

The Right Honourable the Baroness Carr of Walton-on-the-Hill
Lady Chief Justice of England and Wales
President of the Sentencing Council for England and Wales

By email

17th May 2024

Dear Baroness Carr,

Re: Wildlife Crime sentencing

I am writing as Chair of the Link [Wildlife Crime Group](#), England's largest coalition of organisations working to reduce crimes against wild animals, plants and fungi to request an update concerning the Sentencing Council's consideration on sentencing for this area of offending.

It was welcome to see the [minutes](#) of the Sentencing Council meeting on 1st March, which record consideration of 'the options for a guideline for wildlife offences'. Guidelines for offences against wild species have long been required. The current lack of guidance means that judges tend to err towards caution and opt for the lower end of the sanction scale when wildlife crimes convictions have been obtained. Custodial sentences are extremely rare as a result, and fines often fall far below the potential financial gains from the offending activity.

Evidence of these trends can be found in this [2018 Link paper](#), and in our 2021 and 2022 wildlife crime [reports](#). The low impact that wildlife crime sanctions typically have on those convicted is sharply out of kilter with the impact that these offences have upon the natural world. Wildlife crimes can cause population falls amongst extremely vulnerable wildlife species, such as [hen harriers](#), hastening nature's decline and risking the local extinction of species that should be enjoyed by all.

The need to increase the deterrent value of wildlife crime sentencing has led the Scottish Sentencing Council to actively [develop](#) wildlife crime sentencing guidelines. We hope that this can now swiftly happen in England and Wales also, through a Sentencing Council led process.

Link members have noted that the minutes of the 1st March meeting suggest that the 'right focus' of the new wildlife crime guidelines was an 'offence specific guideline for hare coursing'. Whilst hare coursing is a key wildlife crime which should be covered by new guidelines, focussing the work entirely on this offence would be a missed opportunity. Many of the most damaging crimes against natural species and the habitats they rely on constitute breaches of the Wildlife and Countryside Act 1981 and the Habitats and Species Regulations 2017. Similarly breaches of the Hunting Act 2004, the Protection of Badgers Act 1992 and the Salmon & Freshwater Fisheries Act 1975 inflict considerable damage on particular groups of wild animals. All of these offences should be covered by new wildlife crime guidelines, to ensure that a strengthened sentencing deterrent brings down wildlife crime offending across the board.

The organisations signed on this letter stand ready to provide the Sentencing Council with evidence to help inform the new guidelines, with a view to maximising the outputs from this work, and to assisting in any other way that would be useful. We would be delighted to meet with members of your support team to discuss this further.

Please do pass on our thanks to members of the Council for considering action in this area, which would provide a boost for hard pressed wild species and help assure their future survival.

Yours sincerely,

Dominic Dyer, Chair of the Link Wildlife Crime Working Group

Replies can be sent to matt@wcl.org.uk

The following organisations, members of the Link Wildlife Crime Working Group, have signed on to support this letter:

Badger Trust
Born Free
Froglife
League Against Cruel Sports
Naturewatch Foundation
Peoples Trust for Endangered Species
Whale & Dolphin Conservation