

The following article has been copied From the RSPB's 'Legal Eagle' magazine which reports on wildlife crime.

Government misses chance to turn up the heat on wildlife criminals

The Government has ignored the advice of a committee of MI's by refusing to provide long-term financial security for the NWCUC. It has also refused to implement some simple recommendations to turn up the heat on wildlife criminals in England and Wales.

In October 2012, the Environmental Audit Committee recommended a range of measures to help tackle international poaching, trade in elephant ivory and other animal products, and to improve the way wildlife crime is tackled in the UK. The Committee's recommendations included:

- tightening controls on poisons used to kill birds of prey, allowing offences of possession to be linked to tougher sentences,
- introducing an offence of "vicarious liability" to make landowners responsible for wildlife crimes on their land,
- providing long-term Home Office and Defra funding to the National Wildlife Crime Unit, which sets strategy across all agencies involved in the UK.

The Government has rejected these recommendations, though it has accepted others.

Chair of the Environmental Audit Committee, Joan Walley MP said: "The Government has missed an opportunity to take two simple measures to protect important wildlife threatened by poachers and criminals in the UK. It has failed to follow Scotland's lead in criminalising possession of carbofuran - the main poison used to kill birds of prey. And it has refused to provide the long-term financial certainty that the NWCUC needs, only making money available for the next twelve months."

Martin Harper, the RSPB's conservation director, said: "Despite ministerial assurances that tackling wildlife crime is a 'core priority, and the Government being given a clear roadmap by a group of MPs about how to tackle wildlife crime, Ministers have ignored these recommendations.

"We're also very disappointed by the Government's response to introducing vicarious liability legislation, which would allow landowners to be prosecuted for crimes committed by their employees and make a real difference to tackling bird of prey persecution."

The Association of Chief Police Officers supported vicarious liability in its evidence to the Committee, and the Law Commission is considering the merits of such an approach in England and Wales.

Martin Harper added: "We urge Ministers to give careful thought to the Law Commission's forthcoming recommendations on reforming and strengthening wildlife laws in England and Wales: Last year, just one pair of hen harriers nested successfully in England, when there is sufficient and suitable habitat for at least 330 pairs. Martin Harper said: "The Government has committed to avoid any human-induced extinction of species before 2020. Losing hen harriers as breeding birds from England would see it fail to keep that promise:"