

This article was taken from the RSPB's wildlife crime magazine 'Legal Eagle'

It's not PC!

A serving policeman was found with 650 wild birds' eggs, stolen from nests during a 10-year collecting spree.



Michael Upson leaving Norwich Magistrates' Court

In June 2012, RSPB Investigations assisted Norfolk Police professional standards officers to execute a search warrant at Brook House, Sotherton, Suffolk. The subject of the warrant, Michael Upson, was a serving policeman with Suffolk Constabulary and a suspected egg collector. At the address, 650 wild birds' eggs were found, as well as an egg-blowing kit and a large amount of documentation.

The RSPB analysed all the seized material, which was found to include 54 woodlark eggs, five Cetti's warbler eggs and seven marsh harrier eggs. Upton had kept notebooks which documented all the eggs he had taken over a 10-year period, ending in 2001. Many of the entries gave graphic details, including trips to the Hebrides to take golden eagle eggs, Wales to take chough eggs and Devon targeting Cetti's warblers. Three specific entries suggested that Upson had taken kittiwake eggs from Lowestoft Pier while on duty. Upson denied this.

A sample entry from the notebook reads:

"Page 32, Wednesday 3rd June 1992. My first stint of acting sergeant allowed me free range and being on night shift there were no people about and the darkness gave me some cover. I therefore took

advantage of the position to inspect the kittiwake colony on the south pier at Lowestoft. At 2.30 am I climbed over the padlocked gate, passed the 'danger keep out' sign and looked over the side of the pier. Just beyond the breakwater on the ledge were five nests, the birds got quietly off, four nests contained one egg, the other two, I had to use a cradle on the end of a bent up coat hanger to get at them. They were perfectly fresh."

In interview, Upson admitted taking and possessing the kittiwake eggs, but denied he did so on duty and claimed he had embellished his notebook entries to make them sound interesting.

A lengthy expert statement was prepared by the RSPB and supplied to Norfolk Police and the CPS. The CPS decided not to pursue a charge of misconduct in a public office, and Upson was charged with possession of the eggs. On 24 October at Norwich Magistrates Court, in front of the national media, Upson pleaded guilty to this charge. The court appearance was far from straight-forward because on the day, a stand-in CPS prosecutor was allocated the case, having not seen it before that date, much to the dismay of the RSPB.

Upson was sentenced the following day to 26 weeks imprisonment suspended for 12 months, and was ordered to carry out 150 hours community work and pay £120 costs. Upson could be considered fortunate, as in the recent past, collectors with similar case backgrounds have been jailed, and none of these were serving police officers. Upson has since retired from Suffolk Police.





A selection of eggs including many Woodlarks' eggs.