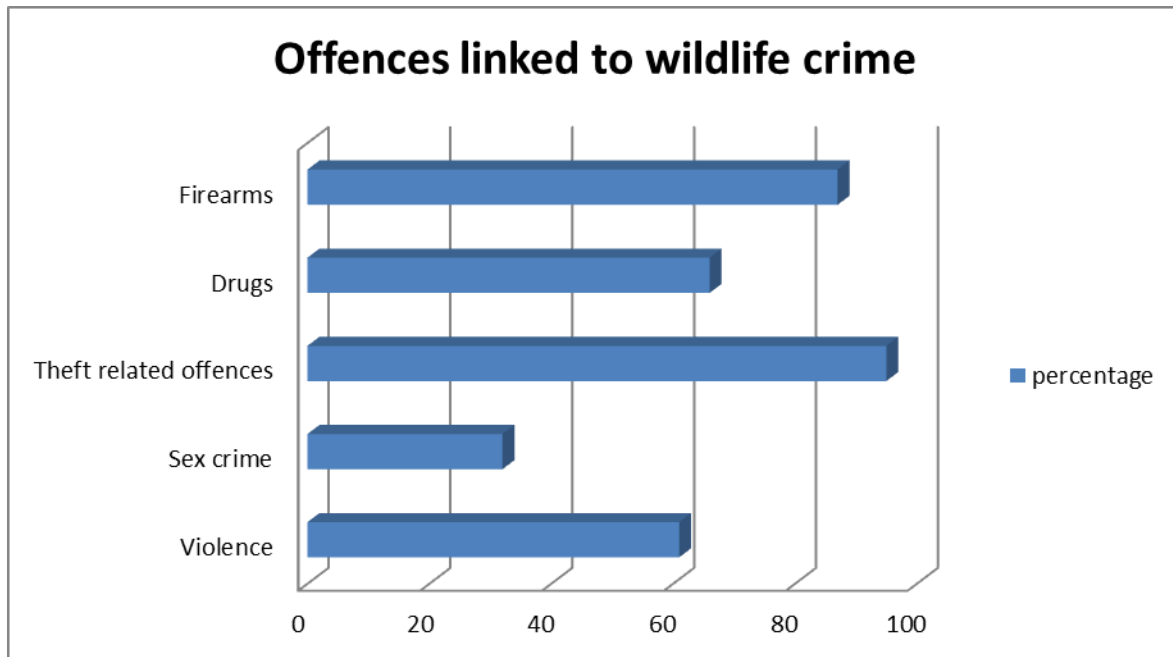


Figure 5 – Crimes that are linked to wildlife crime from the operational perspective of UK wildlife crime officers.

Nearly all of the WCOs work in partnership with non-governmental organisations on a regular basis, and a small number rely on NGOs to investigate and prosecute wildlife offences. There were a similar proportion of police forces with dedicated WCOs and voluntary WCOs working alongside their other duties that depended on NGOs to prosecute wildlife crime. Of the forces depending on NGOs to lead on the enforcement of wildlife laws, insufficient numbers of WCOs in force, insufficient training and insufficient funding for wildlife crime were also common trends. NGOs were heavily relied on for their expert evidence and to ease the financial pressure of expensive investigations such as those requiring DNA testing for example.

WCOs, regardless of whether they were (operationally) dedicated to their role, said that wildlife crime is seen as being important to the public, but that the government and senior management within the police did not share this view (see figure 6). Similarly, the majority of WCOs said that they did not receive strong leadership regarding wildlife crime from their senior management team or police and crime commissioner.

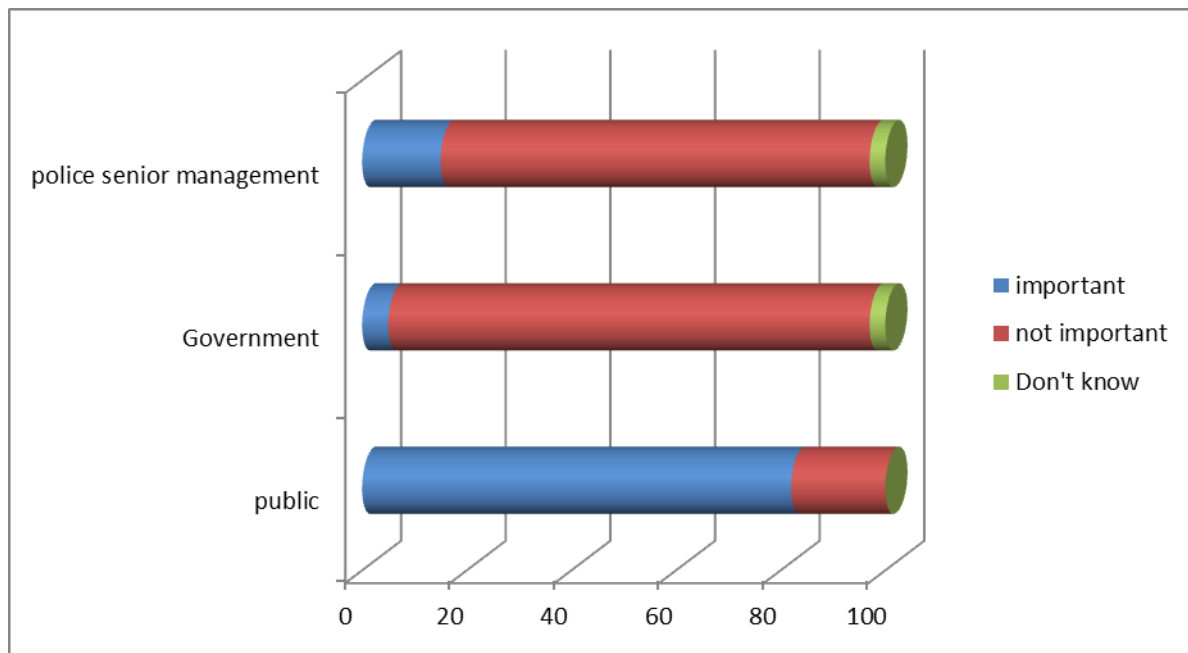


Figure 6 – The perceived importance of wildlife crime to Police leadership, government and the public in 2013.

When asked what improvements could be made to the policing of wildlife crime, nearly all WCOs said that wildlife offences should be made notifiable and that there should be more dedicated WCOs (see Figure 7). A larger budget to address wildlife crime and a structured national system to respond to wildlife crime were also strongly favoured responses. WCOs placed the least importance on simplification and changes to existing legislation for wildlife offences, although the majority did say that changes would be beneficial.

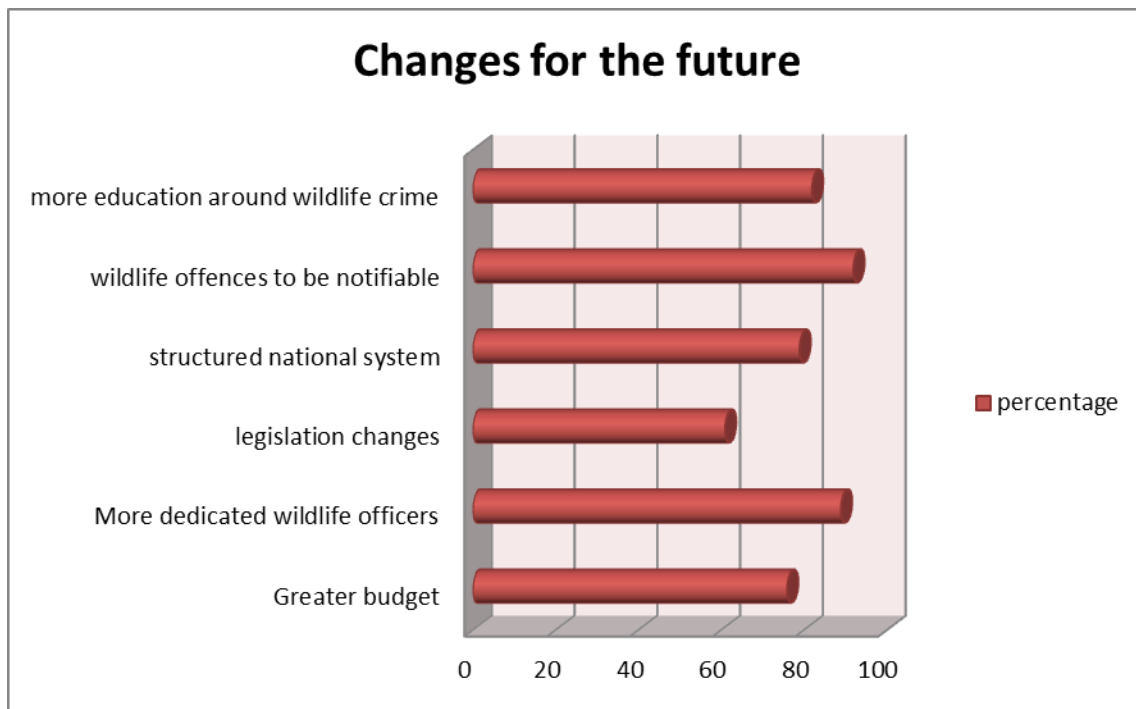


Figure 7 illustrates the percentages of WLOs who thought each of the factors were important for the future of wildlife policing in the UK.

6. Police Research Results 2022

Twelve of the 41 Offices for the Police and Crime Commissioner responded to the 2022 survey (a return of 29%). Sixteen of the 43 police forces responded to the 2022 study (a return rate of 37%).¹⁶

6.1 Voluntary or full-time Wildlife Crime Officers

Four Police Forces (25%) have wildlife crime officers who undertake this role on a voluntary part time basis alongside their full-time policing role.

The remaining 12 forces (75%) stated that they do have dedicated wildlife crime officers however 11 of these forces went on to say that the dedicated wildlife officer role is grouped in with rural crime more generally. It has not been established how much time is spent dealing with wildlife crime versus the more traditional types of crime such as theft and burglary that affects rural communities.

Police forces were asked how many full-time wildlife crime officers they had. Eight (50%) responded that they did not have any. Due to the nature of the wording of the question, this indicates that some of the dedicated wildlife crime officers may not work full time hours or are

¹⁶ While the response rate is lower than responses for the 2013 survey it falls within our margin of tolerance for the research.

not deemed full time in that role due to the demands from other types of crime within the rural crime area of business.

Two forces stated they had one full time wildlife crime officer. Of these, one of the forces has a further nine WCOs performing the role voluntarily alongside their separate full time policing role and their full time WCO is a civilian co-ordinator. The other force had no further WCOs. One force has two full time wildlife crime officers and no further staff trained on a voluntary or part time basis. Two forces have five full time wildlife crime officers. Of these, one force has a further 75 officers who are trained WCOs who do the role voluntarily alongside separate policing duties. The other force has a further 12 Officers trained in the voluntary capacity alongside other duties. One force has seven full time wildlife crime officers with a further 68 trained WCOs performing the role part time voluntarily alongside other policing duties. One force has eight full time WCOs in a dedicated wildlife and rural crime team with no further officers trained to undertake the WCO role on a voluntary basis. One force has nine full time wildlife crime officers with a further two trained WCOs who undertake the role voluntarily alongside another policing role.

Forces have highlighted that some of their staff may be civilian staff (such as PCSO's, intelligence officers or event planning officers) however a specific breakdown of the rank and role of each staff member was not specifically requested on the questionnaire. Of the forces providing data for the numbers of full-time wildlife crime officers, it is not clear whether the wildlife crime specialism is shared with a more general rural crime specialism.

Of the forces who stated that they do not have any full time WCOs, they did report having WCOs who undertook the role alongside other policing duties and numbers ranged from six WCOs to 45 WCOs. The mean is 23.5 WCOs. There were comments from some respondents indicating that not all of the voluntary WCOs are still operational as they haven't received training for several years.

A further police force stated that they have an intelligence officer (police staff) dedicated to wildlife crime and they have 100 WCOs listed as trained who work in unrelated roles around the force. It was noted that only approximately 25% of the 100 trained officers are available to assist with investigations if required.

Five respondents from police forces agreed or strongly agreed that they had sufficient numbers of WCOs in their force. These forces either had a dedicated rural and wildlife crime team or above average numbers of WCOs or both. Due to research ethics requiring anonymity, it is not possible to consider the geography of the forces who felt that their WCO staffing was sufficient as an influence on these data.

One respondent neither agreed nor disagreed that they had sufficient numbers of WCOs however commented that there is an argument for more WCOs to be trained or to undertake the role on a full-time basis (this force only having one dedicated WCO).

Nine (56%) forces disagreed or strongly disagreed that they had sufficient WCOs. One force stated that if their WCOs were dedicated to the role and not having to juggle their commitments with other police duties they may have sufficient numbers, however their current set up is not sufficient and they commented on a lack of understanding from other departments which impacts on resilience to deal with wildlife crime. Another force commented that they had lost

WCOs from the role recently due to job changes, retirements, promotions etc. and that it was difficult to get funding to train new staff to recover their numbers. This indicates that wildlife crime is not a priority business area for these forces.

6.2 Wildlife Crime resources

Four forces state that funding for wildlife crime has increased over the last five years. All of these forces report having full time dedicated WCOs or rural crime teams and three of these forces agreed that they had sufficient numbers of WCOs with the fourth neither agreeing or disagreeing that they had sufficient numbers of WCOs. Three of these forces had also stated that they felt wildlife crime rates were consistent over the last five years with the fourth stating they perceived an increase in wildlife crime.

Six forces stated that funding for wildlife crime has decreased over the last five years. Five of these forces felt that they did not have sufficient numbers of WCOs with the sixth agreeing that they had sufficient numbers. Five of the six forces felt that reported wildlife crime was increasing and the sixth thought reported wildlife rates had remained consistent over the previous five years.

Six forces stated that funding for wildlife crime had remained consistent over the previous five years. Three of these forces perceived wildlife crime to be increasing and the other three felt wildlife crime rates had remained consistent over the previous five years. Five of the six forces felt they did not have sufficient numbers of WCOs with the remaining force stating they did have sufficient numbers.

6.3 Connections to other types of crime

All respondents agreed that wildlife crime is linked to other types of criminality with all stating that serious and organised crime is linked. Thirteen of the sixteen forces (81%) felt that wildlife crime was linked to theft and dishonesty offences and 8 forces (50%) highlighted a link to firearms. Six forces (38%) linked drugs to wildlife crime and 8 forces (50%) felt that wildlife crime was linked to violent crime. One force (6%) stated that wildlife crime was linked to corporate crime. No forces linked wildlife crime to sexual offences.

6.4 Priority afforded to wildlife crime

Thirteen forces (81%) said that wildlife crime is never treated with the same priority as more traditional types of crime with the remaining three forces saying that sometimes wildlife crime is treated with the same priority.

In response to the question of whether wildlife crime should be treated as the same priority as other/traditional crimes, nine forces (56%) said that wildlife crime should be given the same priority as more traditional types of crime.

One respondent commented:

wildlife crime is also linked to anti-social behaviour, but it has its own right to be investigated at the same level as other more traditional crimes. There is legislation in

place to protect wildlife and therefore it is a police responsibility to investigate unlawful acts. Wildlife crime creates concerns amongst local communities who report it to the police and expect action to be taken. It has an impact on the environment, biodiversity and communities. Finally, there are proven links between offences committed against animals and violence towards humans, with offenders eventually moving from animals to commit violent crime against humans.

Another said in relation to wildlife crime 'it is highly emotive and impactful of force reputation' while another force commented 'It should be core police work and dealt with as other core and acquisitive crime and seen as a part of policing mainly rural counties. Much of a necessity not a nicety.' When speaking of the priority afforded to wildlife crime by their force a respondent stated, 'but it is often pushed aside in some forces because the wildlife can't complain that it is being targeted by criminals, so does not always appear on a force's radar'. Another commentator stated, 'there are certainly aspects of wildlife crime that should be given a greater priority and some wildlife related offences should certainly be Home Office recordable crimes.'

The remaining seven forces said that wildlife crime and traditional crime were measurable in some way. They commented that some wildlife crime should be given more priority or that the priority should equal certain types of traditional offences. In relation to this the following comments were made by respondents from different forces:

- *"We have to be realistic; nothing is more serious than a rape, however wildlife crimes are treated less important than ASB".*
- *"Wildlife crime is afforded the appropriate level of priority when considering the threat risk and harm it poses to the community".*
- *"It can be dependent on the crime versus the personal victim attached. There is a significant difference between out of season fishing versus a residential burglary."*
- *"Wildlife crime can never be held against offences of violence against people but certainly should be on a par with theft and fraud".*
- *"Wildlife crime if having a high impact on communities and locations should then be treated as the same as more traditional crimes. These all have to be assessed and reviewed".*

Considering whether wildlife crime should be a priority, one respondent commented the priority should be 'in line with risk assessment'. One respondent, when thinking about how much priority should be afforded to wildlife crime, stated "it depends - some wildlife crimes fluctuate in severity. The more serious wildlife crimes should be afforded the same priority as other more traditional crimes".

Several answers about the priority of wildlife crime are anthropocentric, relating to the impact on humans or directly comparing the impact to wildlife as less significant to the impact of crimes on humans. This is possibly due to the police working mostly with legislation designed to protect humans and wildlife not being afforded personhood in UK law. Two forces have centred wildlife in their comments around the prioritisation of wildlife crime for policing with the risks to biodiversity and wildlife not having a voice therefore a lot of crime going unreported being cited.

Risk assessing has been highlighted when considering prioritisation. Risk to what and who is not discussed in as much detail and would be interesting for further research. Some commentators suggest that if it affects a community or the reputation of the force then these are reasons for increased priority.

6.5. Funding and Austerity Measures

Seven forces (44%) stated that there had been no impact on how wildlife crime officers do their role in their force following the budget cuts over the last decade. Three of these forces stated there had actually been an investment in wildlife crime during that time with one citing the investment was in rural crime as a whole rather than wildlife crime in isolation. Three of these forces stated that the budget cuts have not really affected them, but this is because there was no real investment in wildlife crime previously and this remains the case today.

One force said that the numbers of WCOs has remained the same, but the workload has increased. Eight forces said there had been an impact with most stating that funding had been cut affecting numbers and training opportunities. There were also answers that cited the impact of overall cuts to policing. One force stated wildlife crime response had been cut in the same way as all policing responses had to be cut so it was not aimed only at wildlife crime, however other forces stated that wildlife crime staff were needed in other more traditional areas of policing to bolster numbers in the difficult period of reduced police officer numbers.

Forces were asked to the best of their knowledge if their role as WCO was going to be cut in future. Fourteen of the sixteen forces (88%) said No, their role was not likely to be cut, while one force said they did not know and one force said Yes, their role was being cut. Respondents were also asked if any other WCO roles have been cut as a result of budget cuts. Fourteen of the 16 forces (88%) said there had not been any other roles cut to the best of their knowledge, however three of these forces said that as the role was voluntary alongside other policing duties this is why as there is no full-time role to cut. Two of these forces commented that more roles had been created in recent years, particularly with the investment in rural policing teams. One force said they did not know if any other WCO roles had been cut, and another force said that they needed an uplift as there were no other roles existing to be cut.

6.6 Importance of Wildlife Crime in Policing

All 16 forces said that wildlife crime was not regarded as an important role for the police. For those forces who expanded on their answers they said it was mostly not regarded as important but in some respects it could be. For example, some did say that rural communities found this an important aspect of policing, and the public more generally are starting to take more of an interest, particularly with re-wilding and climate change featuring in mainstream media more. Most said that the police as an organisation did not think wildlife crime was an important role for police, with these views often mirrored by other officers, however for those working in or with a wider understanding of wildlife crime, they felt it was a very important role for policing.

6.7 Resources

Six of the 16 forces (38%) said that they had access to all the resources they needed to perform their role as WCO although one force did say they would like drones to support their role and that their force is currently reviewing this.

The remaining 12 forces (62%) said that they needed more resources. Required resources were highlighted as equipment requirements, additional staffing and better training. The following comments were made in response to being asked if they had all the resources they needed to perform their role:

- *“No I would like things like thermal binoculars a drone and quad bikes as well as better 4x4 vehicles all very expensive equipment but would allow my team to be there nearer to the offence at the time. The most prevalent offence is hare coursing with over 700 recorded incidents last year.”*
- *“Forensic resources are often lacking, even simple resources such as a high powered camera etc.”*
- *“No, mainly training, government support, time, funding*
- *“No. I need knowledge and experience to come to jobs with me, to talk through issues.”*
- *“no, lack of a specialised department.”*
- *“More training required for initial WCO courses and further continuing professional development in key areas of wildlife crime.”*
- *“Time: my role should be full time and similarly for the part-time WCOs some if not all should be full time.”*
- *“Wider knowledge. Feel NWCUC could provide more training days.”*

6.8 Proactive Policing

Forces were asked if they were able to undertake proactive policing initiatives in relation to wildlife crime.

Six of the 16 forces (38%) said they were not able to undertake proactive policing initiatives. One of these forces said that the only proactivity is occasional targeted patrols in areas of high crime however they personally view this as reactive policing. Another force said they were always getting taken off wildlife crime initiatives to do other work and that it was *“soul destroying”*. A seventh force said they were only able to do a little proactive policing.

Ten forces said they were able to do proactive policing around wildlife crime. One force stated they have seven seasonal proactive operations that they manage, whilst another force had an intelligence team with research capabilities. One of these forces said that their ability to be proactive was determined around threat harm and risk assessments.

6.9 Training

When asked if there was sufficient training provided to WCOs, seven forces stated that there was sufficient training, whilst nine forces stated there was insufficient training. Of those that said yes, the following comments were made:

- *“All officers coming into the team receive the National Police Wildlife Crime Officers Course, and then as their thematic leads dictate they develop their own knowledge and skill base.”*

- *“I have attended a National Wildlife Crime Investigators course and have attended conferences and other training sessions. All WCOs have or (in the case of those more recently appointed) will attend a National Course and officers are offered further training where this becomes available.”*
- *“WCO course is a week-long and is comprehensive. There are a range of subject knowledge experts the officers can go to for further advice.”*
- *“Our force has a number of officers and recently held a wildlife officer training course.”*

Forces who said there was not sufficient training made the following comments:

- *“The initial wildlife course is really just an intro to wildlife crime subjects and legislation and does not prepare officers for how to actually deal with wildlife investigations. There is a lack of national continuing professional development. There is the National Wildlife Crime Enforcers Conference which is quite useful over a day and a half, but nationally there needs to be seminars and courses available on specific areas of wildlife crime, e.g. raptor crime, poaching, hare coursing, newts, bats, etc. There has been a national 1-day input on badger crime investigation but some officers could not attend on the date given for their region and there is no opportunity for a further date to get the training.”*
- *“I have been a WCO for over 20 years and all the training has been what I can find usually in my own time.”*
- *“no training other than officers own knowledge.”*
- *“Initially I did (feel that there was enough training), but feel I am out on my own most of the time. Every organisation say they will help but apart from the Badger Trust and NWCUC, it's pretty non-existent.”*
- *“we often rely on organisations providing free inputs”*
- *“We get some (training) but there could be more opportunity”*

This shows a split in how forces support their wildlife crime officers with training, and potentially highlights skills gaps for officers dealing with wildlife crime. There has not been a measure of the subjectivity around what some forces deem sufficient and insufficient. Indeed, as can be seen in the comments, the wildlife crime officers course has been deemed as both sufficient and insufficient by different forces. There are many variables that may contribute to explaining this. For example, this could be down to the individual officers understanding of their subject which could be beyond the parameter of the course for instance, or it could be through exposure to doing their job that they feel the training has or has not been sufficient to support their knowledge to complete the task. This study has not measured WCO course content and delivery. Indeed, this may have changed over time with forces reporting back on different experiences of the course with the same title but potentially different content and delivery. This perception may also be affected by wildlife crime workload. Those who have high workloads and spend most of their time dealing with wildlife crime may have a different view on the training than those with lower wildlife crime workloads who may spend more time dealing with other rural crime or other more traditional policing. This also has not been measured by this study.

6.10 Partnership Working with NGOs

Fourteen of the 16 forces (88%) said that they regularly work with non-governmental organisations. The organisations that forces have worked with include (but not limited to):

Royal Society for Protection of Cruelty to Animals (RSPCA), Royal Society for Protection of Birds (RSPB), Wildlife trust, Canals and Rivers Trust, Environment Agency, National Park, British Association for Shooting and Conservation (BASC), National Gamekeepers Org. (NGO), Badger Trust, Bat Trust, League Against Cruel Sports (LACS), Angling Trust, Environment Agency, Forestry England, Verderers, World Horse Welfare, Farmwatch, Marine Management Organisation (MMO), Wildlife Trust, Natural England, The National Farmers Union and the Country Landowners Association. Forces also highlighted partnerships with other police forces, other enforcement agencies, the National Wildlife Crime Unit (NWCU) and the local authority. The evidence is that different forces work more with some of these organisations than others as needed.

The following comments were made about the positive partnerships with some of these organisations:

Natural England are an important NGO as they provide funding for any Post-mortem examinations of animal and raptor suspicious deaths that would not be available through force funding. They also provide specialist evidential statements re certain species for Court i.e., the brown Hare. They are also the prosecuting agent for SSSI damage although not wildlife it has great effect on wildlife living there and we will gather the evidence and provide them with the evidential package. We would not be able to operate efficiently without the Involvement and assistance of Natural England.

Another respondent commented:

The National Farmers Union and the Country Landowners Association provide constant help with liaison and training within the farming communities which is the scene of bulk of wildlife crimes. They also provide training with my team for all new Police recruits, control room staff and PCSO's into wildlife crime how to recognise and deal with it including scene preservation.

NGO support for prosecutions was also acknowledged with one respondent commenting 'RSPB will assist with raptor persecution cases' while another commented 'Bat Protection and the Badger Trust are very good [at] providing written statements and specialist evidence in Badger persecution cases prosecuted by ourselves. They also provide free specialist Badger persecution training to any Police force on request.' Two forces stated that they do not have partnerships with NGOs, one of these said they have tried with some NGOs, but they find them unwilling. Another force who does have successful partnerships with NGOs stated that they find some unwillingness from a specific national NGO.

There were favourable comments on working relationships with the NWCU one respondent commented 'NWCU the National Wildlife Crime Unit rather governmental but sort of NGO,

provide an intelligence and training link to all Police forces and their liaison and specialist advise when needed is excellent.'

When asked about the structure of the partnerships, two of the sixteen forces (12%) said that their partnerships with NGOs were structured. One cited having information sharing agreements in place, whilst the other force have a regional enforcement group and partnership meetings that form the basis of a structured partnership which are attended by all stakeholders. Thirteen of the 16 forces (82%) said that they did not have any structure to their partnership working with non-governmental organisations (NGOs). Most partnerships relied on a good working relationship between WCOs and NGOs. One force did not know if there was any formal partnership structure in place.

When explaining their working relationship with NGOs where no formal structure was in place, forces made the following comments:

- *They are very much based on rapport; we work very closely with our designated contact within these NGO. I feel that it is a very mutual relationship with our best NGO's we very much need each other's skills.*
- *Requests for service come directly to wildlife crime officers rather than going through the official channels of reporting them.*
- *Partnerships I would suggest are more informal and based on individual contact either personal or direct contact through work e-mail addresses but sometimes through 101 or web based contact.*
- *Based on good working relationships and knowing who to contact that will be helpful.*
- *Based on good rapport with a couple of officers having that contact.*
- *Good local rapport and local agreements/offers/good will.*
- *Local rapport and a good working partnership.*

Forces were asked if they were reliant upon NGOs to investigate and prosecute wildlife crime. Eight of the sixteen forces (50%) said they were not reliant on NGOs. One force said: 'all the prosecutions are done by this team with NGO practical support apart from some fishing offences which are prosecuted by the Environment Agency.' Another force said 'no, they rely upon police' while a third force said 'no, but police can investigate offences sourced by NGOs.'

Three of the sixteen forces (19%) said they were reliant on NGOs to investigate and prosecute wildlife crime. One force said, 'without their expertise and support it would be a broken model that we try to use.' Five of the sixteen forces (31%) said that they were sometimes reliant on NGOs to investigate and prosecute wildlife crime. Reasons were split between it depending on the type of offence being dealt with and also relying on expertise to aid investigations. In relation to this the following comments were made:

Depending on the investigation, Natural England can be key to assisting with an investigation, and they can be very helpful. They need more funding, more resources, and greater powers to be more effective.

In some cases- depending on the offence.

Not reliant, but they can be very helpful and, in some cases, invaluable.

Depends on the offence and whether they or ourselves take the lead. We are not reliant upon them though and carry many of our own.

6.11 Improving Wildlife Crime Enforcement

All forces were asked what changes, if any, could be implemented to improve the policing of wildlife crime. Nearly all respondents said that wildlife crime should be notifiable. Many spoke of issues with legislation and the justice process. Many respondents wanted to see more budget to increase staffing and training.

Answers covered the following key areas:

- a) **Legislative change needs** - This includes both the need for better legislation and means to enforce it as well as making wildlife crime recordable. Most forces commented on changes that could be made in this area. Comments in this area included several comments that 'wildlife crime to become recordable / notifiable'. Respondents also identified that 'legislation changes would have to be top; wildlife crimes need to become recordable offences then the Home Office would receive several hundred thousand new crimes which would highlight the real levels of wildlife crime'. Other comments included suggestions for 'heavier sanctions in the courts for such offences' and:

Simplification and rationalisation of the current mish-mash of poaching/hunting laws. These laws are a confusing, inconsistent mixture of Victorian age legislation up to the present day. All areas of wildlife crime should have consistent, straightforward police powers for entry onto land, searching of people, vehicles, and property, seizure of evidence, and confiscation of things such as vehicles used by the criminals. Simplifying them will make frontline officers more confident and able to take positive action when attending incidents, be more of a deterrent, and give a better service to the rural community. But frontline officers need to be consulted when wildlife legislation is improved because we know what we need and what is workable, and we can avoid there being too many loopholes or exemptions built in by organisations who have a vested interest in keeping the status quo.

In addition, it was suggested that there should be:

Introduction of Licensing for shooting estates. On numerous occasions it has been clear that someone from an estate has killed a bird of prey for example, but the offender has worn a balaclava to make themselves unidentifiable or is too distant on a remote moor to be recognised - so there is insufficient evidence to charge. It is long overdue that, as for example, a bad pub, or a bad driver, will lose their licence to operate or drive - then so should an estate lose their licence to shoot. In the same way as losing a driving licence and being banned from driving is a significant deterrent - then so would losing a shooting licence for an estate be a significant deterrent. They would argue that it would their

business and employment - but a pub that loses its licence is in the same predicament and it is a deterrent. Without licensing of shooting estates, even if a conviction is secured - it will always be the lowest gamekeeper or employee of the estate that is the fall guy - but without pressure from above, such a person would not risk going out on a limb themselves and criminally killing wildlife if it wasn't required/expected of him.

In addition, there were several comments concerning the Regulation of Investigatory Powers Act 2000 (RIPA) and the need for changes to allow covert investigation to be carried out. The following comment illustrates this issue.

Amend RIPA so that police can carry out covert observations and install covert cameras to gather evidence of wildlife crime priorities on private and public land. Being unable to do this hamstring WCO's who want to gather evidence of suspected offenders. For example - when a poison bait or trap has been found that is being used to target badgers or birds of prey why can't the police go and install covert cameras to catch the offender? It is ridiculous that we can't - which is why the RSPB take it upon themselves to do it by trespassing!

- b) **Prosecution and sentencing issues** - This includes issues with most offences being summary only (this includes constraints on punishments) and a lack of dedicated wildlife crime staff at the CPS. One respondent commented that:

The CPS only treat wildlife prosecution as any other summary offence and rarely put a prosecutor on the case who has any training in wildlife crime, resulting in substantial failures in Court against specialist wildlife trained defence lawyers. We do currently have eleven persons going to court and have managed to get a wildlife specialist CPS prosecutor to oversee the case which is very reassuring.

A comment was also made that *'the out of Custody disposals and the Summary offence time limits all make the prosecution of Wildlife crimes so much more difficult.'*

- c) **Funding and Investment in Wildlife Crime** - This includes training needs, uplifts in staffing, and more equipment to undertake the role. Again, most forces commented on changes in this area.
- d) **Policing Initiatives** - This includes creating regional working groups and better policies.

7. Comparing the Police Research Results 2013 and 2022

In 2013, there was a very high response rate and ethical approval allowed for the forces answering the questionnaire to be identified (but not the individual respondent). This allowed for some analysis that could not be undertaken in 2022 due to the research ethics not

permitting the forces responding to be identified together with a relatively low response rate that is not as suitable for generalisation.¹⁷

In 2013, Police officers widely commented that wildlife offences should be made notifiable. Nine years later Police officers are still saying that the response to wildlife policing in the UK would be improved if offences were notifiable. If wildlife offences were made notifiable then there would be increased accountability, increased status and potentially more structure in the response to this area of business as the demand on police would be recorded by the Home Office.

8. Police and Crime Commissioner 2013 Research

There were nineteen responses to the survey from the forty-one PCCs (46%). Several PCCs made contact to say that they did not have enough knowledge on the topic to complete the survey, and more made contact to say that they did not have enough time to complete the survey.

The majority of PCCs believed that policing wildlife crime should be a partnership approach between the police and non-governmental organisations. Seventy-nine percent held this view, which is in keeping with the current method adopted by most police forces. Two PCCs thought it should be the sole responsibility of the police and 1 PCC thought that policing wildlife crime was a role solely for non-governmental organisations. One PCC stated that the Environment Agency should have this responsibility.

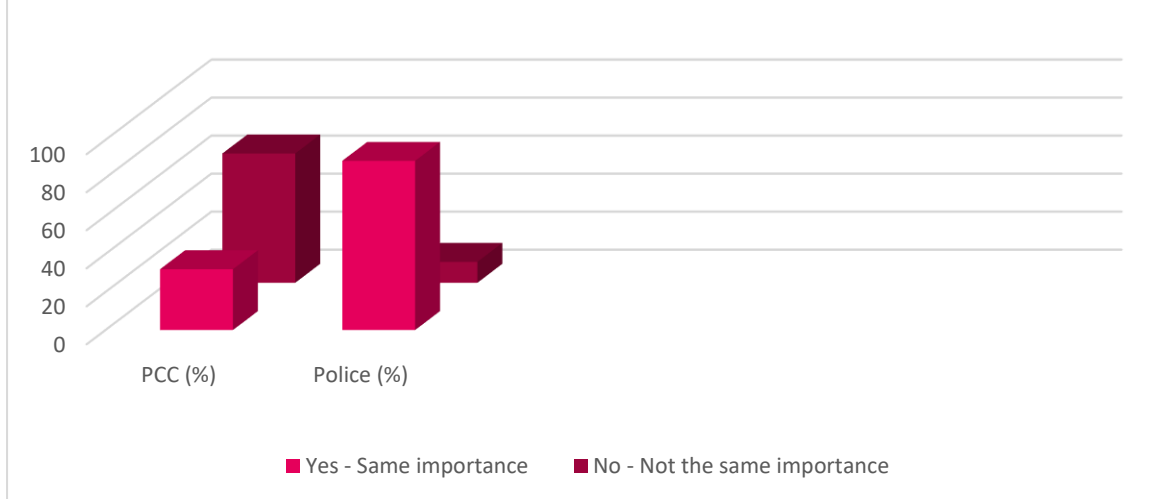
8.1 Priority for Wildlife Crime

The majority of PCCs thought that wildlife crime should not be afforded the same importance and priority as more traditional crimes such as burglary, robbery and rape. Thirty two percent thought that it should have the same importance, whilst sixty eight percent said that it should not. This is in contrast to the view of eighty-nine percent of the WLOs who think that equal priority should be afforded to wildlife crime.

Figure 8 illustrates the differing views between PCCs and WLOs as to whether wildlife crime should be afforded the same priority as is given to more traditional crimes.

¹⁷ We also note that while a basic ('snapshot') comparison of results from 2013 and 2022 is possible, there are limitations to the data that make it difficult to, for example, identify clear trends in the resourcing of Wildlife Crime Officer posts and responses to wildlife crime. This would require a larger dataset that also incorporated financial and resourcing data not available as part of this research.

Figure 8 - Chart illustrating the differing opinions between Police and PCC's in respect to whether wildlife crime should be afforded the same priority as is given to more traditional crime (2013 study).



8.2 Budget priorities for Wildlife Crime

In relation to the budget afforded to wildlife crime, the majority (63%) of PCCs said that it would stay the same over the next 2 years, whilst 32% said that the budget would decrease over the next 2 years. One PCC said that the budget would increase as they wish to introduce 6 special constables to wildlife crime. WLOs have said that the budget for wildlife crime has already been decreasing over the last five years or remaining the same where there was generally already little or no budget to start with. The PCC response highlights that the financial situation for policing wildlife crime is only likely to worsen in the next couple of years. For WLOs experiencing issues in obtaining resources to perform their role such as equipment, training and sufficient staff, the future for their capabilities to effectively police wildlife crime is worrying.

Seventy-nine percent of PCCs said that the budget cuts have not caused the number of officers dedicated to policing wildlife crime to decrease. This is consistent with the views of dedicated WLOs who generally felt that they had sufficient staff for the role and that the budget cuts had not really affected them, however there are fewer dedicated WLOs than those performing the role voluntarily alongside other police duties. The majority of PCCs wished to put more resources in to wildlife crime however of these responses, most said that it would not be possible due to insufficient budget.

8.3 Police Wildlife Crime Officers and Policing Priorities

PCCs had split views regarding the role of wildlife liaison officers with 42% stating officers should be dedicated to the role and 47% who thought it should be performed alongside other police duties. Eleven percent were unsure.

Nearly all PCCs thought that wildlife crime is viewed differently to other more traditional types of crime, and most said that it was viewed as being less important but that this view would not impact on their future views of wildlife policing.

Views of the future of wildlife crime enforcement were a majority of 74% identified moving to a structured partnership approach between police and other agencies, however (53%) of the PCCs also thought it was important to raise publicity around wildlife crime. PCCs thought that clearer legislation and increased specialist training were unimportant with just two PCCs (11%) stating that each factor would be an asset in the future of wildlife policing. This contradicts with the WCO position who thought that they should receive more specialist training.

8.4 Summary of PCC 2013 data

The results from the PCC questionnaires can be summarised that the future of wildlife crime is an important issue that PCCs would like to dedicate more staff to, however in the absence of a sufficient budget to allow this, possibly because wildlife crime is viewed as being less important than other more traditional crimes, this will not be possible so the best course of action will be to raise awareness to increase reporting and co-operation from the public with law enforcement agencies and implement a structured partnership approach to tackle wildlife crime. There was an apparent knowledge gap regarding wildlife crime which was apparent from some PCCs who did not return the questionnaire for this reason and also those who were unsure of an answer to some of the questions.

9. Police and Crime Commissioner 2022 Research

Responses were received from 12 of the 41 PCC offices (29%).¹⁸

When asked if policing and prosecuting wildlife crime should be the responsibility of NGOs or a structured partnership approach, one of the 12 PCCs responded that this should be the responsibility of NGOs. The remaining 11 PCCs agreed that this should be a structured partnership approach. Of the PCC's who made further comment on this, it is clear that there is some partnership working already in place, however how 'structured' this is was not clear. It is also apparent that there may be different local arrangements in different parts of the country. Some PCC's also commented to say that the police should be the lead organisation in such a partnership. Relevant comments include:

- *“a structured partnership approach with a clear leadership”*
- *“Structured partnership approach to provide best evidence and experience I believe police should however prosecute”*
- *“I believe that the Police should be the lead organisation supported by Partner Agencies. Wildlife Crime and issues associated can be complex requiring skills and knowledge of other agencies.”*

¹⁸ As identified elsewhere this is lower than the 2013 response.

- *“I believe a structured partnership approach is best bringing together all the skill sets from the various law enforcement and NGO perspectives”*
- *“Police should take the primacy for investigating and prosecuting wildlife crime but with other organisations having the powers and ability to supplement and support. The agencies need to work collaboratively in prevention and intelligence”*
- *“Partnership approach definitely as many wildlife offences go hand in hand with other criminal matters such as criminal damage and often firearms offences.”*
- *“Due to lack of staff, generally, in all areas and as wildlife crime is not often high on Police force's agenda, I would favour a structured partnership approach - similar to what exists with some wildlife areas between the Welsh Forces and Natural Resources Wales (NRW), with their seconded Police Officers.”*
- *“A lot of prosecutions already involve a number of organisations working together such as the police, RSPB, RSPCA and other such as the NRW or Welsh Government. It is not uncommon to see a wildlife investigation involving specialist advice from these organisations. Our All Wales Rural & Wildlife Coordinator ensures that we have those essential links.”*

9.1 Priority for Wildlife Crime

PCCs were asked if wildlife crime should be afforded the same priority that is afforded to more traditional crimes such as burglary, robbery and rape. Twenty-five percent (three of the 12 PCCs) agreed that wildlife crime should be afforded the same priority. One PCC said that wildlife crime should not be afforded the same priority. The remaining PCCs (eight out of 12 – 66%) felt that wildlife crime should be given more importance however commented on issues that would prevent an equal priority being afforded. Insufficient budget, legal constraints in respect of wildlife crimes being summary offences and anthropocentric views of serious offences against humans being more important than wildlife crime or priority based on the threat, risk and harm to humans of each wildlife offence (for example offender links to organised crime groups (OCGs)) were cited. Two PCCs commented that wildlife crimes should be made notifiable to the Home Office. Relevant comments on the prioritisation of wildlife crimes are provided below:

- *“This poses an issue of resourcing, if the offences were given equal priority, then forces would need to uplift the resourcing capacity to deal with them taking officers from the more traditional crimes which I believe would be counterproductive”*
- *“I think it needs more importance than it currently receives as the offences committed under wildlife offences can be part of OCG's or lead to other more serious offences. I don't think it should carry the same weight as offences such as burglary, rape etc as I think this would demean the impact of these offences to the victim”*
- *“I feel that prioritisation should be undertaken according to a combination of harm / impact and prevalence. The current crime harm index provides a mechanism for applying this principle to traditional crime types. It is difficult to envisage a wildlife crime having the same or greater impact upon a victim than an offence of rape.”*
- *“The criteria for prioritisation must not be made on crime type but rather on impact the crime has on victims/public confidence in respect of risk, harm, vulnerability. Wildlife*

crime which is related to serious and organised crime or a repeat series concerning high value harm should inevitably be given a higher priority than other less serious inquisitive crime.”

- *“It is clear from correspondence we receive that wildlife crime matters are taken extremely seriously by members of the public who expect them to be treated with equal importance, however given resourcing and budgetary constraints, this is often not possible as most crime is prioritised on a threat, harm and risk basis. This being said, it is important to note that the law itself categorises most wildlife offences in a 'lower level' due to their sentencing guidelines and the fact a lot of offences are summary only. To compare wildlife offences to those such as robbery and rape (both indictable only offences) is almost a comparison that cannot be made.”*
- *“It is often difficult to justify certain wildlife crime as being on equal par with rape for example, but the onus should be on the people who are committing the offences and the possible links they have with either organised crime, or rural crime, as is often the case, the two are linked. This should therefore place wildlife crime in a higher priority than it currently sits within many Forces.”*
- *“Most wildlife offences are summary only offences, meaning they can be only held within magistrates court with a maximum sentence of 6 months in prison. However, the other offences carry substantially larger sentences and mean that they are indictable and held before the Crown Court. That is the UK law.”*

9.2 Budget Priorities for Wildlife Crime

All PCCs were asked if the budget afforded to wildlife crime had increased, decreased or remained the same in the last 5 years.

An increase in budget for wildlife policing was reported by six of the 12 (50%) of PCCs. Five of the six PCCs who reported an increase in budget for wildlife policing made additional comments and all of these referred to investment in rural crime teams where the wildlife policing response sits, however rural crime is a wider scope than wildlife crime alone, therefore it is unknown how much of the increased budget for the wider area of business has gone into wildlife policing specifically. The comments in relation to this are:

- *“We have invested heavily in a dedicated Rural Crime Team in (our force) over the last 5 years and specialist training has been provided to those officers along with necessary equipment and vehicles to enable for them to carry out this specialist area of policing.”*
- *“When the Rural Crime Team (RCT) was set up in January 2019, we had no budget. However, after speaking to senior officers, making ourselves very visible to the rural communities, being supported by the OPCC, and a chance chat with our Chief Constable (name deleted for anonymity), we were given a one-off budget for 12 months to purchase equipment and attend courses to assist us in tackling wildlife crime (thermal binoculars, WCO, Cites, Wildlife Conference). When that money was gone, again we had no specific budget (came under crime prevention) but during a retirement conversation with the same Chief, I asked for a small budget to be allocated to the RCT to be able to purchase things that do not come under crime prevention, to which the Chief agreed. We have been able to purchase (currently waiting for it) a new vehicle, especially geared up for rural/wildlife/heritage crime and there is a promise of a second vehicle also.”*
- *“Our Rural Crime Team has had an uplift in officer numbers and investment in new technology (such as thermal imaging equipment). However we do not purely deal with*

wildlife offences and also assist in other crime matters that impact rural areas, such as acquisitive crime series (non dwelling burglaries for example)”

- *“additional resources have been put into the forces Rural Crime Team through the (force’s) Police and Crime Commissioners investment through precept investment.”*
- *“We are lucky in force as we have a dedicated rural and wildlife team. We have had an uplift of 2 extra officer over last 2 years.”*

A decrease in budget was reported by two of the 12 forces (17%), the remaining four PCCs reported their budget remaining the same over the previous five years. One of these has one part time wildlife crime officer in the force and this has not changed in the five years to date. One PCC stated, ‘the budget has remained within the Neighbourhood umbrella, but with growing interest and understanding we have been afforded more distribution of finances and an increase in skills, courses and engagement.’

The answers to this question have highlighted that wildlife crime is managed by different departments in different forces and with differing levels of emphasis.

9.3 Police Wildlife Crime Officers and Policing Priorities

The PCCs were asked if they thought police officers should receive specialist training and be dedicated to the role of WCO or if the role of WCO should be performed alongside other duties.

Eleven of the 12 PCC’s agreed that there should be specialist training and dedicated wildlife crime officers. Two PCCs stated that there is not enough wildlife crime in their force to actually implement dedicated WCOs from an operational perspective. Other PCCs highlighted that they already operate a dedicated WCO role model. Other PCCs stated that there should be a dedicated role but supported by Officers with knowledge operating in other policing roles out on division. One comment highlighted that Officers who are asked to perform a specialist role part time alongside a different policing role are often too busy with the work of their primary role to manage the additional responsibilities. One of the 12 PCC’s said that WCOs should perform the role in addition to other police duties.

Below are quotes from PCC’s who offered comments about dedicated roles.

- *“With the increase in demands of officers across the UK I see the value in a dedicated unit however financially this would be challenging”*
- *“It’s important to have dedicated and specially trained officers for the more obscure offences. All officers should have a general awareness. We now provide all new student officers, response, neighbourhoods, and contact management with a rural and wildlife crime input.”*
- *“I believe that this should be a dedicated role and this could be supported by others with a knowledge and interest in these issues.”*
- *“I think every force should have a dedicated unit for rural/wildlife crime but in my force there would not be enough work to justify a solely wildlife team unless they were to take on all the RSPCA work, dog legislation work etc. in my force we have a happy medium of the rural team being wildlife trained and the first port of call but also having wildlife trained officers on area should we not be available “*
- *“All officers should have a basic level of understanding.”*

- *“Should be a dedicated role for investigations. However, we do have officers who are WCOs and offer advice alongside their daily work. I feel there would be more success with prosecutions if there were dedicated investigators, with the motivation and knowledge.”*
- *“It should be performed alongside other police duties by officers based in areas most affected and given appropriate training.”*
- *“The dedicated Rural Crime Team possess specialist knowledge with rural/wildlife crime champions on each division.”*
- *“Our force has a rural crime team but also has response officers trained as wildlife crime officers who continue to work normal police duties but will take on wildlife investigations.”*
- *“This is a difficult one - in our force, there is not necessarily enough "wildlife crime" to justify have a team just for that area, which is why our RCT focuses on rural, wildlife and heritage crime. It would, however, be good to include a section on wildlife crime when the student officers go through their initial training. As we have found with carrying out wildlife crime officer roles alongside other police duties, those duties become all-consuming and with the thought of most supervisors that wildlife crime should take a back seat to your regular crimes, the time needed to investigate an incident beyond the initial report, is often now given.”*

Three of the 12 PCC's (25%) responded that they do not want to put more resources in to wildlife policing at this time with two of the PCC's offering further comment that they have already invested and have a model that is working. One PCC did not commit either way stating that this would have to be looked at carefully in context with their changing demand profile.

The remaining eight PCC's (66%) said that they would like to put additional resources in to wildlife policing. The majority stated that the budget would not allow for this at present. Reasons were mostly centred around struggles to meet demand across multiple departments and justifying additional spend on wildlife crime when considering the demands on police to manage vulnerability (domestic abuse, violent crime, county lines, safeguarding etc.)

One PCC who would put more resources in to wildlife policing said 'in an ideal world but given that limited resources in policing are managing competing and increasing demands in areas of high threat, harm and risk to vulnerable children and adults I cannot envisage that this reinvestment is likely within the current funding requirement.' Another stated:

Yes, however, with the demand on general policing around safeguarding, domestics, violent crime county lines.....the perceived threat/harm/risk around wildlife crime struggles to justify this. Our team covers rural crime with theft of machinery and plant therefore our remit is wider and also looks at the THR around organised crime and how they pose a risk.

9.4 Recording of Wildlife Crime

PCC's were asked how the force records wildlife crimes that are not notifiable. Five of the 12 PCCs (42%) said that they did not currently have any way of recording non-notifiable wildlife crimes. One of the 12 PCCs said that they did not know, four of the 12 PCCs said that they had a method to identify wildlife offences on their systems. This included a category, folder or qualifier being created on the incident management system that is searchable. One force

relied on a manual log trawl method and identified incidents were then placed upon a briefing document. One PCC said that their specialist team kept a spreadsheet of wildlife offences, one PCC said that the force has software that enables them to review performance. However, one of the forces relying on a different method of identifying wildlife crimes in force also said they had the performance review software, but it only works against crimes that are recordable therefore wildlife crimes are missed. It is therefore not known if the software can be adapted to include incidents that are not recordable or how much knowledge the responder has about the software as the answer was limited.

Some PCC's made additional comments about the methods of recording non-notifiable wildlife crime and these are presented below:

- *"It is difficult to assess the amount of crimes other than doing a C&C trawl which is not practicable."*
- *"We created folders within our records management system to link wildlife offences. We have just taken on a dedicated rural/wildlife researcher and analyst so going forward seeing what the figures look like will be a lot easier."*
- *"I think the recording of these crimes is done in a haphazard way and we do not have in place any easy mechanism to record these type of incidents/crimes."*
- *"The rural team hold a spreadsheet where all animal / wildlife crimes are recorded and monitored"*
- *"We are in the process of developing mechanisms to better track and monitor wildlife (and rural) crimes."*
- *"We use local qualifiers on our records, such as rural crime tags on the incident logs. We also have qualifiers on our crime/incident recording system which allow for Wildlife, laming and hunting alongside the rural crime tag. We do, however, struggle to then accurately search for wildlife crime i.e bat crime or badger persecution."*
- *"This requires a response from the force but my understanding is that if crimes are not notifiable offences they may well go unrecorded."*
- *"(the force) monitor and see performance on the Power BI dashboard."*
- *"We have software that monitors crime types and outcomes, however this deals with recordable crimes only therefore misses a lot of wildlife outcomes. This was highlighted recently and is being looked in to as to how we monitor this going forward."*
- *"Every day, our team scan the logs created for the previous 24hrs. We then identify the logs that come under wildlife crime or incidents and record them on a daily briefing handover, for the rest of the Team's information and awareness. The Force have allowed an "Animals/Wildlife" category to be created with in our log recording system, which can then be transferred to our crime recording system also. We also supply monthly monitoring numbers, which include reported wildlife incidents - anything from suspected illegal hunting and poaching to dead birds of prey being found - and they are submitted centrally within the Force."*
- *"All Force Performance data is monitored through QlikView and Power BI which are Force data tools enabling the PCC to access this information and in turn hold the Chief Constable to account"*

9.5. Contemporary Wildlife Policing

PCC's were asked for their views on the adequacy of contemporary wildlife policing, nine of the 12 PCC's (66%) felt that the current system was not enough. One said it was not known if the current system was sufficient, three of the 12 PCC's (25%) felt that the system in their force was sufficient.

PCC's were asked to explain their answers. There were varied responses which are centred around a lack of structure in some forces, the need for joined up working with other forces, lack of priority usually based on a threat, harm and risk assessment system, the need for more investment and insufficient recording mechanisms. A selection of responses highlighting the issues as to why the current structure(s) are not sufficient are below.

- *“No , I think it's too dependent on officers who have a passion for this type of business rather than a structure for dealing with wildlife offences”*
- *“No - Not all forces buy into it. There is a national unit but some forces investigate wildlife crime better than others as it's not always seen as a priority with competing demands and resources.”*
- *“In short no. There is often a poor response to the type of incidents reported and the THRIVE system often closes the incidents prior to them being effectively dealt with.”¹⁹*
- *“No, there is a general lack of understanding/knowledge for wildlife crime, which [is] very broad and requires understanding and experience to know what legislation to use in different situations. The recording system is not accurate enough and subsequently the ability to complete analysis over a period of time is difficult.”*
- *“Like all areas of policing, a case for additional resources can always be made. The Rural Crime Unit can task other force wide resources to assist. Ideally more resource could be given however, this must be driven against other crime and policing priorities.”*
- *“It would definitely be advantageous to have a review of the policing system, in order to identify areas of weakness around the investigation of wildlife crime especially. As I have previously said, not enough consideration goes into thinking about the people involved in committing wildlife crime and their links to traditional crime. If a Force has a high percentage of rural areas, then a suitably staffed wildlife/rural/heritage team should be in place to investigate and link the intelligence up across the force, and surrounding forces, together, to get a whole picture.”*

100% of PCC's believe that wildlife crime is viewed differently to more traditional types of crime. The key themes emerging from the reasons why include that wildlife crimes have a lesser status in legislation as they are not notifiable and are summary only offences not attracting heavier sentences and that they do not have a human victim therefore there is under reporting and a perception of less threat, harm and risk. A selection of comments in relation to this are found below.

¹⁹ THRIVE relates to Threat, Harm and Risk in an incident, the investigation of the incident, vulnerability of any persons involved and Engagement with persons affected. It is dynamic and constantly updated throughout a response (from the point of a report coming in, through to officer attendance and any subsequent investigation).

- *“By virtue of the fact that it does not neatly fall within the scope of the Home Office notifiable crimes that we routinely monitor means that wildlife crimes are not routinely analysed and tracked.”*
- *“in the general police population it is not seen as such a high priority”*
- *“Its not seen as important to some”*
- *“it can almost be joked about by some officers who do not see why we investigate such crimes”*
- *“There is a human victim on the end of Burglary, rape and robbery with a level of harm that can be articulated. These crimes are also more generally reported and so the demand is understood. However, wildlife crime is so broad, misunderstood and under reported that the true impact is not understood.”*
- *“As Wildlife crime is often a hidden or less reported crime then it invariably will be viewed differently. However where the crime has high harm, risk and threat then it can be equated to less serious other inquisitive crimes”*
- *“This is always going to be the case given the fact that rape and robbery are indictable only offences carrying multiple year custodial sentences. Much of wildlife crime is summary only or either way with a maximum penalty of a high level fine or short custodial sentence for a serious/multiple count conviction.”*
- *“It is not seen as being as serious, which is understandable in many cases, especially of violence, but, there is a link, which can be seen very frequently, even in our small Force, that those that carry out wildlife crime, especially poaching/badger baiting, have records on the system for domestic and other violence. Surely that in itself should highlight the importance of following up on wildlife crime. The other link is that often the wildlife offenders pass on details to other criminals, thieves and burglars, of isolated farms, or properties that might be worth a "visit" etc.”*

9.6. Summary and Analysis of PCC 2022 data

There has been a change in how wildlife crime is policed in some forces with the introduction of rural crime teams who have responsibility for all types of rural crime (from theft of machinery through to wildlife crimes). It has not been possible through this questionnaire to determine how much priority is placed on more traditional crimes such as thefts in the rural communities versus wildlife crimes, however further research into this would be possible. The responses from the 2022 questionnaires show a trend for more traditional offences and offences that are recordable to be given higher priority. It may therefore be hypothesised that rural crime teams' workload is more heavily weighted towards the policing of more traditional crimes rather than wildlife crime.

It is clear that there is no national structured approach to policing wildlife crime, which was also true in 2013. All forces speak of their working relationships with NGOs which should attract a clear structure that all forces can understand, similar to the structures used in safeguarding (multiagency safeguarding hubs). Different areas of the UK have different local support and collaborations. Some areas do not benefit from this. Respondents highlight the negative impact of wildlife offences not being recordable, only being summary offences and consequently having more lenient sentencing options. This is the same as in 2013. Wildlife crimes have been identified as under reported by respondents due to the nature of the victim

(wildlife) not having a voice together with wildlife crime having a low status in terms of its perception amongst other more traditional crimes.

Figure 9 identifies the budgetary position over the previous five years reported by PCCs in relation to wildlife crime

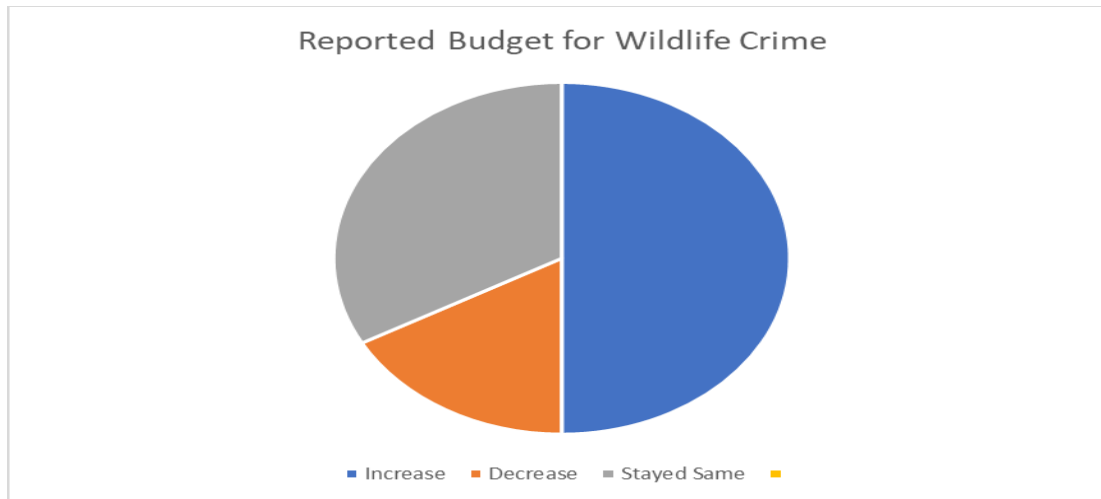


Figure 9 – Wildlife Crime budget position over a five-year period.

Whilst some forces are doing well to recruit more officers as WCOs and providing staff with necessary equipment and resources to perform their role effectively, the majority are still reporting that they do not have enough staff or necessary resources to perform their role. This is again likely to be because of the perceived status of wildlife crimes. Threat harm and risk is highlighted as the current assessment method used by police to determine their response. Wildlife crime is only ever likely to feature as a priority or to be deemed serious in nature if there is a human impact. Impact on animals alone is not sufficient. Human impacts may include community perception of the offence(s) (such as whether firearms are being used, media scrutiny, level of appreciation for species affected by crime or an endangered species is at risk of extirpation etc), threat to the health and wellbeing of humans and economic impacts to humans amongst others. Wildlife crime overall is seen as a victimless crime.

There are some similarities that could be drawn in how wildlife crime is viewed and responded to and how abuse used to be viewed and responded to. Thankfully there has been a significant change in the criminal justice and societal responses to abuse along with structured multiagency safeguarding plans. Abuse victims often feel that they will not be believed and this impacts on them speaking out. Comparably wildlife has no voice and relies on the visible impact of the crime for a response. Without a victim's voice there is often less accountability in the response to the crime. The UK is a signatory on the Convention on Biological Diversity (CBD) with the government committed to biodiversity goals and targets (the Aichi targets) initially as part of a plan running between 2011 and 2020, but now under review for a new plan to run to 2030. Part of the response to protect biodiversity relies on wildlife laws and associated enforcement. This questionnaire has highlighted that issues remain with both the legal framework and our ability to enforce the legislation.

It is interesting that the widely accepted links between wildlife crime and other types of more traditional crime (such as violence and serious organised crime) which were also recognised in both the 2013 and 2022 surveys are overlooked when the priority that is given to wildlife crime policing is concerned.

The 2022 questionnaire does not allow the research team to identify the forces responding, therefore geographical considerations for some of the data have not been possible.²⁰ When the survey was first conducted in 2013, the identity of the forces responding were known. Results showed that forces who invested in wildlife crime officers often by having dedicated staff and available training were the more rural forces that may rely on tourism to enjoy the natural environments and wildlife therein. The results of that research showed that wildlife crime is taken more seriously in areas with economies that are reliant on tourism in respect of their natural beauty. The political economy theory that economic life is fundamental and the determining influence upon which all social and cultural arrangements are made may explain this thinking (Taylor, 1997). It has foundations in the utilitarian thought of Bentham that actions will be a product of the greatest happiness for the greatest number (Reiner, 2012). In the 2022 survey there have been comments made that highlight metropolitan forces have less wildlife crime to manage than more rural forces. These comments having been made in relation to any funding changes as a result of the budget cuts of the last decade.

In the 2022 questionnaires, PCCs were asked to state whether their force was rural or not, but no further detail was obtained to protect anonymity as required by our research ethical approval. It is interesting that 75% (9) of the PCC's who responded came from rural forces and that all but one respondent represented a force with some rural areas. The lower return rate of the questionnaires in the 2022 study across both police officers and PCC's may be therefore influenced by the interest that the different forces have in wildlife crimes and the knowledge available to actually complete the questionnaires. That, together with previously known issues around police resourcing which has been confirmed through the questionnaires into wildlife crime will have impacted return rates. Many forces now have an entirely electronic method of contact for general enquiries such as research. When the original 2013 research was conducted, many forces still had a general contact number and it was via this that the researcher was able to identify individuals to respond and send the questionnaire out. A more personable approach may also have influenced the good response rates from 2013.

10. Stakeholder Perspectives

The research team's interviews with academics and NGOs involved in wildlife crime sought information concerning perceptions on the importance afforded to wildlife crime; the effectiveness of wildlife crime enforcement; the extent to which wildlife crime enforcement was properly resourced and the impact if any that austerity measures had made to wildlife crime policing and enforcement. Our interviews also sought views from our participants on how wildlife crime enforcement might be improved. Interviews were recorded and transcribed for the purpose of accuracy, but participant comments are reported anonymously. Some

²⁰ See further research section for recommendations for further geographical analysis

interviewees directed the research team to current initiatives or specific cases or policy documents. The information provided was analysed to identify themes and key points arising from the data. This section summarises the data provided through our interviews.

10.1 The Importance Attached to Wildlife Crime

Our research participants overwhelmingly concluded that wildlife crime is an important crime issue but noted that the importance attached to it as a policing issue was variable. Comments indicated that individual officers tasked with dealing with wildlife crime were generally dedicated and put considerable effort into the work but identified that there is a potential disconnect between the policy and political rhetoric of taking wildlife crime seriously and the practical engagement with wildlife crime problems. One of our NGO participants (NGO2) commented that 'the situation seems to be that it's still very much wildlife crimes are second rate to any crimes affecting humans'. Academic One (AC1) also identified that:

Internationally the UK might appear to be doing quite well. I think if we looked domestically though, there's a lot lacking. The UK suffers from problems that every country suffers from of lack of resources. That's human and financial [resources], that are actually dedicated to wildlife crime (AC1).

Academic Two further commented on the variation in wildlife crime responses between police forces noting that:

Dealing with wildlife crime it's still my understanding is discretionary at the level of the Constabulary, so they, the Police and Crime Commissioner or other chief constables can decide whether they have wildlife crime officers, how many they're going to be and how much effort they're going to actually put into that.

And then we have the National Wildlife Crime Unit that struggles every year to get funding, and that's officers from around the country that are seconded into this organization that just basically supports wildlife crime prevention efforts and enforcement efforts around the country and they deserve to have someone set a robust amount of funding to actually support it because we talk a lot in the national or an international level about why they've trafficking. But while they're crime badger baiting, hare coursing other kinds of stuff, I think are problems in the UK that just frankly get ignored and are very low on the priority scale.

Our participant, Police Officer One (PO1) commented that wildlife crime 'is not getting the credibility it needs' and noted that in some areas it will get pushed to the side when compared with human centred crimes. Academic Three (AC3) commented that in principle the UK has a robust set-up to address wildlife crime:

I think in some ways it's a very efficient and effective. You know, you just have to look at the National Wildlife Crime Unit and Border force at the whole border force and Heathrow. They've got some excellent people, real expertise, very dedicated people who prior, you know, really prioritize this area and you've got the wildlife crime officers.

So, in some places you've got excellent officers who really push this agenda and so in those ways, yes, there is a good enforcement set up. I also think it's not just about obviously the key kind of statutory enforcement agents, it's also about their links and collaborations with other partners. So civil society and NGO [partners] you know, kind of as a whole. I think that there's some great collaborations that go on here in the UK, which you don't see in other countries, and the priority that the fact that we have kind of priority areas identified I think is very helpful in some ways. (AC3).

The emerging theme is one of a lack of priority for wildlife crimes despite the existence of a good enforcement structure in principle.

10.2 Problems of Wildlife Crime Enforcement

Our research participants identified some of the complexities involved in dealing with wildlife crime. Academic One (AC1) identified that the remote nature of many wildlife crime incidents made it difficult to investigate such crime, identifying also that discovering wildlife offences also sometimes relied on members of the public uncovering an offence and deciding to report it. This was not always a straightforward decision:

There are major cultural differences about what people regard as acceptable and unacceptable conduct, so that some of the action that is criminal is regarded by some people as things that shouldn't be the subject of legal objection in the first place.

And speaking to some former police officers, their experience was that the communities where some of these crimes take place are incredibly close knit, and it's they who said that, you know, you'll always when you're dealing with drugs, you'll always find somebody who's prepared to stitch up somebody to get one over them. And wildlife crime that's often not the case either because of shared interests or because of the power some people have over others. Because a gamekeeper, for example, it's not just that his job depends on the wider community but his home, his whole livelihood, his wife's livelihood, everything. So, there are real problems in penetrating the wrongdoing communities (AC1).

Academic Three (AC3) raised some concerns about the nature of the legislation:

In terms of domestically, the legislation is so scattered and there so many disparities between the UK's constitute countries. I mean, this is one of the big things [identified in previous research] that essentially in the UK, you're not talking about a country, you're talking about four countries almost so England and Wales, Scotland, Northern Ireland and the UK as a whole and legislation applies in different parts to each of those separately or together. So actually, it's quite a complex scenario. There's great need for harmonization. I think there's like 40 different statutes that are out there in relation to wildlife crime. And so in terms of whether it does what it needs to do to holistically, I think the answer is potentially it could, but I don't think it does in its current format because there are just too many discrepancies. There's also issues in relation to exemptions. So, not only have you got this vast array of wildlife crime legislation out there, you also have then lots of exemptions that are built into them. And those

exemptions can be extremely problematic in terms of actually trying to enforce them (AC3).

In addition, collecting sufficient evidence to progress cases was identified as a problem in dealing with wildlife cases. Academic Four (AC4) commented that:

From anecdotal information, people have told me one of the biggest issues that is faced in terms of actually getting wildlife crimes effectively prosecuted is this ability to be able to know what evidence you need to get and for the wildlife crime officers that I've spoken to that seems to be the real benefit of having them.

It's not just about pushing awareness of this is a problem and having people that are dedicated to picking these types of crimes up, but its about actually knowing what they need to do if they get called out to a suspected crime so they know the kinds of evidence they're going to get, they know the defences that are going to be put forward so they can collect the relevant evidence and be ready, knowing that somebody's going to say 'oh, but' and then they've got that rebuttal there from the evidence that's been collected. So, it's that sort of level of expertise in building a case and putting a case together (AC4).

Academic One also commented on the problem of getting admissible evidence and provided a case example to illustrate the difficulty:

One example related to a tagged eagle. The tag bar suddenly flew in a straight line so many miles out to sea, and then the tags stopped working. And the suspicion is that with people using night sites to shoot birds at night when they're loose, collecting the corpse and disposing of it [then] going out on a boat and dumping it. There's no way anybody's going to get evidence of that crime, if that story, if that version is accurate, there's no way anybody's going to get evidence of that (AC1).

This example would potentially be recorded as an unexplained disappearance of protected wildlife but AC1 commented:

Of course, one side will say, well, there's no evidence of any wrongdoing having taken place and the other side will say, well, hold on you this is not just unexplained. It's so weird that the only reasonable explanation is that criminal activity is taking place (AC1).

AC4 commented on the challenges of detecting wildlife crime in the first place:

There is clearly proactive work going on. There is clearly preventative work and awareness raising work going on, but it is the case that are much of what much wildlife crime is going to be reactive because the resources aren't there to do proactive policing around wildlife crimes. The extent they are with things like, you know, hotspot patrolling for vehicle crime areas and things like, it's just not likely to happen because the

resources aren't going to be available. And we know from policing more broadly that proactive problem-oriented crime prevention, partnership working all of those things are generally more effective forms of policing than reactive. I think that wildlife crime enforcement, as it's currently set up doesn't have the resources, doesn't necessarily have the expertise, doesn't have, certainly doesn't have the time to do that more beneficial type work. This is with the caveat that in some cases the National Wildlife Crime Unit do some excellent proactive work and analytical work, and identifying these sorts of patterns and hotspots so that these things are happening. But it isn't the norm within policing the same way as that might be the normal way that we respond to burglary problems, for example (AC4).

Police Officer One also pointed to the practical challenges stating that while resources were generally available there was a question concerning whether they would always be available at the right time:

Suppose I was doing a raptor persecution inquiry and I had a warrant to go onto an estate for carbofuran or some of the pesticides. Because of the lack of knowledge, you have to direct the officers on the grounds for what you want. If its drugs they would find it but for wildlife, would they understand it? So, the resources are available [but] they're probably not available all the time and when you want them. You'd have to put in a request. Its easy for me to get resources for a warrant, but not so easy for me if I say here's a profile and I want to get resources for a longer-term operation on an organised crime group. (PO1)

Difficulties in obtaining information from the public was also identified as a potential issue in wildlife crime policing. Academic Two identified issues with police being involved in hunting and also:

Police relying on intelligence from local communities where hunting happens [and thinking] oh, maybe we won't deal with the hunting or fox hunting or something because we need local people in rural areas to tell us about other things. We'll just let them do these sorts of wildlife crimes, so we don't **** them off to not cooperate essentially (AC2).

Academic Four also noted the impact of COVID-19 in limiting interaction with communities where wildlife crime takes place:

Actually that had a really big impact because of that importance of those relationships and going out and speaking to people in the community and not being able to do any of that, not being able to sort of do that kind of low level sort of intelligence gathering of what's going on because wildlife crime is so incredibly hidden because there's no victim that can come and tell us that it's happened to them, that it's absolutely reliant upon happening across something and seeing some evidence that something's happened (AC4).

AC4 also noted that austerity cuts in policing may also have impacted upon volunteer activity that engages with communities.

10.3 The Wildlife Crime Officer Role

Our research participants commented that the WCO role was one that needed to be properly resourced and supported. There was general agreement that the role was one that should be a dedicated role rather than one that was carried out alongside other duties. However, there were differing views concerning the extent to which this was the case and also concerning training provision for wildlife crime officers.

A key theme that emerged from our data is the extent to which wildlife crime officers' duties risked being voluntary or part time. Academic Two commented:

Although you do need to have dedicated wildlife crime officers within your different constabularies because otherwise, if you have what we have now and I know you know in [location] Police, they have a bit of this that the wildlife crime officers do that alongside other things. And you know if you've got competing priorities, wildlife loses out and they just end up spending their time on your, your normal kind of routine stuff in the wildlife just doesn't get taken care of (AC2).

Academic Three linked resourcing to the WCO role commenting:

Resources is always an issue, you know, we know that Wildlife Crime Officers in England and Wales, for example, they often have lots of other things that they're focusing on and therefore cannot prioritize and many end up doing it in their spare time, rather than doing it as part of their job (AC3).

In addition, Academic Three identified lack of data sharing and deficiencies in information systems as an issue for wildlife crime enforcement:

When you look at wildlife crime in terms of the higher levels where it's linked to a series and organised crime, when it's linked to cybercrime and so on and so forth, the capacity to actually investigate those effectively is very, very poor. And that's because the resources are not within the agencies that exist. So the National Wildlife Crime Unit, for example, Border Force and [individual] police forces, they don't necessarily have the intelligence data and unless the data analysts are in place to be able to engage with the data, they're not necessarily given access to data, and the National Crime Agency, while in the past, did prioritize wildlife crime it seems to be the case they don't anymore, essentially. So, they engage in very few offenses and take on very few of these offenses (AC3).

Training was also cited as an issue although opinions varied concerning the extent to which adequate training for Wildlife Crime Officers existed. Academic One commented:

Well, the police force in Scotland does have dedicated wildlife crime officers. Each area does have one. Again, there's an issue when they change over because they may not have training and the police college does run regular sessions on this for police officers, so they do it as it is definitely a feature of their training and organization. They do recognize that [as] something that needs attention (AC1).

Academic Two also flagged the lack of general training in wildlife crime and suggested that there should be support, training and education of all police constables around wildlife crime and environmental crime:

We have the College of Policing who have set this curriculum and it has nothing to do with wildlife crime and I think I'd like to see resources go into the training programs and the education and university degrees to where every police officer is getting wildlife crime education (AC2).²¹

Police Officer One also identified the lack of compulsory training for new officers identifying that 'they don't get that in the early stage of their career so they're not set up to see that this is crime that the police should enforce' (PO1). However, it was noted that a three-day online course was being built for wildlife crime officers that would be supplemented with additional enhanced training.

Our participants identified the necessity for support for a robust training scheme for WCOs and the provision of adequate resources to ensure continuous professional development and training support for both full-time and voluntary WCO. Our survey research (see Sections 5 and 6 provide information on police perspectives on existing training).

10.4 Resources for Wildlife Crime Enforcement

Our research participants overwhelmingly concluded that wildlife crime is an insufficiently resourced area of crime. Comments indicated that there is both a general lack of funding and resources and also identified some specific areas where resources were considered insufficient to deal with contemporary wildlife crime problems. Academic One commented

'the police are not rolling in money, so anytime there's a cut things you know anytime there's a cut, things get squeezed and wildlife crime is obviously one of the things that's likely to get squeezed, although it is still, it is a high profile area so the police can't ignore it completely. But yeah, obviously if you're dealing with serious assaults and so on, that's going to take priority (AC1).

Academic Three commented on resource issues for policing agencies like the UK Border Force:

Even though the team in Heathrow are great in terms of what they do and achieve both internally and externally and they're so that kind of under resourced, not just in terms of people, but also in terms of their facilities and their resources. And [previous research] looked specifically at data management and data availability and data

²¹ This point relates to the fact that all new police constables are required to complete a degree in policing as part of their training. However, the College of Policing curriculum for the Police Constable Degree Apprenticeship (PCDA) and the Degree Holders Entry Programme (DHEP) degree, does not contain material on wildlife crime.

analysis and it's appalling in terms of the difficulties that these key agencies have in kind of recording the data.

Obviously, most wildlife crime offenses are not recordable or notifiable, which is what is identified across the board as a major issue. So, you've got that issue, and of course, the reason why that's important is because if they are recordable or notifiable it gives them a sense of priority amongst the enforcement agencies and there is some accountability. And of course, it's easier for us to actually measure what is going on. So, I think that is an important change I think a lot of people are asking for, so potentially that is something that will change going forward but outside of that and the recording practices are problematic. Obviously, there's no join up between the various constituent countries. Each one does their own thing (AC3).

Police Officer One also commented 'the way policing works is we're intelligence led, based on threat, risk and harm. If you can't see the threat risk, you're looking at humans first and not the environment then you're never going to get the resources to look at those OCG's [Organised Crime Groups]' (PO1).

10.5 Levels of Wildlife Crime

Our research participants generally considered that wildlife crime levels had increased over the last five to ten years but sounded a note of caution given the lack of reliable data on wildlife crime levels. Our first NGO participant (NGO1) commented that:

I think its increases in detection, but a lot of that is just an aspect of modern technology. A lot of the stuff that we get, it's someone has seen something on their [the perpetrator's] Facebook page or been showing something on Instagram or something and then they report that in. We then if it's justified, get the warrants and all like any stuff and it's amazing... it's brilliant. A lot of these folks are that thick. They just photograph everything (NGO1).

The notion that offenders document their activity, accidentally providing evidence to aid a prosecution is seen as an aspect of changing society that has led to increased detection of wildlife crime. Most people now have easily accessible cameras and document their activities for social media, seemingly unaware that law enforcement can and will access this evidence as part of a prosecution or that other members of the public may report illegal activities they may see on social media.

Academic One also pointed to the discrepancy in the 'official' wildlife crime figures and those produced by NGOs, commenting:

The official figures are only the officially reported and detected ones. Whereas when you look at what the NGO's produce, they'll give you radically different figures....way, way higher (AC1).

NGO participant (NGO3) commented on a marked global rise in wildlife crime, stating:

I'm sure we are beginning to get a little bit better over time at monitoring the scale and the scope of criminal activities. [We talk] about wildlife trade and wildlife trafficking as if they're the same thing. Of course, they're not, certainly not at all. But what I've noticed with trafficking is that if you have a subset of wildlife trade that's illegal, both the trade, the legal and the illegal trade have many of these impacts. But the illegal trade will tend to have greater or more severe impacts because it's unregulated because it's not subject to the normal sort of monitoring and regulation that you would expect legal trade to be. That's not to say that legal trade doesn't have disastrous impacts. It does in many instances, but the illegal trade is likely to have greater impacts on welfare and potentially on conservation by virtue of the fact that it's illegal and that trade is illegal for a reason, and that's usually to protect wildlife species, you know, or populations or whatever. So, I think we're probably getting better at identifying and monitoring and measuring the scope and scale of illegal of wildlife crime. So probably there's an element that would suggest that it appears to be increasing because we're getting better and better and better identifying it. But I do think particularly with the increasing over recent decades, increasing human populations with increasing proportions of those populations with disposable income, particularly in areas of the world where wildlife parts and products have always been in demand for one reason or another, but perhaps having in the past perhaps only been accessible to the relatively wealthy. But [wildlife products] are becoming more accessible to a much larger mass of people as people have greater disposable income and I think as a consequence of that we have seen a very, very substantial rise in recent years in wildlife trade (NGO3).

Concerns were raised about the lack of reliable data on wildlife crime and identified a need to establish true levels of wildlife crime through accurate collection of data.

10.6 The Impact of Austerity Measures

Our research participants identified that austerity measures and budget cuts had impacted negatively on the policing of wildlife crime. However, this was not as straightforward as identifying that WCO posts had been cut; but related to the extent to which policing and other resources were directly allocated to wildlife crime enforcement.

Police Officer One commented that:

It has had an effect because its tightened the belts and the purse strings of every police force. If you have to concentrate on what's important and what's the vital service for the police. The executives who design the [policing] plan will say 'I can do this, and I can't do this'. So, the danger is that officers who come into the service and they're quite young and they come in this environment will concentrate on what they have to deal with (PO1).

PO1 identified that a possible consequence of austerity was that while there were undoubtedly officers committed to dealing with wildlife crime, the driver in an era of austerity and providing the essential or priority policing service is one in which wildlife crime becomes a secondary issue. Academic Two commented that austerity measures had impacted negatively because:

[Police] have less resources and less budget because of austerity, also less officers, though maybe that's shifting with Boris's big push for 20,000 [new officers].²² So I suspect that you know if you're strapped for resources as a Police and Crime Commissioner in a Constabulary, the first things to go are going to be around wildlife or things that are viewed as not to be a priority. So, I do think austerity would have played into that and I do think austerity has played into the lack of funding for the National Wildlife Crime Unit over the years of them, you know, struggling and every few years having to try to make a case that they're worth £1,000,000 or however tiny their budget is (AC2).

NGO2 commented that the impacts of austerity are most felt at grassroots level:

It will affect resourcing for anything additional. I think that you know the police are already stretched. I think austerity is causing its own problems in the communities which means that the police are maybe even more stretched than they might have been otherwise. And so I guess they're trying to deal with human activity and which has maybe been made worse by austerity. The cost-of-living crisis and that has had to the focus has had to then be taken away from anything else it has to, you know, they've obviously had to prioritize what they can deal with. And I think that that wildlife crime is likely fallen by the wayside for that reason (NGO2).

Academic Four also identified a specific operational issue linked to austerity cuts:

One of the things that really impacted on upon is analysis. So, the analytical capability at force level has been reduced through austerity cuts. Now analysts weren't necessarily working on wildlife crime anyway, but it's just that it just shows that any possibility of doing that through the force now is going to be unlikely. And again from speaking to people who work in analysis, the role as a result of that has become even more towards performance management than it has towards productive analytical work, which is what the supposed to be doing under the national intelligence model, so that the chances of there being any local analytical function I think is pretty much zero (AC4).

Austerity cuts may, thus, indirectly impact on the way in which wildlife crime policing is carried out given the imperative to divert resources towards higher policing priorities.

10.7 Links with Other Types of Criminality

Consistent with prior research which identifies that wildlife crimes may be linked to other offences, several of our interviewees identified a link between wildlife crimes and other offending.

Academic One commented:

²² At time of conducting this interview, Boris Johnson was UK Prime Minister and in November 2019, the Johnson Government launched a campaign to recruit 20,000 new police officers (Gov.UK, 2019).

[Some offences also involve] crime against people and so on. The hare coursing gangs are violent, are often violent criminals. They'll arrive and seriously threaten farmers. You know, farmers come across them on their land and the farmers are left in no doubt that if they phone the police straight away, they and their farm are in serious, serious trouble in the near future and absolutely credible threats of that. So, it's very hard to isolate wildlife crime from wider criminality, from wider social issues as well (AC1).

Several research participants identified a need to consider the specific nature of offending and to consider more seriously the links between wildlife crime and other offending.

10.8 Sentencing and Prosecution

Research participants identified inconsistency in sentencing and application of sentencing powers as an ongoing issue in wildlife crime enforcement. Participants also cast doubt on the extent to which wildlife crimes are effectively prosecuted and sentencing and application of criminal law sanctions acted as an effective deterrent to address wildlife crime issues.

NGO3 commented:

Many wildlife crimes might get to the point of being investigated by the police and passed to the Crown Prosecution Service, but many will fall foul of the fact that if it goes to a duty prosecutor and that duty prosecutor doesn't have sufficient knowledge of wildlife crime and the associated legislation, that they may fall flat at that stage and many people, many, many perpetrators of wildlife crimes, you know get off or, you know, fail to have deterrent sentences applied to them if they are successfully prosecuted because of failings in the system at the prosecution stage or the sentencing stage for that matter. If judges and magistrates aren't sufficiently informed.

So, I think the UK has quite a good at least potential structure that's kind of already in place. The problem that we have in the UK is getting those key elements within the various authorities concerned. The Crown Prosecution Service, the police, magistrates, judges and so forth to take wildlife crimes seriously enough and to dedicate the kind of resources that you need to dedicate to wildlife crime in order to improve our response (NGO3).

PO1 also commented on the need for investigators to consider the timescales for preparing a case for prosecution, noting the six-month time limit for many wildlife crimes and the possibility that prosecutions could fail or be unable to proceed due to investigative failures. This was linked back to training for officers noting that:

Sometimes officers early in their career think 'oh I've got six months on this' then they put it in at five months and [supervisors] go back to them and say you need to go back and look at it [the defence]. So, I think there is some learning to be done and for officers to understand early in the process that this is a crime [with a time limit] (PO1).

NGO4 commented on potential issues between police and prosecution in Scotland:

Once a case goes to the Fiscal, they [the police] have no idea what happens about it. They are usually not told. They might find out that three days before having to appear

in court and be a witness which is highly, highly unsatisfactory, and I don't know if that happens with many other crimes, but it's one of the issues. So, there's a whole lot of steps along the way that in my view that could be improved (NGO4).

The extent to which effective sentencing guidance was in place was also highlighted as a potential problem. Academic Three also raised concerns about the lack of clarity in sentencing:

[We] need to look at conversion rates in relation to the offences coming through the criminal justice system. I think you could do very important and useful review of that to see what's happening and get a sense obviously in terms of sentencing I think needs to be clarity, regards, sentencing guidelines and that obviously can take a little bit of uh doing and money to do that (AC3).

NGO1 highlighted an issue that emerges in the literature concerning the fact that wildlife crime sentences are frequently at the lower end of the scale:

Sadly, it's let down at the very end stage. You know, I mean, some of these trials take 4-5 days and then the guy gets a £200 fine or only 60 hours community service. You can ask what's the deterrent value in that? (NGO1).

NGO3 also commented specifically on sentencing guidelines:

We need proper guidance from the Sentencing Council, I know the Sentencing Council is somewhat removed from government, but you know we need a priority for wildlife crime and for the sentencing guidelines for wildlife crime to be very clearly laid out for magistrates and prosecutors. So that Magistrates and judges know they understand the options that are available to them and that they understand the seriousness of these crimes and the serious impacts they have for far too long, I think wildlife crime has been kind of regarded as a victimless crime, and that's partly why it hasn't been taken seriously enough (NGO3).

Participant responses identified a need for clearer, binding guidance and clear application of these to ensure consistency in sentencing.

10.9 Improving Wildlife Law and Wildlife Crime Enforcement

Our research participants were asked for their views on how to improve wildlife law and wildlife crime enforcement. A range of suggestions were made by our participants including: closing loopholes in wildlife law; better resourcing for wildlife crime enforcement; better and compulsory training for officers involved in wildlife crime enforcement; increased priority given to wildlife crime; and statutory recording of wildlife crime incidents.

Police Officer One commented:

If you brought in overnight that wildlife offences would be notifiable, it may force forces to reconsider how they record crime because they'd be set to task if they didn't record it properly and secondly we'd probably be held to account for the way we then

investigate those crimes, and with wildlife and rural crimes it isn't given a classification but it is thought of subconsciously as a less important crime (PO1).

Academic One commented:

There's lots and lots of tidying up in the legislation that could be done. It's a complete mess, the statute books are a complete mess, fragmented, broken up, and so on. But absolutely no prospect of that happening in the immediate future (AC1)

Academic Three suggested:

If money was no object, then you would have dedicated Wildlife Crime Officers in every police force. You would have data systems in place that would all talk to each other where you can extract the data you need to in order to have a targeted and intelligence-led approach. You would have consistency across constituent countries, and you would have government responsible for ensuring that wildlife crime is prioritized and that it's kind of formally done so through reports and through providing resources where they're needed. I think, the criminal justice system again in the prosecution service, judiciary, you would have people who are dedicated solely to this area so that they have built up enough expertise to be able to kind of prosecute and sentence appropriately.

Concerns about clarity of sentencing were also raised by Academic Three (see Section 10.8).

We consider these suggestions for improvement in our Conclusions and Recommendations and also identify areas for further research.

11. Conclusions

This research examines the current state of wildlife crime in the UK and its enforcement. Prior research has identified that wildlife crime remains an under resourced area, an issue arguably made worse by austerity cuts in policing. In addition, various research has identified; inadequacies and inconsistencies in the recording of wildlife crime; issues in the allocation of enforcement resources, lack of wildlife law specific knowledge among prosecutors and inconsistent application of penalties which tend to be at the lower end of the scale. The UK Government has committed to international initiatives to combat wildlife crime and in Defra's Spring 2021 animal welfare action plan pledged legislation to reduce the illegal trade in ivory and provide for increased animal protection. However, the perception of NGOs and other stakeholders and the conclusion of past research considered within this project is also that the policing of wildlife crime has been adversely affected by austerity cuts to policing with several police forces having abolished their Wildlife Crime Officer posts.

Our research is empirical in nature. In addition to analysis of the available literature on wildlife crime in the UK and analysis of wildlife law, we conducted survey research with all police forces and with PCCs. We also conducted interviews with a range of NGOs and academics involved in wildlife crime and who have expertise in analysis of wildlife law. Our analysis of the available literature identified that wildlife crime is considered to be an under resourced area, despite its acknowledged importance as a global crime issue. In addition, there are perceived problems with wildlife law, including those identified by the Law Commission in its 2015 analysis and recommendations for wildlife law reform. Our interview and questionnaire analysis also identified practical problems with enforcement and concerns about the under resourcing of wildlife law enforcement despite the dedication of individual officers. Our analysis of both the research literature and our empirical research leads us to the following conclusions:

11.1 Priority afforded to wildlife crime

Our analysis identified that while policy pronouncements suggest that wildlife crime is a priority area and that the UK is committed to wildlife crime enforcement, in practice wildlife crime enforcement falls down the list of policing priorities.

The key themes emerging from our research are as follows:

- a) Wildlife crime is not afforded the same priority as 'mainstream' crimes and is not mandated as a core policing issue. Where there is conflict between resources for wildlife crime and mainstream crimes, wildlife crime is likely to lose out.
- b) While it is recognised in the literature and accepted by law enforcement, the link between wildlife crime and other serious crimes (such as crimes of violence and organised crime) is not always recognised in practice. In respect of some aspects of wildlife crime there is still a perception of wildlife crime as not being 'good quality' police work. Wildlife has no voice and so the perception of some

wildlife crimes as being victimless crimes is associated with anthropocentric notions of wildlife as being there for human exploitation and arguably linked to perceptions on the 'ideal' crime victim. This means that wildlife crimes are still primarily seen as lesser offences.

- c) The priority afforded to wildlife crimes varies between geographical areas. In part this is a consequence of the reality that wildlife crime is not mandated as a policing priority by the Home Office/Ministry of Justice. It also reflects the autonomy and discretion afforded to Chief Police Officers in how they allocate their resources and determine local priorities.
- d) Wildlife crimes have a lesser status in legislation as they are not notifiable and are generally summary only offences not attracting heavier sentences. As wildlife crimes do not have a human victim there is under reporting and a perception of less threat, harm and risk. Various studies examined in this research and the data from our empirical research identify that there is a lack of clear data on the level of wildlife crimes (discussed later in these conclusions). While internationally there are moves to have wildlife crime considered as serious crime the UK's legislative framework does not fully place wildlife crime in the 'serious' bracket.

11.2 Problems of Wildlife Law Enforcement

Our analysis identified that while there are some positive enforcement models in place, several problems identified in the literature still exist in practice. Our participants raised concerns about the lack of available expertise in some areas as well as the reality that wildlife crime enforcement remains something of a 'fringe' area of policing. The general view of our participants was that the current enforcement system is insufficient to deal with contemporary wildlife crime problems.

The key enforcement issues identified in our research are as follows:

- e) There is a general lack of understanding of wildlife crime issues among enforcers with the result that effective wildlife crime enforcement is heavily dependent on the enthusiasm, dedication and specialist knowledge of individual officers rather than there being a clear, coordinated, effective system in place across the UK. This also means that the enforcement response is variable, and our PCC respondents indicated a clear belief that some police forces investigate and respond to wildlife crimes better than others.
- f) Recording of wildlife crimes is inconsistent and subject to local variation, accordingly comparison of data is problematic and so it is difficult to assess

where wildlife crime priorities should lie. Various studies and our interview and questionnaire data suggest that the recording of wildlife crimes should be mandatory and standardised.

- g) Where specialisms exist in the form of prosecutors with expert knowledge and experienced Wildlife Crime Officers, mechanisms to ensure that this expertise is retained are lacking. As a result, should staff move on to other roles there is no guarantee that the specialist resource will be retained. In addition, access to specialist resources and knowledge is arguably variable. For example, police staff seeking guidance on wildlife crime cases may access a duty prosecutor rather than a specialist wildlife prosecutor with the requisite knowledge. Our research identified a need for greater availability of and access to specialist knowledge to assist with investigations and preparation of prosecution cases.
- h) Obtaining sufficient and reliable evidence to prosecute wildlife crime cases was identified as a problem. First, the remote nature of many wildlife crimes means that they take place away from witnesses able to provide reliable evidence. Secondly, the evidentiary requirements for pursuing a case to court are not always clearly understood. Accordingly, our research identifies a need for clear training and reliable guidance on the evidentiary requirements for wildlife crime cases.
- i) Wildlife policing is primarily reactive rather than preventative and the use of crime prevention measures applied to other forms of crime are limited in wildlife crime discourse and practice. While this arguably reflects the nature of the offences and offending and the remote nature of many wildlife crimes it risks limiting the effectiveness of wildlife crime enforcement to a reactive 'detection, apprehension and sanctioning' approach that fails to prevent wildlife crime.
- j) Information sharing between police and other agencies is variable as is the extent to which reliable data on wildlife crimes is available to support investigations. It should be noted that participants commented favourably on the work of the National Police Wildlife Crime Unit but raised concerns about the unit's seemingly precarious funding position that did not ensure its continued operation.

11.3 The Wildlife Crime Officer Role

While the role of Wildlife Crime Officer is arguably now established and recognised as an integral part of the policing response to wildlife crime, our participants identified some issues with training afforded to the role and the extent to which Wildlife Crime Officers are able to dedicate themselves to wildlife crime enforcement given other, potentially conflicting

demands. Participants also identified some variation in how the Wildlife Crime Officer role is contextualised, consistent with prior research that indicates different models of wildlife crime officer might be adopted (Nurse, 2009; Kirkwood, 1994).

Our research identified the following key issues in respect of the Wildlife Crime Officer role:

- k) There is inconsistency in how the Wildlife Crime Officer role is constituted. Four Police Forces (25%) advised that they have wildlife crime officers who undertake this role on a voluntary part time basis alongside their full-time policing role. The remaining 12 forces who responded to our 2022 survey (75%) stated that they do have dedicated Wildlife Crime Officers. However, 11 of these forces went on to say that the dedicated Wildlife Crime Officer role is grouped in with rural crime more generally. It has not been established how much time is spent dealing with wildlife crime versus the more traditional types of crime such as theft and burglary that affects rural communities.
- l) The evidence of our research is that the number of full-time Wildlife Crime Officers has fluctuated since the 2013 survey.²³ Police forces were asked how many full-time Wildlife Crime Officers they had. Eight (50%) of those responding indicated that they did not have any. This indicates that some of the dedicated Wildlife Crime Officers may not work full time hours or are not deemed full time in that role due to the demands from other types of crime within the rural crime area of business. However, eight forces indicated that they had full-time Wildlife Crime Officers with variation reported in how many were in post. Thus, 2 forces stated they had 1 full time Wildlife Crime Officer, 1 force reported having 2 full time Wildlife Crime Officers, 2 forces have 5 full time wildlife crime officers, 1 force has 7 full time Wildlife Crime Officers (with a further 68 trained WCOs performing the role part time voluntarily alongside other policing duties), 1 force has 8 full time Wildlife Crime Officers in a dedicated wildlife and rural crime team and 1 force has 9 full time Wildlife Crime Officers with a further 2 trained WCOs who undertake the role voluntarily alongside another policing role.
- m) Police views on whether they have sufficient Wildlife Crime Officers varied in our 2022 survey. Five respondents from police forces agreed or strongly agreed that they had sufficient numbers of WCOs in their force. Nine (56%) of respondent forces disagreed or strongly disagreed that they had sufficient WCOs. Reasons given for lack of Wildlife Crime Officers included funding, difficulties in recruitment and lack of priority for wildlife crime when compared to other policing priorities.
- n) While some forces are doing well to recruit more officers as WCOs and providing staff with necessary equipment and resources to perform their role

²³ Our data allows us to make a basic comparison but further research and data would be required to assess trends in the loss of posts

effectively, the majority of our respondents reported that they still do not have enough staff or necessary resources to perform their role.

- o) Lack of statutory recording for wildlife crime is a factor in determining its priority and the resources that will be allocated, such as Wildlife Crime Officers.
- p) There has been a change in how wildlife crime is policed in some forces with the introduction of rural crime teams who have responsibility for all types of rural crime (from theft of machinery through to wildlife crimes). The evidence of our research is that in some areas, wildlife crime is subsumed into a more generalised rural crime response. This risks further marginalisation of wildlife crime as a distinct and priority area of policing.

11.4 Resources and the Impact of Austerity Measures

Our research identifies wildlife crime as an under resourced area that is arguably heavily reliant on the dedication of individual enforcement officers and, in some cases, support from NGOs. The picture emerging from our research is one that views wildlife crime as being insufficiently resourced whilst cuts in policing budgets derived from austerity measures are also perceived as impacting on the effectiveness of wildlife policing.

The key resource and austerity themes emerging from our research are as follows:

- q) Wildlife crime is under resourced compared with other crimes of comparable value. The resource issues manifest themselves in various ways from the way police forces provide for Wildlife Crime Officers through to the provision of scientific/forensic support for the investigation of wildlife crimes.
- r) Austerity measures have both directly and indirectly affected wildlife crime enforcement. Directly in the form of restructuring of how wildlife crime is policed; in some areas with the disbanding of wildlife crime units and/or their incorporation into a general rural policing approach. Indirectly, in the form of reduced availability and capacity for crime analysis and analytical resources to be allocated to wildlife crime. Also in respect of prioritising the urgency of human centres responses.
- s) The precarious nature of funding for the National Police Wildlife Crime Unit was also identified as a resource issue. Our research participants raised concerns that whilst it was recognised that the Unit made a considerable contribution to wildlife crime policing, funding for the Unit was not yet guaranteed. The lack of

permanent funding for the Unit arguably signals that sufficient resources have not been allocated to wildlife crime enforcement.²⁴

11.5 Improving Wildlife Crime Enforcement

Whilst recognising that in principle the UK has a robust framework for wildlife crime enforcement, our research participants identified several possible improvements to wildlife crime enforcement. There was a general perception that wildlife legislation needed to be reviewed as well as a need to address the lack of consistency in how the Wildlife Crime Officer role is implemented and supported. Our research also indicated that the prosecution and sentencing of wildlife crime cases could be improved and participants made some suggestions for developing wildlife crime responses as follows:

- t) Wildlife legislation remains inconsistent and needs reviewing to close loopholes, ensure consistency in penalties, powers of arrest and levels of wildlife protection. The Law Commission's 2015 review provides a basis for wildlife law reform however, an enforcement focused review should address those issues that hamper effective enforcement.
- u) There is inconsistency in how the Wildlife Crime Officer role is implemented (see Section 10.3) and supported. Forces should have at least one full-time Wildlife Crime Officer in a role that is provided with sufficient training and regional (local area) support to ensure wildlife crime issues can be responded to effectively.
- v) Mandatory training and guidance in respect of investigation, prosecution and sentencing should be available for wildlife crimes to develop the capacity to conduct this area of work. This would also help to provide consistency in sentencing and retain specialist wildlife crime knowledge and ensure its continuity in the event of staff changes.
- w) Further research into wildlife crime is required. Much criminological and policing research on wildlife crime focuses on wildlife trafficking with the risk that other forms of wildlife crime and the public policy response to these remains under-researched. Further research is required in respect of; information sharing and multi-agency working; the nature of offending ad

²⁴ An Early Day Motion (EDM) tabled in Parliament on 5 February 2020 directly called on the Government to provide permanent funding for the National Police Wildlife Crime Unit. At time of writing the EDM has 95 signatures and is available at: <https://edm.parliament.uk/early-day-motion/54596/permanent-funding-for-the-national-wildlife-crime-unit>

motivations for offending; potential for application of crime prevention; prosecutorial and sentencing practice and wildlife law.

We address some of these issues in more detail in our Recommendations and suggestions for further research.

12. Recommendations

Our research identifies several issues relating to the recording of wildlife crime, the resources afforded to wildlife crime and the support available to those involved in practical enforcement and prosecution of wildlife crimes. Our conclusions on the current state of wildlife crime in the UK are that wildlife crime remains an under resourced area and one potentially hampered by a reactive approach that is arguably reliant on the efforts of dedicated individuals, notwithstanding the existence of the National Police Wildlife Crime Unit and the involvement of NGOs. Accordingly, we make the following recommendations:

12.1 Priority afforded to wildlife crime

Our analysis identified inconsistency in the priority afforded to wildlife crimes and a lack of reliable 'official' statistics on wildlife crime although wildlife crime data are published in various sources. The lack of reliable wildlife crime data arguably hampers the efficient allocation of resources and analysis of priorities in dealing with wildlife crime. Accordingly, we recommend that wildlife crime should be designated a policing priority and recommend statutory recording of wildlife crime incidents to provide a reliable evidence base on the nature, prevalence, and characteristics of wildlife crime. Recording of wildlife crime incidents should distinguish between different types of crimes, the species involved and the situations in which wildlife crimes occur together with data on who is committing wildlife crime.

12.2 Consistency of Legislation

Our analysis identified that there remains inconsistency in wildlife legislation and that many of the issues identified in the Law Commission's 2015 review have yet to be resolved, notwithstanding some of the changes implemented in the Infrastructure Act 2015. Accordingly, we recommend that there should be harmonization of wildlife law to close any loopholes and discrepancies in wildlife law, including variation in wildlife protection in the different constituent parts of the UK and between species. We recommend a fresh review of wildlife law, revisiting the outstanding issues from the Law Commission's review (2015) and assessing the current position of wildlife law and aspects of wildlife law that may be difficult to enforce (see also section on further research).

12.3 Enforcement Issues

As we identify in these conclusions, evidentiary issues have been identified as an area of concern in enforcement practice. Our participants indicated that this was in part linked to lack of knowledge of wildlife crime issues and reliance on experienced enforcement practitioners. We note the existence of prosecutorial guidance from the CPS (2022) for England and Wales but recommend that updated enforcement and prosecutorial guidance should be developed

that takes into account variable practice and experience among police and local authorities and which provides examples of wildlife crime scenarios and how they should be dealt with. We also recommend that wildlife crime should be incorporated into the Policing Education Qualification Framework so that new police officers are at least exposed to some basic wildlife crime knowledge as part of their training.

12.4 Resources afforded to wildlife crime enforcement

Our analysis identified that while policy pronouncements suggest that wildlife crime is a priority area and that the UK is committed to wildlife crime enforcement, in practice wildlife crime enforcement falls down the list of law enforcement priorities. Accordingly, we recommend a review of the resources provided to wildlife crime enforcement with consideration of the evidence base and research requirements needed to properly identify the required resources and ensure the allocation of sufficient resources (see also Further Research section).

12.5 The Wildlife Crime Officer Role

Our analysis identified variation in how the Wildlife Crime Officer role is constituted. Whilst it is acknowledged that this will by necessity be a local decision and that one size may not fit all, we recommend that each police force should as a minimum have one dedicated, full-time Wildlife Crime Officer and that wildlife crime should be considered a specialist area rather than incorporated into wider rural crime issues. Appropriate compulsory, refresher and continuous professional development training should be available for both full-time and part-time Wildlife Crime Officers.

12.6 Sentencing Guidelines

Inconsistency and lack of clarity in sentencing were identified as issues in the prosecution of wildlife crimes. Accordingly, we recommend the introduction of sentencing guidelines that address aggravating and mitigating factors. A model for sentencing guidelines exist in the Magistrates Association's guidance that contain 17 aggravating factors including the deliberate or reckless nature of any breach of the law, the endangered nature or CITES listing of the species affected and the conservation significance, financial benefit to the defendant, evidence of prolonged engagement in wildlife crime, and any cruelty involved (Magistrates Association 2002: 4-5; Nurse, 2015: 152-153). Our recommendation is for binding Sentencing Council guidelines which view 'the harm caused to wildlife and negative impact on biodiversity as aggravating factors, allied to the behaviour and attitude of the offender' (Nurse, 2015: 153). Thus, sentencing guidelines should reflect the varied nature of wildlife crime and the offending involved, the harm caused to wildlife and conservation/biodiversity significance of the crime, and the extent to which actions which harm wildlife are deliberate and persistent.

13. Further Research

Our research has identified some issues that require further examination and that could not be addressed within the scope of this project. We recommend further research as follows:

- a) Collection on wildlife crime data to produce comprehensive statistics concerning reported wildlife crime incidents by all police forces, local authorities and NGOs to be compared against 'official' wildlife crime data and prosecutions. Our research identified variations in how wildlife crime incidents are recorded and in the priority afforded to them such that a 'dark figure' of hidden wildlife crime is perceived to exist. We recommend further research to collect comprehensive wildlife crime data.
- b) Mixed methods research on prosecution practice to assess the extent to which evidentiary issues may be hampering the prosecution of wildlife crimes. This includes research into the reasons why cases fail at court as well as the reasons why cases may be discontinued on either evidentiary or on public interest grounds. We recommend a quantitative survey that establishes the extent to which cases are not proceeded with or are unsuccessful combined with qualitative research on decision-making processes employed by prosecutors and case managers when deciding not to pursue a case.
- c) Quantitative research on sentencing in wildlife crimes. Our research identifies possible inconsistency in sentencing and that sentences tend to be at the lower end of the scale allied to the lack of sentencing guidelines. We recommend research that assesses sentencing in wildlife cases to assess in-depth sentencing practices, levels of sentencing, consistency in sentences and (where possible) evidence of repeat offending.
- d) Further research into resource needs against available budgets. Our research indicates both that there is a lack of resources for wildlife crime enforcement and that austerity and budget issues are factors in under-resourcing. We recommend further research to assess actual resource needs and that attempts to quantify the resource shortfall in wildlife crime enforcement.
- e) Further research into regional differences in enforcement practice and resourcing. Earlier in these recommendations we suggest additional data collection which if carried out should serve as the basis for a more detailed analysis of regional differences in wildlife crime problems, enforcement and resourcing practice and prosecutions practices. This is outside the scope of the current project, and we recommend a separate research project that collects and analyses additional data to inform understanding of the regional picture.

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