

**Thank you for the opportunity to respond to the views of the Minister for Environment. I understand that following cabinet changes in Early December 2018 that this role is no longer held by Hannah Blythyn AM but by Lesley Griffiths AM and as such the views of the current Minister for Environment may differ from those held by their predecessor. I have however made the assumption that the current Minister for Environment agrees with their predecessor's response to the petition.**

**The response from the Minister for Environment is below in Italics, Any part of this document written by myself is provided in bold text.**

*In Wales, the Welsh Government is responsible for the Wildlife Incident Investigation Scheme (WIIS). The Scheme investigates and provides analysis services for wildlife, companion animals and honey bees suspected of being poisoned by pesticides. WIIS figures from the previous five years show an average of 2 confirmed cases per year of deliberate abuse of pesticides leading to the death of birds of prey. Wider results reported by the latest RSPB annual 'Birdcrime 2017' publication were 3 separate persecution incidents in Wales involving the shooting of a buzzard and a red kite and confirmed pesticide poisoning of a peregrine falcon.*

**The RSPB's raptor persecution map hub**

**(<https://www.arcgis.com/apps/opsdashboard/index.html#/0f04dd3b78e544d9a6175b7435ba0f8c>) reports that between 2012 and 2017 a total of 46 confirmed raptor persecution incidents occurred in Wales. 33 of which involved poisonings, 16 of which involved shooting. There is a widely held opinion by the RSPB and other conservationists that the number of confirmed persecution events represent a fraction of the total number of persecution events that occur in a year. A major challenge is in detecting persecution events as many occur in sparsely populated areas, often on private land with little to no public access.**

*Partnership working between the Welsh Government, Natural Resources Wales (NRW), the Police, Fire Service, Government Agency Intelligence Network and the Crown Prosecution Service plays a fundamental role in detecting, preventing, investigating and enforcing wildlife and rural crime, both at a national strategic level and a regional operational level. Welsh Government officials work closely with the four Welsh Police Forces, NRW and other enforcement bodies through the Wales Wildlife and Rural Crime Group. The Group identifies regional wildlife and rural crime priorities as well as ensuring Welsh interests are represented at UK Priority Delivery Groups including the Raptor Persecution Delivery Group. Raptor persecution is a priority in Wales as well as the UK as a whole. One of the shared aims of both the Welsh and UK Groups is 'to protect raptors from persecution by developing and sharing best practice methodologies to safeguard birds, their eggs and their nests'.*

**I believe we should be applauding the work carried out by the various rural crime teams and the organisations who support them in their unenviable task. Their work is undeniably challenging as they are required to be out in remote locations in all weathers carrying out what is highly specialised work.**

**Conversationalists have for some time been critical of the Raptor Persecution Priority Delivery Group (RPPDG), typically viewing it as ineffectual. However, on the 30<sup>th</sup> December 2018 the current chair of the RPPDG blogged about a number of planned changes to the RPPDG which recently received praise from the**

conservation blog Raptor persecution UK

(<https://raptorpersecutionscotland.wordpress.com/2018/12/30/police-supt-nick-lyall-to-create-hostile-environment-for-raptor-killers-in-england-wales/>), who have in the past be rather critical of the RPPDG's work, or seemingly lack of work on tackling raptor persecution. However, only time will tell if these efforts by the RPPDG's new chair make any real difference on the ground.

*In 2017 Welsh Government funded 'A Review of the Prevention and Investigation of Wildlife Crime in Wales'. The Review was undertaken by the National Wildlife Crime Unit and included 21 recommendations which are currently being considered by the Wales Wildlife and Rural Crime Group. The report highlighted the success of both the secondment of police officers to NRW and the setting up of dedicated rural crime teams within the Welsh forces. I will continue to support NRW in their commitment to work collaboratively with Welsh Police Forces to encourage compliance with, and enforce, wildlife and environmental legislation in Wales. This includes the continued funding of seconded police officers who are essential to the delivery of this work. I am pleased to say the 'rural crime team' model has been extended and now includes both North Wales and Dyfed Powys Police Forces. South Wales and Gwent Forces are also considering setting up similar teams.*

**I have been unable to find any online records of the aforementioned review as such regret that I am unable to make any comment on that particular point or in regards to the 21 recommendations. Perhaps the Minister for Environment will be kind enough to provide a copy.**

*The Review highlighted best practice and looked at knowledge gaps and problems in taking prosecutions forward. The licensing of gamebird shooting / gamekeepers was not identified as an issue and was therefore not listed in the recommendations. In carrying out investigations jointly with the police, my officials have not had issues identifying local landowners or those with game interests and as such do not see any benefit in introducing a licensing regime which would be time consuming and costly to implement with no obvious benefit over and above existing protocols of dealing with raptor persecution incidents.*

**UK wide, The RSPB's 2017 birdcrime report contained a total of 68 confirmed raptor persecution incidents but only reports of 4 prosecutions highlighting the challenges faced by the police in gathering sufficient evidence required to prosecute an individual. It is a result of the difficulties in securing sufficient evidence to prosecute any individual involved in gamebird shooting for raptor persecution that I believe licensing should be considered. The advantage being that a licence could be revoked without needing the same level of evidence required to undertake a prosecution of an individual.**

**An alternative to licensing that could be considered is vicarious liability as currently exists in Scotland, as you are likely aware this, in simple terms enables an employer to be prosecuted for the actions of their employees, however, even with vicarious liability very few raptor persecution events result in any sort of prosecution due to the difficulties in gathering evidence that the employee or employer had any direct involvement in a crime, which is why this licensing scheme has been suggested. We have to accept that this scheme will not stop all raptor persecution crimes but as a**

**significant proportion of raptor persecution incidents have occurred on or near land managed almost exclusively for gamebird shooting and a significant number of historical prosecutions have involved gamekeepers.**

**I accept that there are going to be administrative challenges associated with introducing such a licensing scheme which would need to be worked out before such a scheme could be implemented.**

**Regards  
Anthony Britner.**