

THE RECORDING OF WILDLIFE CRIME IN ENGLAND AND WALES

Reviewing the effectiveness of current practices

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Genuine Parts

EXECUTIVE SUMMARY

This report examines the issue of crime recording in the United Kingdom, focusing primarily on England and Wales, addressing concerns that most wildlife crimes are not recordable despite being amongst agreed national crime priorities.

Surveys and interviews were conducted with practitioners working in the field of law enforcement, conservation and animal welfare and a range of opinions are presented focusing on areas of agreement.

Most wildlife crimes in England and Wales are not centrally recorded (unlike in Scotland, where all wildlife crimes are recorded), a practice that is considered unhelpful for determining crime trends, levels of criminality in police force areas, and in setting strategies and priorities. The perception that enhanced recording would be an additional burden to those responsible for recording is debunked, since existing systems would be utilised and overall efficiency would be improved. Overwhelmingly, most respondents state that all forms of wildlife crime should be recorded under Home Office Counting Rules.

The benefits of recording wildlife crime are illustrated by the Scottish Government's publication of an annual report, which collates data from Police Scotland and several other agencies. The report breaks down crimes to specific offences that can be measured against previous years. This report is in addition to monthly intelligence and analytical reports disseminated to area commanders.

In contrast, several examples were found in England and Wales, where government departments were unable to provide accurate information on wildlife crime. This is unsurprising, since neither the police or Crown Prosecution Service is required to submit data to the Home Office on the most commonly occurring and serious wildlife crimes.

This worrying situation goes against the Government's statement of purpose on crime recording¹, which states that crime is recorded by the police and others to:

- prioritise effective investigation of crime in keeping with national standards;
- inform the public of the scale, scope and risk of crime in their local communities;
- allow Police and Crime Commissioners (PCCs), Police Forces and local partners to build intelligence on crime and criminal behaviour necessary for an efficient and effective response;
- enable government, PCCs, Police Forces and their partners to understand the extent of demands made of them and the associated costs of service delivery; and,
- inform the development of government policy to reduce crime and to establish whether those policies are effective.

Reasons given for this difference in response largely came down to differences in priorities in Scotland, England and Wales. The conclusion is that despite rhetoric in international fora, the Home Office does not see wildlife protection as a priority issue within England and Wales. Further to the research conducted within this report, it is recommended that all wildlife crime is recordable within England and Wales.

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CONTENTS

Introduction	4
Key Findings	5
Recommendations	5
Wildlife Crime in England and Wales	6
Overview	6
Crime in numbers	6
Response	9
Legislation and Penalties	9
Measuring Crime and Offending	10
Incident Reporting	11
Crime Recording	12
Wildlife Crime Intelligence Development and Analysis	13
Current status of wildlife crime recording	14
Improving Incident and Crime Recording	15
The Case for Recording	17
Conclusion	18
Appendices	20
Appendix i – Methodology	20
Appendix ii - Survey Questions	21

INTRODUCTION

In recent years, wildlife crime has become widely recognised as a significant and growing threat to species conservation, animal welfare and the environment, alongside issues such as unsustainable use, habitat destruction, and climate change. The international community, through mechanisms including the UN Crime Commission, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and INTERPOL, recognises environmental crime as a priority. Nations have been encouraged to urgently develop strategies to combat wildlife crimes, and to treat them as serious crimes through amending legislation, upgrading penalties, and developing responses that are more effective.

The United Kingdom has been at the forefront of international efforts to better address wildlife crime through initiatives such as the London Conference on the Illegal Wildlife Trade (2014), active participation in the INTERPOL wildlife crime working group, and the development of the consortium United for Wildlife (created by the Royal Foundation of the Duke and Duchess of Cambridge and Prince Harry), and its Transport Taskforce, led by Lord Hague of Richmond. Despite these commendable efforts, there is concern that wildlife crimes taking place within the UK, affecting domestic species, individual terrestrial and marine animals, and wildlife habitats, is not afforded the prioritisation deserved or the resources required for effective law enforcement.

A fundamental issue impeding the ability of the Government and national agencies to effectively direct resources to address wildlife crime is the lack of knowledge of its scale and nature. Current methods to monitor and quantify confirmed crimes are inadequate and ineffective. The situation suffers from a typical “vicious circle”, whereby there is insufficient data on the levels of crime to raise it to a level where it is more effectively counted. However, until it is more effectively recognised, it is difficult to gather evidence to justify change.

This research examines crime reporting and recording in England and Wales, drawing upon some practices in Scotland as a comparative case. It aims to explore whether and how official recording would improve the enforcement of wildlife crime, increase transparency around levels of offending, and improve the effectiveness of enforcement and resource allocation. The report also provides recommendations for potential next steps and alternatives to the current system.



KEY FINDINGS

- Enhanced reporting and recording of wildlife crime would allow for more effective setting of priorities, greater efficiency and better allocation of resources.
- Wildlife crime in the UK is a significant, complex and burgeoning crime area with thousands of incidents affecting every region of the country, and many national species.
- Penalties for wildlife crime are insufficient to act as a deterrent and can easily be absorbed by offenders.
- It is currently impossible to obtain accurate data on wildlife crime levels in England and Wales, whilst in Scotland reports of recorded crimes are collated monthly and published annually.
- England and Wales are falling behind in their ability to quantify wildlife crime in comparison to Scotland. Inconsistencies between methods of recording across the UK do not reflect the varying national, local and regional challenges.
- Rather than using existing official recording processes, the Government relies upon statistics from non-governmental organisations (NGOs), which may lead to inconsistencies due to different methods of recording.
- The inability to measure the threat of crime to native wildlife in England and Wales renders it vulnerable to exploitation, killing and cruelty, and threatens animals, plants and natural habitats.
- Consultations conducted over recent years have led to experts consistently supporting more severe penalties, and improvements to the recording of wildlife crime, yet these recommendations have been ignored without adequate justification.²

RECOMMENDATIONS

To improve the response to wildlife crime, and to develop an effective, national, and uniform method of doing so, the following recommendations are proposed:

- All wildlife crime should be recordable through several specific Home Office Codes, removing ambiguity and confusion over which crimes should be recorded, and eliminating disparity between different parts of the United Kingdom. A generic code is not considered sufficient, bearing in mind the significant differences between various wildlife crime types.
- 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.
- Penalties for wildlife crimes covered by national legislation should be reviewed in light of the recognition of the seriousness and increasing frequency of wildlife crime. In doing so, offences should become triable either-way, providing for offences of a serious nature to be heard and/or sentenced in Crown Courts.
- The Government should produce an annual wildlife crime report for England and Wales, similar to that produced by the Scottish Government³, which includes data on recorded wildlife crimes, related court proceedings and penalties, with additional information on priority crime areas.
- To capture potential wildlife crimes, all relevant agencies should ensure that wildlife crimes are included in training for call handlers and those who monitor reporting of incidents in the first instance, as well as providing enhanced training for police officers on wildlife crime.

WILDLIFE CRIME IN ENGLAND AND WALES

Overview

The broad definition of wildlife crime is “Any unlawful act or omission, which affects any wild creature, plant or habitat”⁴. Like other nations, the UK suffers from a range of illegal activities concerning wildlife, from isolated offences, to organised activities, and transnational crimes such as the illegal trade in protected species.

Wildlife crimes may be motivated by financial gain, through the selling of wildlife or destruction of habitats that impede development, or to protect financial interests such as hunting. Cruel and illicit lifestyle activities are also drivers in the commission of certain offences, including hare coursing and badger baiting. Pollution is also a strong factor in offences against wildlife, such as littering, and deliberate or reckless use of pesticides, which affect bees and other insects, plants and terrestrial and marine habitats.

The wildlife crime Conservation Advisory Group has identified six wildlife crime areas as priorities to be addressed by the police and other agencies⁵. These are:

- Badger Persecution;
- Bat Persecution;
- Illegal trade in CITES-listed species;
- Freshwater Pearl Mussels;
- Poaching; and
- Raptor Persecution.

This range of offences leads to an equally diverse range of responses and strategic decision-making processes for agencies and organisations addressing crimes. Priorities may be determined through several factors, such as the level of financial gain, international involvement, level of cruelty, or long-term impact upon species, biodiversity or the environment. Consideration should also be given to the significant impact on those directly or indirectly impacted by crime; on rural communities through insecurity, theft and intimidation, and through the emotional distress caused by acts of cruelty, which many British people find unacceptable and abhorrent.

Crime in numbers

Throughout England and Wales, many agencies and organisations currently monitor wildlife crime incidents using different methods and for a range of purposes. For example, while the police will log all crime at the time of reporting or discovery, numbers may change significantly after investigation and conclusion. The final number of offences rarely reflects the impact on the resources required to investigate incidents that enforcement agencies are duty-bound to investigate.

Several respected NGOs monitor offences often related to specific species or issues, and willingly provide information and statistics to investigating agencies and the Government. Many examples can be found of close cooperation between national and local agencies and civil society organisations.

However, quantifying wildlife crime coherently is a challenge. The variations in methods of collecting information means that the sum of crimes from all sources cannot accurately show the extent of all wildlife crime. Arguably, collation by the Home Office, using police (and other agency) data, would provide a more accurate picture of wildlife crime in the UK, based on uniformed standards of measurement.

As with the Scottish Annual Wildlife Crime Report, other data could be included in regular reviews, such as incident records collated by NGOs, and academic research. Such a report would provide an enhanced comprehension of the national picture and wildlife crime trends, thereby enabling national agencies to prepare and respond appropriately to both ongoing and emerging issues.

The table below summarises available information obtained on crimes relating to badgers, bats, birds, pesticide-related crimes and illegal trade. Despite being national priorities and the significant number of offences over many years, most of these crime-types are not recordable. Without the data-collection conducted by NGOs, the Government would have little or no idea of the level of these crimes across the country. Of further concern is that although some offences are recordable, such as import/export offences, there is no central collation of convictions, implying that the current system of recording is inadequate.

Crime Type	Number of incidents	Time Scale	National Wildlife Crime Priority set by PAW?	Recordable in England and Wales?	Notes
Badger Persecution	848	2011	Yes	No	<p>The overall number of incidents across Great Britain recorded between 2011 and 2016 inclusive was 3399, with most cases taking place in England and Wales.</p> <p>Offences included baiting, hunting and poisoning. Badger crimes are a national priority, and whilst these are incidents rather than confirmed crimes, the volume indicates a serious need for better measurement of crimes.</p> <p>Source: Badger Trust⁶</p>
	359	2012			
	698	2013			
	404	2014			
	465	2015			
	625	2016			
Bat Persecution	117	2010	Yes	No	<p>These figures represent cases referred to police by the Bat Conservation Trust (BCT). In most years, the number of 'incidents' recorded by the trust far exceed this number.</p> <p>In 2015, at least 92% of incidents referred to police in the UK took place in England and Wales. Bat-related crimes include damage and disturbance to roosts resulting from building and development work, killing and taking, use of pesticides and sales. Monitoring of internet-sales sites is challenging and the number of incidents is likely to be higher than that reported.</p> <p>Source: Bat Conservation Trust⁷</p>
	138	2011			
	134	2012			
	121	2013			
	159	2014			
	133	2015			

Crime Type	Number of incidents	Time Scale	National Wildlife Crime Priority set by PAW?	Recordable in England and Wales?	Notes
Raptor persecution	119 91 102 121 94 90 81	2010 2011 2012 2013 2014 2015 2016	Yes	No	<p>These UK-wide figures are the confirmed incidents against birds of prey including poisoning, shooting, trapping and nest destruction. In 2016, 65% of these offences occurred in England and 16% occurred in Wales. These incidents represent an unknown fraction of the actual number of raptor persecution incidents that take place. Many remain undetected and unreported, particularly those that occur in remote and private areas.</p> <p>Source: RSPB⁸</p>
Pesticides	96 69 65 79 45 47	2010 2011 2012 2013 2014 2015	No	No	<p>These figures relate only to cases under the category of abuse (deliberate) or misuse (reckless), of which most cases related to wildlife including those specifically related to bees. Around 79% of cases recorded are those of abuse, where “a pesticide has been deliberately used in an illegal manner to poison, or to try to poison animals.” Pesticide abuse against wildlife is not, per se, a recordable offence.</p> <p>Source: Health and Safety Executive -Wildlife Incident Investigation Scheme (WIIS)⁹</p>
Illegal Trade (Import/Export)	30 40 59	2001-2005 2006-2010 2010-2015	Yes - CITES offences	Yes	<p>The number relates to prosecutions only, for import/export offences under Control of Trade in Endangered Species (COTES) or the Customs and Excise Management Act. However, the actual number of reported crimes in this area is likely to be much higher.</p> <p>Source: TRAFFIC</p>

Response

Resources allocated to addressing wildlife crime in England and Wales are limited. Responsibility is divided amongst several agencies including the National Wildlife Crime Unit (NWCU), the Environment Agency, Natural England, Natural Resources Wales, Border Force, and local councils and police forces.

In March 2016, the Government allocated funding to the NWCU to support it for the following four years¹⁰. At the time of writing, the Unit consisted of just 12 staff, including police officers and civilians, providing investigation support to police forces and other agencies across the UK, and as a point of contact for international enquiries. In addition, central funding is allocated to police forces as part of their total budgets, from which Chief Officers determine their own levels of expenditure on all crimes (including wildlife crime).

In addition to national and local law enforcement agencies, several established NGOs also address wildlife crime as part of their activities. These include the Bat Conservation Trust, Badger Trust, RSPCA, the RSPB, TRAFFIC and World Animal Protection. Some organisations, such as the RSPB, also collate and develop actionable intelligence and gather evidence to refer to the police, while others such as the RSPCA use the common right to bring private prosecutions against those suspected of crime.

Legislation and Penalties

Whilst examining national legislation goes beyond the core scope of this report, there is a tangible link between relevant legislation, penalties and recording of crimes, and it would be prudent for any future review to consider this relationship.

The first area to consider is the large number of existing acts and regulations related to wildlife offences in England and Wales. At least 12 different regulatory regimes are currently in force, preventing consistency and transparency. This understandably complicates efforts to measure offences committed under each regulation. A review by the Law Commission published in November 2015, recommends a single statute to replace the existing regulatory structure.¹¹

Regarding penalties, the Environmental Audit Commission (EAC) recommended in 2014 that the Government should keep wildlife crime sentencing under review and provide guidance “to ensure that wildlife crime is punished with appropriately strong penalties”.¹²

The comprehensive Law Commission report echoed these recommendations finding that “the current sanctions for wildlife crime were insufficient” and that penalties did not act as a deterrent and can be absorbed by offenders, adding that it was apparent that a “sizeable proportion of wildlife crimes are committed by organised criminal enterprises”. The Commission recommended an increase in penalties to bring them into line with offences for trade in endangered species: “*all substantive wildlife offences, including poaching, should be punishable on summary conviction by imprisonment for a period not exceeding six months or a fine (or both) and on conviction on indictment by imprisonment for a period not exceeding two years or a fine (or both).*”¹³

The EAC recommended improvements to the current methods of crime recording, suggesting that a database of wildlife crime may provide greater transparency. The Committee recommended that the Government design a clear and comprehensive system of recording and reporting.

The Government has since responded to both the EAC and the Law Commission recommendations:

In December 2014, the Government responded that sentences were a matter for the courts, independent of Government and that judges and magistrates should decide upon sentences.¹⁴ However, the judiciary can only sentence within the penalties provided by legislation, and are thereby restricted to the current insufficient penalties.

With regard to improvements to crime recording and reporting, the Government stated that it wished to wait for the outcome of the Law Commission report. However, having received that report, the Government responded, in November 2016, that any review of legislation would not be appropriate bearing in mind the complexities and uncertainties resulting from the UK’s exit from the European Union, and should be delayed.¹⁵ Presumably, the same response would apply to a review of crime recording.

It seems that for several years past and for an indefinite period to come, the Government is stalling on making urgent and important improvements to address wildlife crime in England and Wales, noting that Scotland has already begun to address these issues, as raised in the various recommendations.

MEASURING CRIME AND OFFENDING

The UK has a reasonably robust system for measuring crime in general. Incidents are reported to enforcement agencies, such as the police, and in most cases, these are registered as a crime. Agencies are duty-bound to investigate all reports of crime until such point that they are either deemed 'no-crime' (where despite the initial report, no offence is found to have taken place) or taken to conclusion through the criminal justice process. Criminal cases in the UK are never 'closed', although reasonable enquires may be exhausted.

This study identified considerable misunderstanding between incident recording, crime recording, and the management and analysis of data and information. The interchangeable terms do not help, and in many cases, respondents would use the term "crime recording" when in fact discussing the reporting of incidents, which may or may not be "crimes". There are distinct differences between the reporting of an incident, the management and analysis of intelligence and criminality, and the recording of crime. The following sections describe these aspects in more detail to improve understanding.



Incident Reporting

The first step in the investigative process is often the initial reporting of an incident. Such reporting may come via a member of the public, or may be discovered by the police or other agency. The public may report incidents in person, by telephone or through online reporting systems. At this stage, the matter reported is an incident, but may or may not be a crime, although an incident reported to the police must “result in the registration of an auditable incident/record”¹⁶, thus ensuring that police forces have information and provide an audit trail.

Whilst authorities are duty-bound to investigate incidents, it is in the interest of efficiency to make an early assessment of whether an investigation is warranted, to ensure that limited resources are used to investigate genuine crimes.

A key issue is the ability of call-handlers to accurately log wildlife incidents. When an incident is reported, a handler should recognise it as a potential wildlife crime rather than, for example, an offence related to domestic dogs, a public order or anti-social behaviour incident. Whilst Police Scotland and the National Wildlife Crime Unit are increasing training and awareness amongst call-handlers, the role has a high turnover of staff, and therefore retaining institutional knowledge within call-handling centres is a challenge.

The consequences of inaccurate incident recording are that incidents may not be allocated and investigated correctly, and therefore may be written off before they can be recorded as crimes.

Despite most wildlife legislation specifically referring to enforcement “by the office of constable”, police officers do not receive any input on wildlife crimes during their foundation training, and may lack the knowledge to identify an incident as an offence under wildlife legislation. Whilst an externally managed National Wildlife Crime Officers Foundation Course has provided training to national agencies and NGOs since 1977, Wildlife Crime Officers (WCOs) often develop expertise through experience.

The first hurdle is therefore often encountered at the point of an incident being reported, and it may not be recorded as a “wildlife incident” in the force Command and Control systems (most police forces use a system called “Storm”). There are a number of ways in which an incident could be recorded, depending on the selections made by call-handlers. Drop-down lists provide some assistance, but these include many variables.

This practice may also lead to loss of data and immense challenges in retrieval. As one senior police officer summarised, “If you push a button on the system [in England or Wales] and said, “Give me your wildlife crime”, you wouldn’t get a true figure.” Additionally, if a crime also involves other offences, such as firearms or public order offending, these incidents could end up being recorded under the respective categories, with no apparent connection to wildlife crime.

Crime Recording

Police recorded crime figures are restricted to a subset of notifiable offences that have been reported to and recorded by the police and provide an accurate picture of criminal offences committed in the country.

Two sets of rules, the National Crime Recording Standards (NCRS) and the Home Office Counting Rules for Recorded Crime (HOCR) exist in England and Wales to “help to ensure that crimes are recorded consistently and accurately”.¹⁷ The NCRS, introduced in 2002, are central to the HOCR¹⁸ and are set by the National Police Chiefs’ Council (NPCC) and the Home Office. These standards aim to promote greater consistency between police forces when they record crime, taking a more victim-focused approach to crime recording. The HOCR provide a national standard for the recording and counting of ‘notifiable’ offences recorded by police forces in England and Wales. In Scotland, a similar system exists under the Scottish Crime Recording Standards. A notifiable offence is one that the Home Office must be informed of by the police, which enables statistical analysis of offences.

The Government states in the Vision and Purpose Statement for Crime Recording, “*that all police forces in England and Wales have the best crime recording system in the world: one that is consistently applied; delivers accurate statistics that are trusted by the public and puts the needs of victims at its core.*”¹⁹

However, only certain notifiable crimes are recorded under these rules, with most wildlife crimes not falling under the identified categories. There is therefore no way of retrieving information on (most) wildlife crimes from Home Office recorded crime data. Additionally, the Crown Prosecution Service (CPS) in England and Wales has no automated way of retrieving data on the results of prosecutions for any wildlife crime; instead, the CPS collates this manually. This situation was described by a senior police officer, as “hugely frustrating”, since it is impossible to inform the Government of the true extent of wildlife crime, which could in turn lead to a commensurate level of resource allocation.

The situation is significantly different in Scotland, where all wildlife crime is recordable under the Scottish Crime Recording Standards, and as a result, Police Scotland and the Scottish Government have accurate figures for how many confirmed crimes have taken place. Whilst the system is not perfect²⁰, theoretically everything from a relatively minor offence, through to the killing of a bird of prey or poaching incident, is recorded. Each crime is allocated a specific reference number and can be traced from incident reporting, through to outcome.

Wildlife crime figures in Scotland are collated into an internal monthly analytical and performance report provided to a Detective Chief Superintendent and all divisional Wildlife Crime Officers. In addition, these figures are fed into the Scottish Government, which, for the last three years, has produced a public annual report on wildlife crime. Publication of the *Wildlife Crime in Scotland* report is a requirement under the Wildlife and Natural Environment (Scotland) Act 2011, requiring Ministers to present the report and include data on both incidents and prosecutions for wildlife crime in the previous year.

The report contains data from a wide range of official organisations and sources, and includes official recorded crime and prosecution statistics (provided by the Crown Office and Procurator Fiscal Service (COPFS)) and wildlife offence data (provided by Police Scotland). The latter includes data breakdowns, which the report acknowledges would not be possible using official crime statistics alone. In other words, the report goes beyond official recordable offences to provide a comprehensive picture of wildlife crime in Scotland.

Questioning the different approaches towards wildlife crime in Scotland in comparison to England and Wales seems to come down to an issue of interest amongst respective governments, and the perception of public interest. Officers in Scotland stated that the profile of wildlife crime was high amongst government and the public, and that they felt no resistance to the resourcing of officers to investigate wildlife crime.

Wildlife Crime Intelligence Development and Analysis

A third aspect of measuring and assessing crime falls into the undefined category of data, information and analysis. Most law enforcement agencies and civil society organisations have some means of keeping a record of wildlife incidents, including bespoke databases and intelligence software, such as *Niche* and *Memex*. These databases include details such as precise modus operandi, the species involved, and the offence location. The CPS in England and Wales manually collates data on wildlife crime, sharing it with the enforcement community to assist analysis.

It should be noted that these records are usually internal and whilst they may assist in analysing crime trends and potentially linking offences and offenders, the information held does not contribute to recorded crime statistics. Police recorded crime is also considered unreliable for measuring crime trends and while police recorded crime is the principal source of subnational crime statistics, statistics based on police recorded crime data have been found not to meet the required standard for designation as “National Statistics”. This is due to variations in recording practices and police activity, as well as changing behaviour in public reporting of crime.²¹ This finding seems contradictory to the purpose of Home Office Counting Rules. Nevertheless, the objective of Home Office crime recording is to provide information on levels of crime, not to identify offenders or direct specific tactics.

The benefits of collation and analysis of crime data includes the ability to identify and develop intelligence on suspects and offenders, including through cross-border checks via the Force Intelligence Bureaux. Since wildlife crime offenders may be involved in other types of criminal activity, the ability to cross-reference specific wildlife crimes, such as hare coursing, with other crimes within a geographic area (such as theft, trespass, criminal damage or threatening/violent behaviour) is likely to help with suspect identification.

It should be noted however, that there is little benefit in gathering data and information unless it is subjected to the necessary analysis to assess quality and draw out patterns, such as timings and locations. Much of the work conducted by the National Wildlife Crime Unit therefore focuses upon collation and analysis of intelligence on behalf of national enforcement agencies.

Current status of wildlife crime recording

Until 2014, most wildlife crimes committed in the UK were recorded in the Home Office Counting Rules under a category of “Miscellaneous Crimes Against Society”, and a sub-category of “Other Notifiable Offences” (Code 99). However, crimes committed under domestic legislation, such as the Wildlife and Countryside Act 1981, were not counted under Code 99, creating a knowledge gap of the levels of crime against domestic wildlife. As of April 2014, some wildlife crimes were given a separate code of “Wildlife Crime” (Code 96)²². These crimes include those related to:

- Shark Fin removal;
- Sea fishing offences;
- Conservation of whales;
- Fisheries crimes;
- Seals;
- Eels;
- Removal of hedgerow;
- Trade in endangered species;
- Introduction of new species;
- Removal or disturbance of limestone;
- Damage to Sites of Special Scientific Interest; and
- Pretending to be a wildlife inspector.

Whilst the changes were welcomed by some organisations, a vast range of other wildlife crime offences are conspicuously absent from this list. Few of the UK’s wildlife crime priorities, set by the Government’s UK wildlife crime Conservation Advisory Group, are classed as recorded crime, including poaching, the persecution of badgers, bats and raptors. The list of recordable crimes is inconsistent with national priorities, and the crime types and volume of crime identified by national organisations.

Presentations by law enforcement officers to the annual Wildlife Crime Enforcers Conference, and data gathered by non-governmental organisations, highlight hundreds of crimes related to these priorities, some of which were organised, serial and serious crimes, committed by persistent offenders. The failure to include national priority crimes under recording codes frustrates the ability to accurately assess the extent of wildlife crime, therefore preventing authorities from responding accordingly. Whilst data and intelligence is gathered by individual police forces, the National Wildlife Crime Unit, and NGOs, such methods are arguably inadequate when wildlife crime is increasingly recognised as a serious threat. Only a national, effective and uniform method of recording all crime will provide an accurate picture.



IMPROVING INCIDENT AND CRIME RECORDING

To assess and review the current situation relating to wildlife incident and crime recording, the expert input and opinion of representatives from the country's law enforcement representatives, environmental organisations, and academics was sought firstly through an interactive workshop, followed by online surveys and semi-structured interviews with experts selected because of their knowledge of or involvement in the relevant issues.

Participants and respondents included Wildlife Crime Officers, senior police officers, intelligence officers, and those engaged in biodiversity protection, policy and research. The online survey was completed anonymously, and the interactive workshop was conducted with teams of mixed occupations and backgrounds.

For some questions, respondents were asked to provide a score from 1-10, or selecting answers from options provided. The scores provided are from the online survey only (to avoid duplication), in addition to a summary of the narrative (free-text) combined responses from all those consulted.

1. To what extent is the practice of recording wildlife crimes under a “miscellaneous” category of benefit to monitoring offences and effective enforcement?

Option: Of no use at all > highly beneficial. Scale between 1-10.

Average score: 1

Noting that most wildlife crime offences in England and Wales are not recorded at all, and only a small number of specific offences are recorded under the wildlife offences code (96), most respondents considered this practice of “no use at all” to monitoring the extent and threat level of wildlife crime, setting priorities and contributing to effective enforcement. It can be argued that the lack of evidence of crime impedes policy-makers and partnership collaboration, leading to a lack of support, interest and funding of wildlife crime enforcement.

2. To what extent would more accurate recording of UK wildlife crime contribute to more effective law enforcement, analysis and monitoring?

Option: Not at all > highly beneficial. Scale between 1-10.

Average score: 10

Overall, respondents agreed that more accurate recording would be “extremely beneficial”. Official figures can more precisely indicate crime problems in each force area, in order to allocate justified funding more effectively. Crime numbers can assist in the monitoring of patterns across the country, and partnerships and joint-agency cooperation can be developed between areas with similar challenges.

Accurate recording would enable performance monitoring of existing and future strategies, enabling both successes and gaps to be identified.

3. To what extent would accurate recording of UK wildlife crime be an additional resource burden on law enforcement officers?

Option: No additional burden > Very high additional burden. Scale between 1-10.

Average score: 3

Despite some preconception that enhanced recording might lead to additional administrative burden and resource drain upon law enforcement officers, the opinion of those consulted, including serving law enforcement officers, illustrated that this was not the case. In Scotland, where identified wildlife crimes are investigated, and all wildlife crimes are recordable, officers did not consider there to be any additional workload, bearing in mind the requirement for incidents to be logged, crime to be investigated and outcomes to be recorded. Whilst it may be argued that a single centralised system in Scotland allows this to be more efficient, initial collation of crimes at force level in England and Wales (prior to submission to Government) would require a similar level of effort.

If Westminster produced an annual report on wildlife crime, as the Scottish Government requires, it would be necessary to ensure resources were available to collate the data and produce such a report. However, respondents noted that such a report is not currently considered a priority, and arguably should not deter efforts to record crimes in a manner afforded to other crime types.

It should also be noted that the level of effort involved would be directly proportionate to the volume of crime. Forces that have low levels of reported incidents or confirmed crimes would have a low level of effort in ensuring those crimes are recorded. Conversely, agencies and forces that have a high volume of wildlife crime should ensure that their efforts are reflected in government statistics, and that local priorities and resources are adjusted accordingly. Arguably, any additional effort involved in more accurate and publicly accountable recording would be beneficial in the long-term.

4. What type of wildlife crimes should be recorded?

Respondents were given the option to select all answers that apply. The score and percentage shown is that of the total respondents that selected this option.

All wildlife crime 87% (26/30)

Serious crime (e.g. subject to 4 or more years' imprisonment) 20% (6/30)

Endangered/threatened species 23% (7/30)

Import/export offences (e.g. CITES) 16.7% (5/30)

The majority position of those consulted was that all wildlife crimes, subject to an agreed definition, should be recorded, with an additional emphasis on serious crime and crimes related to endangered and threatened species. Most respondents did not feel that recording should be species-specific, but should cover all wild fauna and flora protected by national and European legislation.

Certainly, all offences that relate to national priorities should be recorded (especially the six national PAW priorities²³), although since these may vary over time, it may prove less problematic to define all wildlife crime as recordable, adjusting priorities according to trends.

Since systems already exist for both incident and crime recording, these should be utilised for maximum information value.

5. If crimes involving specific species of wildlife should be recordable, which species?

Respondents were given the option to select all answers that apply. The score and percentage shown is that of the total respondents that selected this option.

All 46% (11/24)

Endangered/Protected by law 29% (7/24)

Conservation concern 8% (2/24)

Named 12% (3/24)

Whilst the highest number of respondents stated that crimes against all species should be recorded (see also question 4 where 87% of respondents selected this option), species specified included badger, bat, hare, deer, otter, voles and birds of prey. However, it was noted that if crimes were recorded for all criminal wildlife offences, this would effectively cover these species and more.

6. How would recording of wildlife crime help to identify geographical "hotspots"? 28 open text responses

Whilst it is important to recognise that the purpose of Home Office recording is not as an intelligence tool, there are some benefits to accurately measuring confirmed crimes to assist national, regional and local priorities. These benefits may include the ability to broadly identify geographical "hot-spots", where there is a greater incidence of crime. Trends and patterns would be revealed by location and over time. Through accurate crime recording, it may be possible to identify which forces are tackling specific wildlife crimes, and would enable forces to focus efforts into the enforcement of these crimes.

There were also perceived benefits to better educate and raise awareness of wildlife crime among communities, whilst also assisting forces to demonstrate efforts to reduce rural crime as a whole.

7. How would recording of wildlife crime help to identify suspects/offenders? 27 open text responses

It should be noted that crime recording databases do not hold nominal information (i.e. names or other identifiable information) relating to suspects or those convicted. However, many respondents felt that wildlife crime recording would contribute towards data that could potentially be combined with other information and intelligence to target those responsible for wildlife crime. Information could identify opportunities for cross-border cooperation and identify patterns of behaviour, which may be relevant to more than one geographical area. There may also be opportunities to review trends in other types of crime, demonstrating links between wildlife crime and other crime types such as burglary, car crime or anti-social behaviour.

THE CASE FOR RECORDING

The argument that currently obtaining accurate records of wildlife crime is challenging if not impossible through the current situation in England and Wales, is supported by the results of several requests made under the Freedom of Information (FOI) Act. These requests have been made by individuals, NGOs and academic institutions, and have resulted in little useful information on recorded crime.

In 2012, TRAFFIC made a FOI request to the Ministry of Justice for information on results of CITES, COTES and CEMA prosecutions from 2000-2011, however, this was declined on cost grounds, since locating the information would require reviewing each individual case.

An enquirer also made a request to the Metropolitan Police for crimes recorded since May 2014, under Code 96 of the counting rules, along with additional requests for information on incidents reported. The response stated that one offence under COTES had been recorded under Code 96, while four other offences were recorded under the 'old' Code 99. The Metropolitan Police were also able to retrieve incidents logged in their CRIS (Crime Recording Intelligence System).

In January 2015, Nottinghamshire Police responded to a FOI request for crimes recorded since May 2014 under Code 96 of the counting rules, along with additional requests for information on incidents reported. The response stated that they recorded no crimes under Code 96. Nottinghamshire Police did however provide results from searching incidents, but the outcome of these incidents is unknown and therefore may not accurately reflect crime figures.

Perhaps most concerning was a request made in January 2016 by the University of Portsmouth, for information on criminal justice actions relating to the illegal ivory trade in the UK. The response from the Home Office stated that they do not hold such information, instead suggesting the enquirer contact the police or National Wildlife Crime Unit.

In 2015, Defra reported to Parliament that the Ministry of Justice held records of magistrates' court proceedings for COTES offences, indicating that between 2006-2014, 63 cases had taken place. However, some offences were recorded as miscellaneous and would only be able to be inspected at "disproportionate cost"²⁴.

There is also a strong indication that when data is required by the Government or other officials on what should be recorded crime, such as CITES offences, the information is sourced not from official databases, but through NGOs. This confirms that wildlife crime recording in England and Wales is not being processed or managed correctly and is not retrievable.

At present, the Home Office is unable to provide any accurate government verified data on wildlife crime in England and Wales. Therefore, steps should be taken to not only meet the minimum expected requirements of accountability, but to exceed them and demonstrate the Government's commitment to addressing wildlife crime.

If the Government has no reliable method of assessing levels of wildlife crimes, how can it set national priorities? How can it hold police forces and other agencies accountable for diligently addressing this serious, burgeoning crime area and allocate resources effectively?

CONCLUSION

Measuring crime is a relatively complex process, with numerous channels from which to collect and analyse information. Yet, the benefits of doing so outweigh any resource or financial cost.

On the contrary, failing to measure a crime type as significant as wildlife crime leaves decision makers and those who set policy in the dark, and may lead to the ineffective allocation of resources. Wildlife crime extends to every corner of the United Kingdom, and involves dozens of individual crime types impacting upon biodiversity, species conservation, habitat protection, and animal welfare, and extends to issues of health, safety, food and agriculture, tourism and general well-being.

The UK has always been, and continues to be reliant upon its natural environment, and hence it must be protected. The information collated in this report, combined with investigations and successful prosecutions, illustrates that serious wildlife crimes take place regularly, and that elements of organised criminality are involved.

Recommendations have been made for offences of all wildlife crime to be treated more seriously and for penalties to be increased to serve as a deterrent, which is currently lacking.

With most wildlife crimes taking place in England and Wales, it is imperative that the Government urgently acts to increase penalties for all wildlife crime to ensure that all wildlife crimes are recordable, and that the recorded information is retrievable and publicly available.

Other issues affecting the UK, particularly its exit from the European Union, must not delay the development of national responses, since many wildlife crimes are time-critical, and their effects irreversible.

The UK as a whole has a well-earned reputation abroad for championing the combating of wildlife crime internationally. It must apply the same level of commitment to combating wildlife crime domestically within its own borders.



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APPENDICES

Appendix i – Methodology

Methodology

The research consisted of six main areas of activity:

1. Informal liaison with relevant sources including non-government organisations, National Wildlife Crime Unit, Wildlife Crime Officers, Home Office, Defra to obtain information and historical data on wildlife crime. Data may include the number of crime incidents, the type of incident, targeted species, targeted regions and the connections to other types of crime.
2. A semi-structured online survey distributed to over 100 government and non-government entities currently involved in wildlife crime activities including enforcement, conservation and welfare.
3. Workshops held at the Wildlife Crime Enforcers Conference held in November 2016, where a survey (in the form of a semi-formal “quiz”) was conducted amongst approximately 40 participants. The content of the survey was similar to the formal semi-structured survey described above.
4. Interviews with individuals from key agencies engaged in wildlife crime issues, and who conduct some form of recording of wildlife crimes.
5. Desk-based research of Home Office recording standards and methods, changes in recording practices, and wildlife crime issues.
6. Analysis of the results of the research to develop conclusions and recommendations.

Survey

The survey was sent via email to approximately 100 email contacts, drawn from open source information that was provided by Wildlife and Countryside Link members and through previous interactions. Some duplication was inevitable due to a combination of individual and generic institutional information. In some cases, the survey may have been forwarded to a specific individual. The NWCU kindly forwarded the survey to all WCOs.

Responses were received from some recipients stating that they felt the survey was out of their expertise and therefore they declined to complete it.

Thirty completed responses were received. Consideration was given to extending the timeframe for responses or sending reminders. However, it was felt that the responses would provide a useful snapshot and will suit the current needs and scope of the project and its schedule. In addition, consideration was given to over-burdening contacts and frustrating potential follow-up activities.

Appendix ii - Survey Questions

1. To what extent is the practice of recording wildlife crimes under a “miscellaneous” category of benefit to monitoring offences and effective enforcement?

Of no use at all 1 - 10 highly beneficial

2. To what extent would accurate recording of UK wildlife crime be beneficial to more effective law enforcement, analysis and monitoring?

Not at all 1 - 10 extremely beneficial

3. To what extent would accurate recording of UK wildlife crime be an additional resource burden on law enforcement officers?

No additional burden 1 - 10 Very high additional burden

**4. What methods/systems does your agency currently use to record crimes?
(E.g. Excel database, crime analysis software, manual record, other databases)**

5. What type of wildlife crimes should be recorded? (tick all that apply)

- All wildlife crime
- Serious crime (e.g. subject to 4 or more years' imprisonment)
- Endangered/threatened species
- Import/export (e.g. CITES) offences

Other please specify _____

**6. If crimes involving specific species of wildlife should be recordable, which species?
List all that apply.**

7. How would recording of wildlife crime help to identify geographical “hotspots”?

8. How would recording of wildlife crime help to identify suspects/offenders?



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