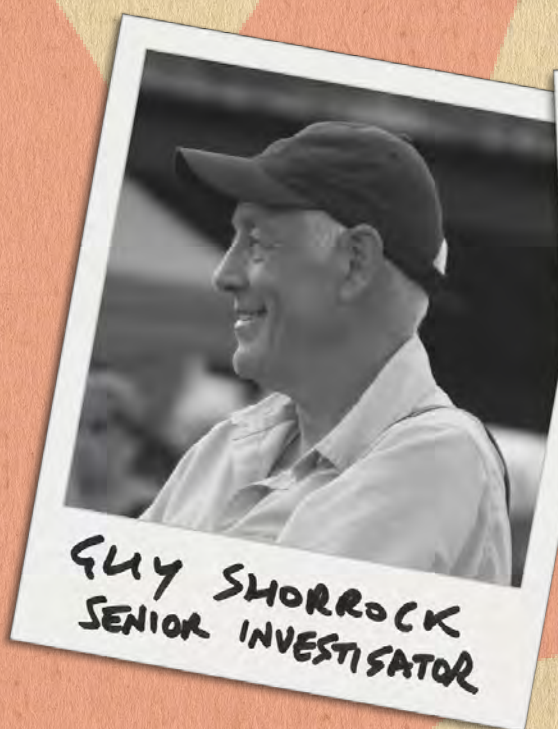


RSPB Uncovered: The Missing 'Birdcrime' Files



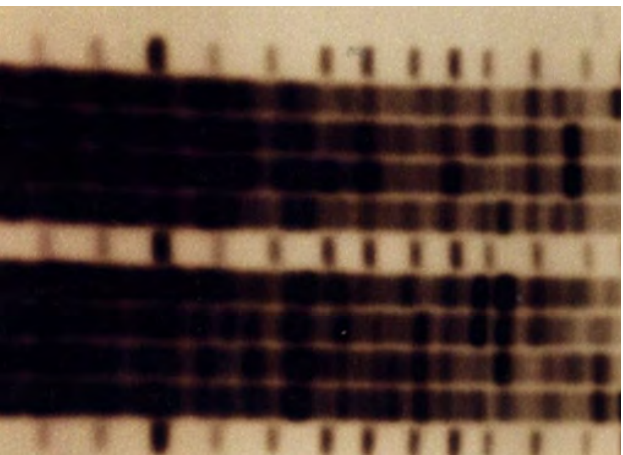
Manufacturing prosecutions
and misleading the public?



Commissioned by the Campaign for the Protection of Moorland Communities. Protecting Jobs, Preventing Wildfires and Preserving Nature across the uplands.

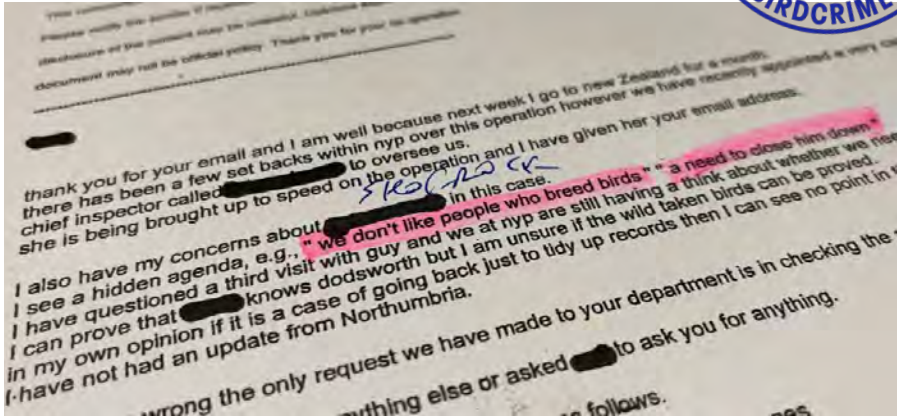
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Introduction

On Boxing Day 2019, I applied for a job at *Fieldsports Channel* in the UK. I had never fired a shotgun, been on a hunt or even caught a fish. After years working in international news in Hong Kong, I wrongly assumed it might be a more sedate experience, lacking the controversies and conflicts that make high-pressure newsrooms what they are.

Quickly I realised the media's overall portrayal of the 'good guys' of conservation (the Royal Society for the Protection of Birds, Wildlife Trusts etc) was inaccurate and these organisations can't always be trusted. Their campaigns often made little sense when alternative opinions were considered, yet nobody seemed to question them. It was - and still is - assumed by many journalists that they know what they are doing.

As someone with no stake in either side of the debates, it was almost always the hunting, shooting and fishing 'community' arguments that I found more convincing, scientifically sound and backed by track records spanning generations. Some decisionmakers at the RSPB have no idea what they are doing to the environment or wildlife and base strategies on how much money they can make, either from donors, 'business partners' or the government (taxpayers).

On the moors, I was regularly having the same conversations with gamekeepers and other conservationists about the RSPB's latest misguided plans or baseless attacks on rural folk. I was constantly sent tips and stories, many so outrageous they were hard to believe. Over the months, these tales of wasted public money, donations through deception and routine persecution of anyone involved with birds were accumulating on my computer. After a few years of research and time spent speaking with the people involved, some of those stories appear in this publication.

It's shocking that charity workers, with no authority or legal powers, have seemingly been allowed to run amok through the countryside, firing accusations at anyone they believe is morally inferior, for the sole purpose of furthering the agenda of their masters. Cases where gamekeepers, bird breeders or egg enthusiasts end up with criminal records based on the RSPB's flawed or nonexistent evidence and misinformation ought to be re-examined and public apologies issued. The fact this anarchy has gone on so long proves it is sanctioned by the charity's senior management.

There are members of police constabularies who recognise the policy of injustice and have done their best to raise awareness. For example, the freedom of information release that revealed serious issues the National Wildlife Crime Unit had with the RSPB (see chapter 2: *Police vs RSPB*) would not have been possible without information from a conscientious officer who understood the difference between right and wrong.

The RSPB thrives on its heroic image and to say the release of *RSPB Uncovered: The Missing 'Birdcrime' Files* is in the public's interest - including the police - is an understatement. It should also be of interest to the House of Windsor, which reinforces the myth that the charity set up to protect birds is still on the same course and worthy of having 'Royal' in its name.

AB O'Rourke
November 2025



Executive summary

Since 1990, the Royal Society for the Protection of Birds has published 'birdcrime' reports. Despite the charity's gradual shift of focus from birds to all nature, it continues to release them rather than reports that cover crimes against wildlife as a whole.

One reason could be that birdcrime is far less common than poaching, badger crime or even bat crime. Acknowledging that the birdcrime problem is not as big an issue as the RSPB claims might undermine the organisation's case against grouse moors and gamekeepers – the sole purpose of the birdcrime reports.

The message is consistent: whatever the number of incidents is, it's 'the tip of the iceberg', a phrase the charity's employees never tire of using. According to the RSPB, its yearly tallies are higher than those of alternative sources because the others use "data sets compiled for different purposes, using very different methods that are unlikely to

be directly comparable".¹ It argues that since it has produced birdcrime reports for years and has a "consistent recording format",² it must be more credible.

Each report tries to convince the reader of this, for example: "Government data rely on a police recording system, which cannot currently record crimes against wild birds in a consistent way across the UK."³ It then explains RSPB's figures may be inaccurate because of "the ad hoc nature of the way in which offences are discovered".⁴ So, it rejects verifiable figures based on proven crimes in favour of whatever reports it randomly ends up getting.

The 2022 report notes that "frustratingly", dead birds collected then incinerated by Defra during an avian flu outbreak were not given proper post mortems, so may have been victims of "persecution".⁵ The RSPB does not always report crimes to the police, a topic discussed in chapter 2: *Police vs RSPB*. The impression, given by its birdcrime

reports, is that police data is unreliable and a more accurate picture of "the severe effect that illegal killing is having... can be gauged through long-term, systematic scientific study of bird populations".⁶

Overall, coverage of gamekeepers and grouse moors averages out at about 40% per report, rising to as much as 63% in *Birdcrime 2023*. For a charity claiming to represent all wildlife, it seems odd to publish reports most years that are niche in many ways. Were the grouse shooting industry to release annual reports on RSPB's nest failures and bird numbers, it might be seen as obsessive.

This dossier highlights cases where the RSPB abandoned its mission to protect birds. It is about prosecutions that were manufactured, police who were manipulated, and the flow of propaganda that misleads the public. The RSPB launches smear campaigns against anyone who threatens its status as the kingpin of conservation charities. A lot of this report is based on interviews with people targeted by the RSPB and those who have witnessed a side of the charity the public rarely sees or hears about.

In the 1990s, raptor breeders, accused of taking wild birds and selling them, were convicted based on evidence collected by the RSPB using a DNA testing system it helped develop. The technique was scrapped after it was found to be wildly inaccurate by government scientists. Decades later, RSPB staff still wrongly claim it helped tackle wildlife crime (chapter 8: *The future of law enforcement*).

Fast forward to the mid-2000s, investigators at the charity exploited a loophole in the law, following changes to the Wildlife and Countryside Act that criminalised legal egg

collections. By the time the government scrapped the amendment, the RSPB had prosecuted numerous owners, who hadn't broken any laws but ended up with criminal records and their collections confiscated.

Recently, RSPB mismanagement sank to a new low, jeopardising the population of roseate terns that nest on Northumberland's Coquet Island reserve each year and raising questions about commitment to its mission. The manager had been fired to make the charity appear more diverse and inclusive. They were replaced with the former head of Geltsdale. Since then, gull control has been curbed, cash was splashed on an impractical boat, and laws about disturbing schedule 1 birds were ignored by staff (chapter 13: *Pirates of Coquet Island*).

The RSPB's failure to provide better habitats for some of the UK's rarest birds has driven it to try everything to smear the reputations of moorland managers, who it sees as muscling in on its conservation racket. Throughout the past three decades, the charity stepped-up its persecution of gamekeepers to include framing them for wildlife crimes (chapter 5: *The case that never was*).

"It's like a turf war," says John Dodsworth, who was targeted by the RSPB for six years because of his legal egg collection (chapter 10: *Operation Sea Hare*).⁷ "Birds belong to nobody yet [the RSPB] are exploiting them for financial gain."

The RSPB's arsenal includes unscientific reports where the figures are fiddled, expert witnesses with ties to the charity, and shady investigators who fall foul of the police and forget they're charity workers.

"If [Guy Shorrock] was involved, he would try and take control," says former special constable Tony Williams, whose house was raided by police and RSPB after he posted home some chocolate eggs (chapter 4: *The great egg chase*).⁸ "One or two of the officers I knew had said, 'Just shut up and sit down. We're in charge of this investigation.' [Shorrock] was merely an observer. But... if they were a bit green and didn't really know the law, he basically led those officers by the nose."

Chapter titles in this report may remind some readers of *Tales of the Unexpected* or *The Twilight Zone*, where ordinary people going about their daily business are suddenly thrust into an alternative reality in which nothing makes sense and there's no escape. These are the kind of stories that are spread across the following pages, except they are all true. While each twist at the end is different, many start the same way, with a knock at the door from the RSPB accompanied by some police officers.



1. A history of wildlife crime fighting



Nevin Hunter is a former police officer who was head of the National Wildlife Crime Unit from 2012 to 2014.

"I was one of the original, what were then called, police wildlife liaison officers when that system was set up in the early 1990s," he said in an interview in July 2024.⁹ "Concerns were raised by the RSPB and others about the lack of enforcement of the Wildlife and Countryside Act 1981, which specifically mentions the powers police had under that legislation.

"So they stirred up the Association of Chief Police Officers (ACPO), to say the police needed to have a national response to this in some way or other. The reality of it at the time – and still is – is that the offences could only be dealt with through magistrates' court [not] Crown Court and therefore, the majority of offences were neither recordable nor notifiable, which meant that the police forces at a regional level weren't expected to report on them in the way that they were for other crime. I see you on a Saturday night and smack you on the nose and that gets reported to the police. That's a recordable and notifiable crime because it adds to the national picture about how many people get assaulted in pubs on a Saturday night, for instance.

"Wildlife crime per se was always seen at the very bottom of the policing ladder because the police were only accountable for recordable and notifiable crime. That's an important perspective to understand, as it's blighted anything to do with rural and wildlife crime investigations because things are not seen in that sort of level of seriousness... It's a major bugbear for policing and enforcement.

"RSPB were one of many groups [promoting the idea] that policing should have to tackle wildlife crime generally across all facets. So the Police Wildlife Liaison Network was set up. It was basically on a voluntary basis and literally was the ACPO lead putting it out to forces saying, if you've got officers who are interested, it's a level of expertise that can be developed. The RSPB pushed that and we ended up with what we called police wildlife liaison officers. I was one of half a dozen people across Devon and Cornwall

doing it. Then a loose network of police wildlife officers developed over the years.

"[In the] late 1990s, early 2000s things accelerated with the wider responsibilities under European legislation, particularly related to endangered species trade... so the whole gambit of wildlife crime started to increase, and it slowly crept up the agenda.

"There was no expertise within the policing at all, either relating to the legislation [or] conservation aspects of who could recognise what type of egg was in a person's collection and stuff like that. The RSPB, as sort of subject experts, would be named on warrants executed by the police and work done on what became Operation Easter, tackling the illegal possession of wild birds' eggs.

"The focus in the early years was illegal egg collecting. The RSPB saw that as a mechanism to start to raise concerns they had around raptor persecution and issues to deal with that. That effectively embedded the RSPB with police wildlife liaison officer networks, which were very informal at the time. The other point with it is they were the first people to offer training by a non-government organisation to the [UK] police. Of course, they made that training such that they were an integral part of the investigations.

"As the police developed expertise [they] built links with government departments like Defra and animal welfare, licensing and people like that. [The] network of police wildlife liaison officers became police wildlife crime officers who could then liaise with relevant statutory agencies to start to look at key wildlife issues of concern. That very much led to the formation of the National Wildlife Crime Unit [in 2006].

"As that expertise developed, the support role of non-governmental organisations should have diminished. It increasingly became a source of tension over the years where things that shouldn't have happened, did happen, in terms of investigations."

Hunter now heads the enforcement division of the Angling Trust. "We submit intelligence and provide every support

we can to the police and the Environment Agency to investigate alleged crimes but leave it to them to do it based upon their expertise. Some non-government organisations believe that they have a right to be directly involved in investigations."

The main investigators at the RSPB mentioned in this report are Guy Shorrock and Mark Thomas.

Shorrock was an officer at Greater Manchester Police for seven years, based in Stockport. There has long been speculation about the terms on which he left and whether they were linked to him repeatedly being overlooked when it came to picking leaders of the RSPB investigation team.

In 1990, Shorrock was attacked by an escaped prisoner after responding to reports of someone "acting suspiciously" outside a house. He was left with arm, wrist and hand injuries that required "some weeks" of sick leave.¹⁰ It is possible Shorrock decided to pick a less dangerous 'crime fighting' role and applied to work at RSPB's investigation team in 1991.

He earned a reputation for being determined to the point of obsession, with critics referring to an 'outcome fixation'.

This led to accusations of unfair play and rule-breaking when dealing with suspects and targets in investigations.

Despite numerous failed cases and not guilty verdicts, in an interview for a 2013 article in *The New Yorker*, Shorrock insisted: "In all my years, I've never lost a case."¹¹ That article features a photo of him and Thomas in camouflage above another quote from Shorrock: "These are not normal criminals." It refers to egg collectors but has become a source of amusement for their detractors.

While the top spot in the investigation team eluded Shorrock, Thomas was one of those promoted over his head, which may have led to friction between the two. Apart from seven months at the National Trust, Thomas has never worked anywhere else.

For more than 20 years, he was under the guidance of Shorrock, who spent his first decade cracking down on egg collectors. Thomas has been the charity's face on the moors and inherited some of Shorrock's traits while investigating raptor crime. The RSPB insists raptor crime and egg collecting have led to declines in bird populations, but there's little evidence either has had a significant effect.^{12,13}

BADGER SUPPORT GROUPS AT HEN HARRIER DAY 2024, CARSINGTON WATER, DERBYSHIRE. PHOTO: LB GARCIA



Part One 2: Police vs RSPB

SUMMARY:

Limiting the RSPB's interference in wildlife crime investigations was a priority of Nevin Hunter while he led the National Wildlife Crime Unit. However, the charity criticised his efforts to make its staff obey laws, follow established procedures and cooperate with police investigations.

“There’s an expertise within policing now that didn’t exist 40 years ago,” says former National Wildlife Crime Unit (NWCU) head Nevin Hunter. “Wildlife crime priorities have developed over the years. [They] were based really upon – initially – fingers in the air to test which way the wind was blowing... [Now] they divide it down into, what we loosely termed volume crimes – badger persecution being one, poaching being the other [that are] spread across the country. The second aspect was conservation crime, so that would be raptor persecution... illegal trade in endangered species, bat crime because of the impact on the conservation status of species.”¹⁴

Hunter adds that the term ‘persecution’ is used to suggest crimes involving raptors are coordinated and this probably originated from the RSPB. “Perhaps that’s the reason that [UK] policing went down that line. It just became the term everybody used. You don’t talk about bat persecution. You talk about bat crime. So really, you could argue just call it raptor crime.”¹⁵

At the same time the NWCU was launched in 2006, the RSPB released a list of the worst blackspots in the UK for attacks on birds of prey.¹⁶ It seemed an attempt to set an agenda for the newly-formed specialised force, despite raptor crime being on a lower rung than more prevalent offences like poaching and badger baiting. One of the purposes of the NWCU was to limit the role of the RSPB, which had a habit of taking the lead in investigations. After all, it is a charity with no authority over anyone and its staff – members of the public – have no powers of enforcement.

Concerns [were] raised from police officers about the role of the RSPB

- Nevin Hunter, ex-head of NWCU

“Investigations should be instigated and led by police, who were the trained investigators,” says Hunter. “You would think that over time, as the police started to become more

adept and more capable of investigating that [RSPB] would want to withdraw from that role. But actually, it upset them that they weren’t directly involved.”¹⁷

Hunter led the NWCU from 2012 to 2014 after 28 years in the police. “It was inevitable that eventually someone who had worked through the police wildlife crime officer network would become head of the NWCU,” RSPB’s *Legal Eagle* magazine quoted him saying at the time. “So I come into the role... hitting the ground running... Challenges exist with all law enforcement agencies undergoing significant changes over the next few years.”

It wasn’t long before one of these challenges became a hot topic – RSPB interference – with officers and representatives from other agencies opening up to Hunter about the charity’s failings.

“I was receiving reports and concerns raised from police officers about the nature of the role of the RSPB being, in terms of driving investigations,” he says. “I went around the whole country to find out whether those concerns were being reflected on the ground by officers investigating at a local level.”

The issues were revealed in emails from Hunter’s time at the NWCU that were released in March 2018 after a freedom of information request. A long list of complaints about the RSPB started forming, many of them involving Guy Shorrock:

- ‘Taking over’ investigations.¹⁸
- Demanding to interview suspects.¹⁹
- Demanding to be on warrants.²⁰
- Trespassing and interfering with crime scenes.²¹
- Covertly seizing evidence.²²
- Trespassing to plant cameras on private land.²³
- Failing to report incidents to the police.²⁴

In 2013, Shorrock was tipped off about several poisoned buzzards on the Stody Estate in Norfolk. He travelled to the estate the following day, trespassed the scene, took away evidence (dead birds), contacted the RSPCA and then Natural England before Norfolk police were notified of the suspected crime. He later bragged about the whole operation in *Legal Eagle* magazine (issue 75)²⁵. This raised questions about whether Shorrock had a habit

of trespassing on private property and removing anything ‘suspicious’, whether it was a crime scene or not. It also allowed the defence to question whether there was tampering with – or planting of – birds and other evidence.

Such was the extent of the charity’s overreach that Police Scotland barred Shorrock from interviews²⁶ and limited RSPB’s involvement in cases to hill searches.²⁷

The organisation was accused of:

- Not entering cases into the Wildlife Incident Investigation Scheme (WIIS) database.²⁸
- Withholding evidence ‘when it suits.’²⁹
- Hampering investigations by selectively supplying evidence.³⁰
- Not informing police about crimes.³¹
- Asking government agencies to ‘keep quiet’ to avoid Regulation of Investigatory Powers Act (RIPA) issues.³²
- Telling media about cases that are still in court.³³
- Inviting a Natural England expert to join an investigation without first asking police.³⁴
- Shorrock accused of using experience to ‘bluff his way’ through challenges in court.³⁵

In a case highlighted by Defra, the RSPB failed to report the poisoning of a marsh harrier until six months after the event and then only through a press release designed to attract donations.³⁶

There were also questions raised about the unprecedented access the RSPB, an organisation entirely staffed by members of the public, had to enforcement tools, such as the Criminal Justice Secure Mail (CJSM) system.³⁷

- Requesting Police National Computer (PNC) checks.³⁸
- Requesting Animal Health and Veterinary Laboratories Agency (AHVLA) checks.³⁹
- Making Driver and Vehicle Licensing Agency (DVLA) checks.⁴⁰

An example given by the NWCU of RSPB exploiting access to information occurred in the Helbeck case. Investigators from the RSPB used Norfolk Constabulary to access the PNC for information on a bird of prey poisoning incident in Helbeck, Cumbria. A member of RSPB’s investigations team requested vehicle data through Norfolk. Hunter said that Cumbria Police should have been notified as the case fell within their jurisdiction.⁴¹ The RSPB apparently had a longstanding agreement with Norfolk police to get PNC access, but the constabulary said it would withdraw access if necessary.⁴²

During the Helbeck case, Hunter was concerned about the RSPB accessing police emails marked “RESTRICTED”. “[The] Data Protection Act (DPA) is a legal obligation and not an optional extra,” he wrote in an email to Shorrock.⁴³ NWCU senior intelligence officer Colin Pirie said RSPB staff were “not warranted” to seek out personal data and suggested

they may have “tricked” Norfolk police into handing over the information, possible breaching DPA laws.⁴⁴

It was revealed that RSPB staff were given “full access on the warrant to carry out searches”, something Hunter said would be “modified” for future investigations as the “blanket access... could potentially bring the integrity of the investigation into question”.⁴⁵

The RSPB had also been allowed to interview suspects (gamekeepers), but this would probably not be allowed in future investigations, due to the same credibility issues.⁴⁶

It was suggested that RSPB should not have access to transcripts of interviews they were barred from or lab test results, as it was a police investigation.⁴⁷

The RSPB had a belief that they deserved to know everything - Nevin Hunter

RSPB members present said they would “object to a blanket ban of them” at searches, claiming they would “ensure retrieval of best evidence”.⁴⁸ They also argued that no courts had questioned the way the RSPB handled informants.⁴⁹ However, the police and NWCU would no longer “take the risk of losing a case on any of the issues highlighted and the advantages outweighed the disadvantages”, which included RSPB evidence being dismissed in court.⁵⁰

The Helbeck case ended with the CPS deciding not to prosecute, despite RSPB insisting it had gathered enough evidence to charge. “You seem to miss the point with Helbeck,” Hunter wrote in an email to the RSPB. “The decision not to prosecute was made purely on evidential grounds.”⁵¹

That case exposed the biggest problem Hunter says he had with the RSPB: “The police have proper processes for anybody that provides intelligence and information. If somebody rang up saying they want to tell you something confidential, there were processes you had to go through and if you were the person involved with that, you wouldn’t become the investigating officer. It was dealt with separately because you needed to keep the corridor sterile and policing has become even more like that – certainly from a wildlife crime point of view. There’s no role for NGOs in handling ‘informants’. RSPB were heavily involved in that and would use the excuse that people wouldn’t trust the police to pass information to, which is never backed up by evidence. It just kept their hand in and they wanted to be involved. The RSPB had a belief that they deserved to know everything the police and others had about certain investigations.”

The NWCU emails point out these errors in RSPB's handling of sources:

- RSPB does not have confidentiality agreements with its sources.⁵²
- RSPB does not reveal whether its informants have been paid.⁵³
- RSPB exaggerates reliability and significance of sources.⁵⁴
- Unclear whether RSPB has Information Sharing Protocol (ISP) in place.⁵⁵
- NWCU knows of no other cases of NGOs supplying informants then getting involved in the investigation.⁵⁶
- Shorrock claims he has influence over gamekeepers, yet his involvement often inflames situations.⁵⁷

"We see the current investigative procedure and embedded role of RSPB investigators from dealing with 'informants'

through to prosecution as NOT acceptable in modern investigative practice," wrote Hunter at the time. "We must minimise risk in cases to try and ensure best chance for prosecution – cases are no longer run on the 'let's give it a go' basis."⁵⁸

The anomaly in the RSPB's investigation team is that the large and wealthy organisation only has a handful of people dealing with an issue it regularly claims is enormous. As such, there are no 'sterile corridors' due to the small number of staff, most of whom have more than one role.

"Where they're dealing with what some would call informants – police use the term human intelligence sources – those people need to be protected by what we used to call 'sterile corridors,'" he says. "You shouldn't know

who's submitted intelligence. You don't need to as long as it's been treated properly and correctly... [RSPB] would be dealing with a person providing very sensitive information about a range of different things and then expecting to be involved in an investigation where they may actually be coming across that person directly. They should never have been within a million miles of those cases."¹⁷

Hunter, his fellow NWCU staff, and police officers decried RSPB's access and rule-breaking, knowing full well defence solicitors would have no trouble discrediting investigations involving the charity, which was frequently criticised for its open bias. After the email release, it's unlikely any of Shorrock's past cases were reviewed.

Shorrock treated news of NWCU's impending restrictions with trademark arrogance. His "27 years of experience" had put the RSPB in the best position to support police and 2 million members expected the charity to investigate raptor crime.⁵⁹ Hunter and others were mystified by Shorrock's "you can't do without me" attitude,⁶⁰ when each reckless act he pulled off risked jeopardising cases, or convicting innocent people.

Hunter met Shorrock and [REDACTED] of the RSPB investigation team in Edinburgh. He briefed them on his plan to produce a standard operating procedure that would limit RSPB's involvement in investigations. He emphasised, as he did many times throughout the emails, that he welcomed the charity's contributions and was not shutting it out, only making sure rules and procedures were followed and consistent.

They responded by threatening not to share raptor crime cases⁶¹ or evidence and said Hunter's legacy would be that he "destroyed effective working between the police and the RSPB".⁶²

Hunter was head of the NWCU in late 2013, during the 25th Annual UK National Wildlife Crime Enforcers Conference. Shorrock has for many years been the unofficial photographer at these events. That year, he made a presentation in which he spoke about his breaches of procedure, bragging about behaviour many members of his audience would be disciplined for or fired if they followed suit. Members of the NWCU, Gloucestershire Police, and the AHVLA all expressed concerns about Shorrock's presentation in emails to Hunter.



[Shorrock] is obviously frustrated that he does not have control

- Andy McWilliam, NWCU

NWCU's Andy McWilliam was critical of Shorrock naming and shaming Durham police because of an investigation where mistakes were made. "Even if he felt he was justified, I did not feel that the conference was the correct forum to be so openly critical."⁶³ Then Shorrock "referred to intelligence that they (RSPB) had submitted to the NWCU" relating to international cases, "forgetting the fact that this was actually 'Police' and not RSPB intelligence" and "smuggling was actually a matter for the UKBF and not for the RSPB to deal with".⁶⁴

Shorrock appeared "frustrated that the USFW (U.S. Fish & Wildlife Service) had not been in touch with him" about another case. He suggested some "intelligence had been lost" and referred to the agents as "cowboys". "He is obviously frustrated that he does not have control," said McWilliam.⁶⁵

"The Police, UKBF and NWCU have protocols and procedures to follow," he said. "The rules and regulations we all follow are not an 'optional extra'. Failure to comply may ultimately result in evidence being excluded, cases failing or even worse for any individual who transgresses... [Shorrock] believes he can bypass all the protocols and safeguards [and] the fact he believes that he can broadcast what he did to open conference, shows the arrogance of the man."⁶⁶

Sue Bradshaw from Gloucestershire Police backed up McWilliam's comments: "I would agree that the slant he used and the tone was unprofessional and not the correct forum to raise... his perception of failings in Durham (especially singling out a police Inspector in such a manner)."⁶⁷

Alison Clarke of the AHVLA agreed: "[Shorrock] appeared to be in possession of a lot of information which under the DPA he should not have had. In addition, he openly admitted going through the wrong channels e.g., telephoning the US Management Authority, which could potentially embarrass not only AHVLA but Police Forces and the UK Border Force who have laid down protocols with this organisation."⁶⁸

Following the conference, McWilliam emailed Shorrock, asking that he "no longer relied on" a reference he wrote at Shorrock's request in 2009. Shorrock didn't seem to

RUTH TINGAY SHARES A JOKE WITH GUY SHORROCK AT HEN HARRIER DAY 2024. PHOTO: LB GARCIA



understand what he'd done wrong. He said he kept the reference as "backup" in court cases and was "surprised" by the withdrawal.⁶⁹

McWilliam explained he had been "uncomfortable about certain matters". Shorrock's presentation was "the tipping point", as he "seemed to slate everybody" but himself and "public humiliation" wasn't appropriate. Shorrock "referring to colleagues as cowboys" was "a gross misjudgement" that alienated "a significant number of delegates".

However, the biggest problem was Shorrock's belief he didn't need to follow "protocols, procedures and regulations" set up over many years that virtually everyone else in the room was required to obey if they wanted to keep their jobs. "We cannot pick and choose which rules we follow," McWilliam said.

Besides criticism of the RSPB, the FOI emails show Hunter had reservations about giving extra powers to the SSPCA. This appears to have been justified, with the organisation hit by numerous allegations of corruption, misconduct and abuse of power in recent years.

"There's an absolute clear reason why people like RSPCA and others would look to push prosecutions themselves," he says. "We publicise the fact that somebody's been cruel to a dozen dogs. Everybody goes, 'Ahh, how terrible. Let's give you some money.' Whenever the RSPCA would flag up a high-profile case and it got prosecuted, the coffers would go up."⁷⁰

The emails were reviewed by Ruth Tingay, writer of Raptor Persecution UK (RPUK) blog, which has a reputation for being anti-shooting and an unofficial mouthpiece of the RSPB. Tingay is also co-founder of Wild Justice, which has spent years trying to shut down shooting and influence government policy with legal challenges launched against Defra. Most of its actions have only succeeded in wasting public money and endangering rare birds by forcing irrational restrictions on pest control.

Under the headline 'Former Police Chief's toxic vendetta against RSPB undermines partnership to tackle wildlife crime,' Tingay focusses on minor elements, removes context and overlooks the bird charity's failures, specifically criticism of her friend Shorrock.⁷¹

The article describes Hunter's plan to get a formal SOP for dealing with wildlife crime as "a nasty little campaign... aimed directly at discrediting the work of the RSPB's Investigations Team". The article ignores emails in which NWCUC staff or people from other organisations acknowledge the RSPB's good work, yet identify reckless methods that jeopardise future cases, so ground rules need creating.

Tingay interprets this as Hunter "marginalising" the charity's involvement in raptor crime in a "long string of toxic email correspondence" that "reads as an unprofessional, personal vendetta... dripping poison into the ears of junior-ranking police officers and encouraging them to bad mouth the RSPB".

Without going into detail or backing up her argument with evidence, Tingay claims, "Many of the accusations made by Nevin and his colleagues... are baseless, misrepresentative and just plain bizarre." She does not give examples of accusations she believes are accurate.

Included in her review is a long quote from Martin Harper, RSPB's former head of conservation, who insists the investigations team "does fantastic work to help tackle wildlife crime".

Summing up the conversations, Tingay insists "it's not the RSPB that comes out of this with the most damaged reputation, it's the NWCUC", adding that Hunter and the NWCUC were "bigging up partnership-working with the RSPB and other PAW (Partnership for Action Against Wildlife Crime) organisations" at the time, so "it looks like behind closed doors he was doing his best to destroy it".

Anyone else reading the email chain, including members of the RPUK community, can see the key problem is Shorrock and his influence on the RSPB's investigation team. Tingay chose her relationship with the antagonist over the facts.

"People like [RPUK] are well meaning but I think they see a conspiracy in everything," says Hunter.

3: The haunting of Reg Cripps

SUMMARY:

A conviction based on flimsy evidence conjured up by RSPB investigators led to a gamekeeper and his wife suffering nearly two decades of harassment and stalking by animal rights extremists.



THE ANTAGONISTS REGULARLY CREEPED AROUND THESE WOODS

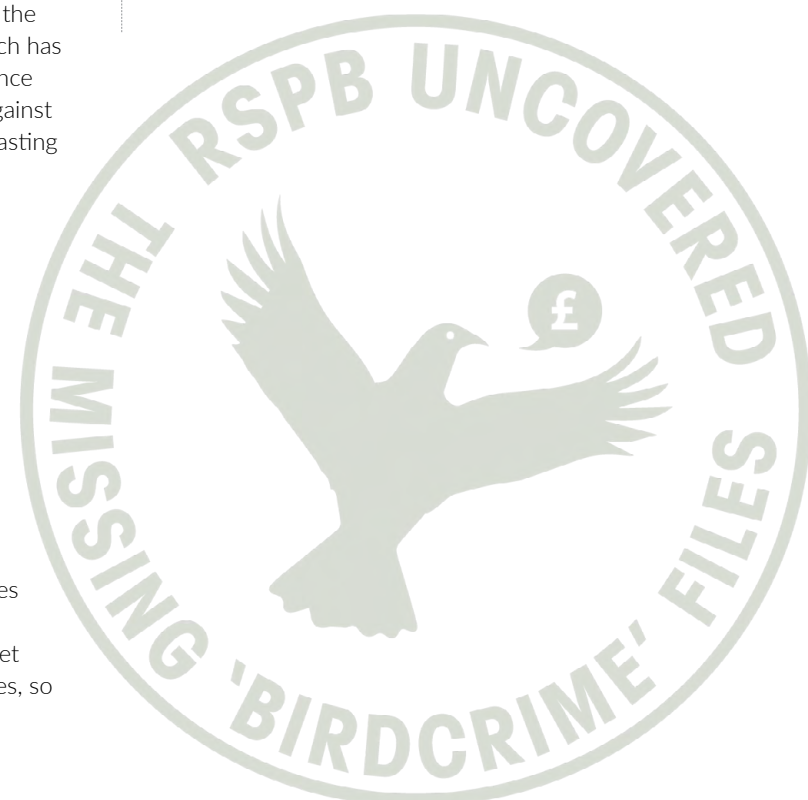
"They come in the night; they come with masks on. They come around the house with their lamps shining in the windows and things. You get up and go out; they just switch the lights off and disappear... We get them all the time."⁷²

Reg Cripps is nearly 80. For about 20 years, he and his wife have been tormented by faceless, hooded figures with torches, visiting at all hours after dark, causing property damage and more.

"I lost three dogs within about three months – poisoned. I used to take my dogs up back for a walk and I just

wondered if they'd seen me up there with my dogs. Because we didn't really realise what was happening till the last dog. Took them to the vet and the vet says 'Do you think this dog could have been poisoned?' And I hadn't even given a thought. But that's what was in our minds that these dogs, in the three months, all went."⁷³

I lost three dogs within about three months – poisoned
- Reg Cripps



In 2004, Cripps faced numerous charges of killing birds of prey but was instead found guilty of disturbing a goshawk and smashing its eggs. He was sentenced to three months in prison, suspended for two years, and fined.

After the trial, *Manchester Evening News* ran an ambiguous headline, 'Nest wrecker escapes prison'.⁷⁴ Cripps was "seen by a police wildlife officer near a goshawk nest in April, 2002", said the paper. "The gamekeeper was alleged to have said that there were too many goshawks in the valley attacking grouse, and that 'something must be done about them'. A few days later conservationists found the nest was damaged and all the eggs smashed."

"That particular night," recalls Cripps, "We came out [of the wood] and I was just locking the gates on the estate and there was a car parked there with a policeman and two birdwatchers. This policeman was a wildlife officer from Huddersfield area somewhere and we had a chat with them. They had been in that particular wood, and they'd heard this goshawk alarming [and] chatted about how many nests there was in the valley. It was five or six nests in the valley. I just said to them, don't you think there's too many goshawks in this valley? That didn't go down well. I don't know whether it's true or not, but the [birdwatchers] said [the wildlife officer] was retiring and getting a job off the RSPB."⁷⁵

"But... they checked [the nest] after that date and it was all right. Then a few days later on, there was no eggs in the nest. Well... seemingly, there was no eggs in the nest, but our friend [RSPB investigator] Mark Thomas found a broken egg. Nobody else knew there was a broken egg there, so where that egg comes from, I do not know.

"I've thought about it after and I wish now they'd DNA [tested] that egg, because there would be feathers all around that nest. He could've took feathers off and see if they would match that."

During the police search on his home, a historic egg collection from the 1950s was found and taken away. A young Cripps had stuck magazine covers of birds on the box, with the issue date proving when the eggs were taken. However, when it was presented in court, the magazine cover was missing. It wouldn't be the only time evidence vital to the defence disappeared under suspicious circumstances or was temporarily lost while in the hands of RSPB investigators (see chapter 10: *Operation Sea Hare*).

"[Thomas] come marching into the house and I says to the police, 'I don't really want him in the house.' And they says, 'He's got to be here,' because he was advising them. He was all over the house, opening doors, cupboards, everything.



Apart from the bird's egg collection, they never found anything. Oh, they found me diary, which wasn't hid, it was on the table. He picked up and went through and said, 'What does this mean? What does that mean?' And that's where they started on with all the bird's nests that went missing on such an such a date."

They also found climbing irons. The RSPB concluded that Cripps, aged 60 at the time of the trial, used the climbing irons to get up the tree and smash the eggs – six months after he'd had hip surgery. The charity claimed doodles in the diary were secret codes related to nests he'd raided. When Cripps explained in court that they referred to his pigeons, Judge Stretton said it was "simply untrue",⁷⁶ clearly convinced by Thomas's unproven claims.

After the trial, the Countryside Alliance said, "we have considerable concern about the safety of this conviction".⁷⁷

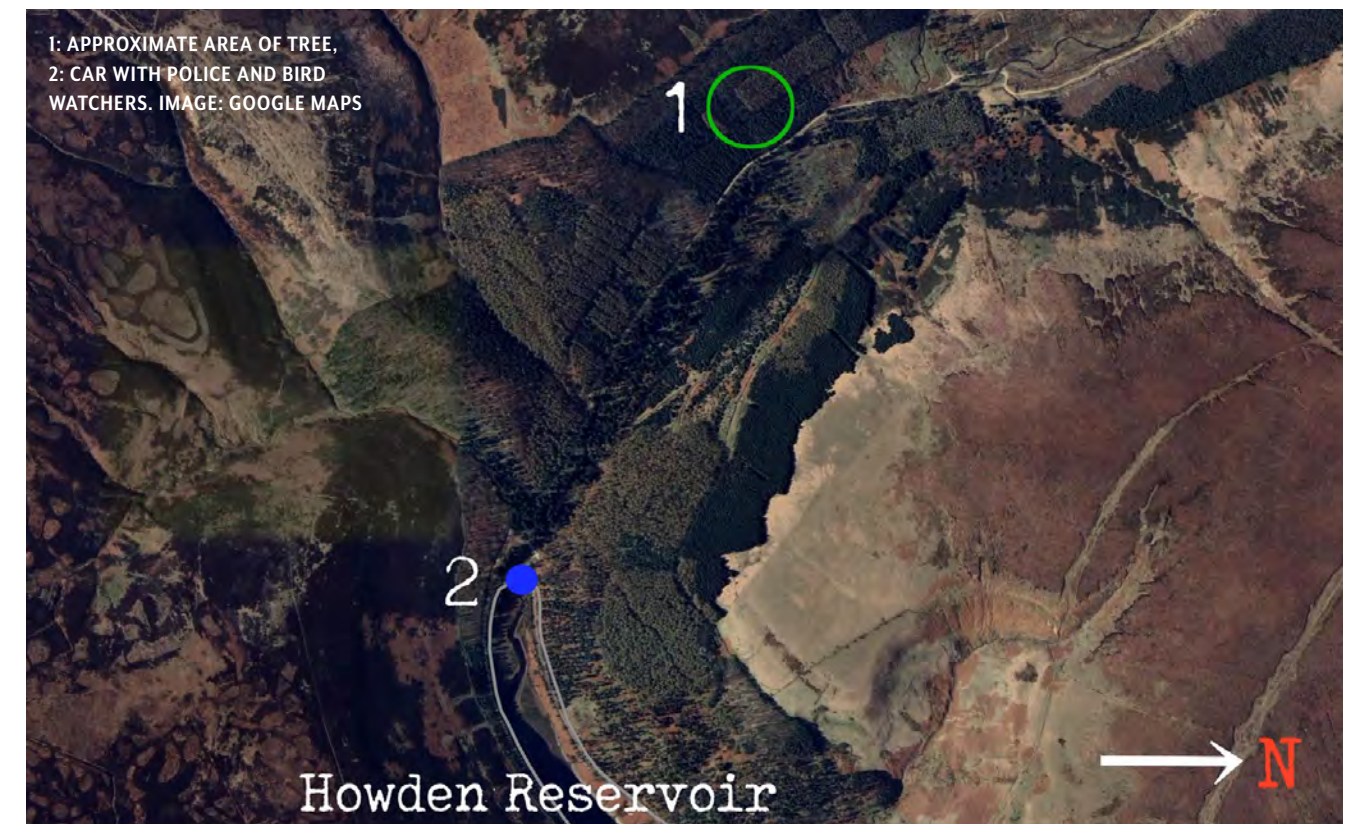
Another article in the *Manchester Evening News* published on the same day was headlined 'Vow as gamekeeper is found guilty'. It quoted the RSPB saying, "it would 'go to the ends of the world' to convict wildlife criminals".⁷⁸ "Conservationists noticed... goshawks and peregrine falcons... failed to thrive in the northern Derwent Valley, where Cripps works," the article went on, without identifying the 'conservationists'.⁷⁹ The claim directly contradicted the newspaper's other story, in which the Countryside Alliance pointed out that Cripps "worked with local raptor groups" and "the goshawk population on the estate has grown".⁸⁰

It wasn't long before animal rights extremists began their years-long persecution of Cripps and his wife.

"Moorland Monitors, that's what they call them," says Cripps.⁸¹ On its website, Moorland Monitors describes itself as "a grassroots community network" that aims to "protect persecuted wild species" on grouse shooting estates.⁸² On social media, it regularly updates followers about the crimes, real or perceived, of gamekeepers and other members of the fieldsports community.

Cripps's case appeared in issue 42 of *Legal Eagle*, RSPB's magazine about its investigations.⁸³ According to the article: "The nest tree was felled and sections containing the spike marks were removed for examination by the Forensic Science Service." The magazine admitted there was only "moderately strong evidence" the marks on the tree were made the climbing irons belonging to Cripps.

"I can't really remember whether it was a Scots pine or a sycamore," says Cripps. "There were emphasised marks, big scratches, you know. Well, I've climbed tons of trees and you don't make marks like that. [Thomas] was seen on



the television showing the media my climbing irons. Now I always thought once the police took them away, that they would have stopped with the police. They wouldn't have come back, because they were the prosecutors. So, surely [the RSPB] should never have had the climbing irons."⁸⁴

He was set up. Mark Thomas... and his entourage absolutely bloody set that up.
- Peter Atkin, farmer

"He was set up," says Peter Atkin, a farmer and friend of Cripps who was at the trial.⁸⁵ "Mark Thomas, that bugger and his entourage, absolutely bloody set that up. They submitted [in court] a length of tree with marks in it and they said it had been climbed and this, that, and the other. And I said, 'Well, who's doing the most damage here? Because they've cut down the tree that I know that those birds have nested [in] for 20-plus years'. And I'll tell you what... When we got [back] up there and looked at it, it wasn't the same bloody tree. It was a tree from further down the wood that [RSPB] cut down. That's contempt of court, isn't it? They're horrible people we're dealing with now."

Initially Cripps faced 19 charges, as Thomas and his investigation team tried to link the diary to a string of nest robberies and recruit his friends to turn them against him.

"I think it was about eight or nine goshawk nests taken at that particular time and they tried to pin them all on me," says Cripps. "There was dates in my diary which [a birdwatcher] suggested was something to do with them particular nests. But when they read out this particular birdwatcher's evidence, none of the dates coincided. Where they said I destroyed that nest on the 15th, he'd checked it on 16th and it was OK. So they went through it like that and they just tossed the diary out because it didn't correspond with their accusations."⁸⁶

"I was quite pally with quite a few birdwatchers and they were all pressured into turning against me. They all did send reports in except for one chap, who says he wouldn't get involved. But they threatened him, that he would never get any work off the RSPB or... get no help off them at all if he didn't help them. [That would] probably be Mark Thomas, because he was the one that was their investigation officer. He was the one in court, writing notes out and giving them to people all the time the case was going on. He was feeding people different information."⁸⁷

Cripps appeared on the cover of issue 44 of *Legal Eagle* after his appeal failed in December 2004. While the trial and courtroom are a distant memory, the persecution by animal rights extremists continues, with routine posts online from the Moorland Monitors and North West Hunt Sabs.

"One night we were in the [pub] having a meal and I think it was on Facebook the next day... the Moorland Monitors was telling people what me and my wife had for our meal."⁸⁸

4: The great egg chase

SUMMARY:

The RSPB had known for years that a gamekeeper was bequeathed an egg collection in the 1980s. But that didn't stop Guy Shorrock from leading a campaign of harassment against him more than a decade later.



THE CALEDONIAN MACBRAYNE FERRY TERMINAL AT SKYE WHERE REDHEAD AND WILLIAMS CAUGHT THE BOAT TO NORTH UIST. PHOTO: BRIAN REDHEAD

Brian Redhead was a gamekeeper for Lowther Estates near Penrith. He inherited a collection of wild birds' eggs after the death of his old friend Frank Gilbert. Due to his interest in the natural world, Gilbert's relatives believed Redhead would be the most suitable person. The collection came with paperwork, including data cards, proving no egg was taken after 1980.

"I'm not an egg collector," says Redhead.⁸⁹ He explained how the Gilbert family's solicitor contacted the RSPB explaining the planned bequest. The RSPB agreed to the plan, provided Redhead did not sell or barter the birds' eggs. "So the RSPB had that information in 1989."

Years passed and only a handful of people knew he had the collection.

In 2003, he took his wife on holiday to North Uist in Scotland's Western Isles, a place he had visited every year for more than 20 years. As they were leaving Lochmaddy for the ferry back to Skye, they were stopped by police officers and the car was searched. They were looking for birds' eggs, based on "information received" from the mainland, according to Sergeant Graham Murdoch.⁹⁰

"There was nothing to find," says Redhead. "[They] took a small notebook out of my bag and if I took a photograph or something I would just put the exposure and shutter speed and that type of thing, and one [entry] was about a golden eagle's nest. That was it. They kept that booklet for about six weeks."⁹¹

REDHEAD ENJOYING THE VIEW ON NORTH UIST. PHOTO: BRIAN REDHEAD



Redhead returned to North Uist the following year with his friend Tony Williams, a special constable at North Yorkshire Police (NYP). They decided it would be better to use Williams' car as it was diesel. Despite the last-minute change in details, within five minutes of them driving off the ferry, they were stopped by the same policeman, Graham Murdoch.

He ignored Williams, who was driving, and asked Redhead, "What are you going to be doing and what are your intentions?" Redhead said they would be bird watching. He suspected the ferry company Caledonian MacBrayne had passed the police the new information after they switched cars. Either that or they were under surveillance.

"We called in to see a gamekeeper who Brian had known a few years," says Williams. "Brian just started to tell him the story and he just went, 'Don't tell me you're in a red Ford Escort estate with number plate...'"⁹²

A week earlier, the gamekeeper had been told by a well-known local birdwatcher with links to the RSPB to watch out for the car because it belonged to two egg collectors. Redhead hired a solicitor on Skye to write to the police complaining about being stopped twice by the same policeman, calling it harassment, and demanding to know why.

He was so upset, he vowed never to go back, but the two men returned to Uist in 2005. This time, they discussed beforehand what would happen if they got stopped. Williams suggested posting a parcel back home while they were there, just to "see what happens".⁹³

After a few days, Williams posted a package containing two Cadbury's Creme Eggs wrapped in foil first class to his home in Yorkshire, where his parents were dog-sitting. During this trip, Williams also had a suspicion that a couple they bumped into a few times was keeping tabs on them.

While driving through Kyle of Lochalsh on their journey back to Penrith at the end of the week, Williams got a phone call.

"My mother rings up. 'You've just had your house raided by the RSPB and the police.'"⁹⁴ Two or three minutes after the postman had delivered the Creme Egg parcel, a police inspector, two PCs and Guy Shorrock knocked on the door. They said they knew a parcel had just been delivered and that they had a warrant to search the flat.

"Obviously somebody had watched us when we were going into the post office," says Redhead. "They X-rayed the parcel [but] they wouldn't see through the tinfoil. Then followed it 400 miles to Yorkshire."⁹⁵

PHOTO: LB GARCIA



If I send my godchildren Easter eggs [are they] going to get their houses raided?

- Tony Williams, former police officer

According to an officer Williams had worked with for a few years, the inspector came in on the morning and told him and the officers they had “something delicate and serious to do”. They had a warrant to search Williams’ flat because “he’s collecting birds’ eggs”. His colleague disputed the claim and was later asked to video the opening of the package.

“I couldn’t contain myself,” he told Williams as the box was opened, revealing the chocolate eggs. “I couldn’t keep the camera still. I just laughed me head off.” Shorrock and the inspector were not amused, the colleague claimed.

While on the phone to Williams, his mother said the police were going to Redhead’s house as well. He rang up his son, who said three policemen were there, one of them PC Mark Bradley, who Redhead knew, so he told him where the egg collection notes were. They searched the house and took two egg cabinets, 13 books and three files, plus egg data cards.

“Next day I went down to the police station in Penrith,” he says. “Mark Bradley said ‘I’m going to arrest you, then I’ll unarrest you.’ He said the charge would be ‘being in possession of schedule 1 bird eggs.’”⁹⁶

Meanwhile, Williams returned to work and was confronted

by the inspector, who asked whether he had sent the parcel and why was he with an egg collector. Williams explained that Redhead was not an egg collector and had been bequeathed the collection, which was legal and the contents were taken before the Wildlife and Countryside Act 1981. Plus, the RSPB knew about it.

He asked why the police were so interested in him sending a parcel back home, to which the inspector said Williams was “seen going into the post office”, confirming suspicions the men were being watched. “Are you telling me that if I send my godchildren Easter eggs next year, they’re going to get their houses raided by the police and the RSPB?” Williams asked.⁹⁷

Redhead returned to the Penrith police station to collect some of the books and folders. Bradley had received a report back from Shorrock seven weeks after the raid, but Redhead was told he was not allowed to see it. Bradley said he would have to ask Shorrock about that.

He was still owed books, so returned to the police station a week or two later to pick up the rest. This time he was told he was going to be given a caution for being in possession of schedule 1 eggs, eggs which were not schedule 1 and items used in the collection of birds’ eggs, meaning the two cabinets he was also bequeathed. Redhead was asked if he understood what the caution was for and said ‘Yes’ but did not think he was guilty of anything.

At this point, it was explained to him that an amendment in 2004 to the Wildlife and Countryside Act criminalised previously legal egg collections.⁹⁸ When Redhead protested, he was told by the sergeant that “ignorance of the law is no excuse”.⁹⁹ However, the RSPB had not publicised the law change and Shorrock took advantage of it. Redhead was



ABOVE AND BELOW: BIRDWATCHING ON NORTH UIST
PHOTOS: TONY WILLIAMS AND BRIAN REDHEAD

asked to sign a five-year caution, which he did having received no advice to the contrary. He now believes this to be a mistake, as it is generally viewed as an admission of guilt.

How much power do they have? [Shorrock is] a charity worker. How do [RSPB] get away with it?

- Brian Redhead, retired gamekeeper



“It was the RSPB who recommended I got a five-year caution,” says Redhead. “How much power do they have? They’re not even a government body. They’re just like you or I. [Shorrock is] a charity worker. How do [RSPB] get away with it?”¹⁰⁰

After a judicial review reversed the amendment (see chapter 10: *Operation Sea Hare*), Redhead got his collection back. He summed up the effect of RSPB’s harassment, from Shorrock in particular, in a written complaint.

“Since June 2003, based on maybe a malicious phone call to either police or RSPB, I have had three annual holidays ruined, have probably been lied to more than

once and have had my reputation as a visitor to North Uist questioned. I have no previous records or problems... In the eyes of the police and the RSPB, I have escalated from a person who owned an egg collection to a professional egg collector. This has been made obvious by them following me around for three years. My life for myself and my family has been a misery and this has got to be harassment on a grand scale.”¹⁰¹



SUNSET ON NORTH UIST

5: The case that never was

SUMMARY:

For about a decade, the RSPB plotted against Peak District moorland managers because they were running shoots. The effort got a gamekeeper convicted, yet video evidence provided by the charity and used in court was doctored and outtakes show suspicious activity by the charity's staff, warranting further investigation.

THE FROZEN FALCON

Buried near the bottom of a filing cabinet in the office of RSPB's investigations team, there may be a folder of photos, witness statements and video tapes of a postmortem from a case that has never been solved. Looking back through years of the charity's press releases reveals no sign of the incident and as far as the investigators involved are concerned, that's probably how they like it.

The case briefly surfaced in 2007, when the RSPB released *Peak Malpractice Update*,¹⁰² the follow-up to the previous year's *Peak Malpractice* magazine,¹⁰³ which blamed grouse moor managers for declines in birds of prey. It was so successful in smearing the image of gamekeepers and shooting estates that the update was released and on page four, the photo of a dead falcon with the caption: "Peregrines were found that had been shot and trapped."

Who found that bird, what happened to it and how it ended up in the magazine are all pieces of a puzzle that began in the early 2000s in the Upper Derwent Valley, where award-winning conservationist Geoff Eyre ran a shoot on moorland he leased from the National Trust. The lease was coming up in 2010 and throughout the decade, the RSPB lobbied against him getting it renewed.

"I had hen harriers come and nest in 2003," says Eyre. "We didn't know what they were to be honest. Then we didn't see 'em again until 2006... So I notified Natural England and the [National] Trust. Then RSPB jumped in and said, 'Oh, we've got to come and manage this.'"¹⁰⁴



Due to the pressure put on him over his lease, Eyre didn't like the idea of RSPB being around all the time 'managing' the nest. Andrew Heath was employed by Natural England as a monitor.

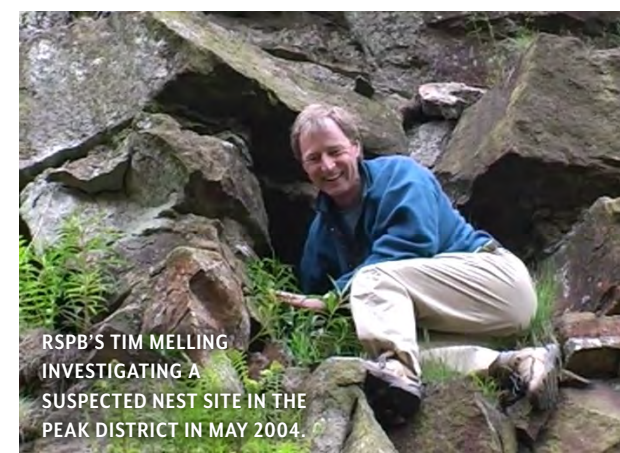
It seemed to me that [the RSPB investigators] wanted to make as much controversy as possible
- Andrew Heath, Natural England

"I was introduced to various members of the RSPB investigation team, which included Mark Thomas and Guy Shorrock," Heath wrote in his witness statement in April 2011. "Within a very short period of time... it became clear that their expectations of my role were not the same as mine... They were unhappy at the prospect of working with the local keepers in relation to the hen harriers."¹⁰⁵

"It seemed to me that they wanted to make as much controversy as possible [and] wanted me to keep an eye on the gamekeepers in the area and to pass them information about their comings and goings. I was effectively being asked to spy for them, which I felt was two-faced and something I was not prepared to do. My view was that I was there to work with everyone, not to try to get people prosecuted."

In the middle of May 2006, a dead peregrine falcon was discovered by the public footpath near the nest site. "It was found by two men, who were on their way up to the site to meet with me," said Heath. "Steve Davies, who is the leader of the North Peak Raptor Study Group, telephoned me, to tell me that he had the dead bird and to ask me what he should do with it... We arranged to meet later that afternoon in a car park near the town of Chapel en le Frith. When I arrived... Mr Davies showed me the peregrine. As soon as I looked at it I suspected that it was a set-up."

"My first thought was that the bird might have been electrocuted, because there were burns to the legs, but I later realised that these were freezer burns. The shot wounds appeared to have been made postmortem. There were feathers missing from the top of the neck and shoulders, rather than around the areas of the shots, which were consistent with plucking by hand. The vent area was fouled with faeces, which was a sign of intestinal problems,



and lent weight to the view that it had died from something other than being shot.

"There were also no signs of moult, which would have been expected at that time of year. The tips of the tail feathers were dirty, which looked as if the bird had been kept in captivity, and there were also abrasions on its legs which were consistent with the wearing of jesses and with it having been a falconer's bird."

While the men were studying the bird in the car park, Davies received a phone call from RSPB's Tim Melling. Heath heard Melling tell Davies, "Don't give that bird to Andrew Heath." He assumed Davies gave the bird to Melling.¹⁰⁶

Thomas phoned National Trust and accused it of not looking after the hen harriers because a 'shot' peregrine was found nearby. The local National Trust manager phoned Eyre and told him about the dead peregrine. Eyre rang the police but neither South Yorkshire nor Derbyshire constabularies had heard about it.¹⁰⁷

Eventually he spoke to a policeman in Sheffield who said the bird was being kept in the back of an RSPB employee's car. Eyre asked for a postmortem. The officer said it would cost around £1,400, although the RSPB could do it for £80. Eyre insisted the vet should be independent.¹⁰⁸

On 16 May, Thomas delivered the bird to a vet in Pocklington, east of York, to determine whether it had been shot. The vet acknowledged immediately the peregrine had been frozen: "As the bird was an unfrozen carcass, I took four radiographs which showed that there were two pieces of radio-dense material consistent with lead shot. The bird was in a minor state of decomposition."¹⁰⁹



THE DEFROSTED FALCON AT THE VET'S SURGERY IN POCKLINGTON

It's unclear why Thomas, who had been working at the RSPB for seven years, did not recognise freezer burns on the peregrine's legs.

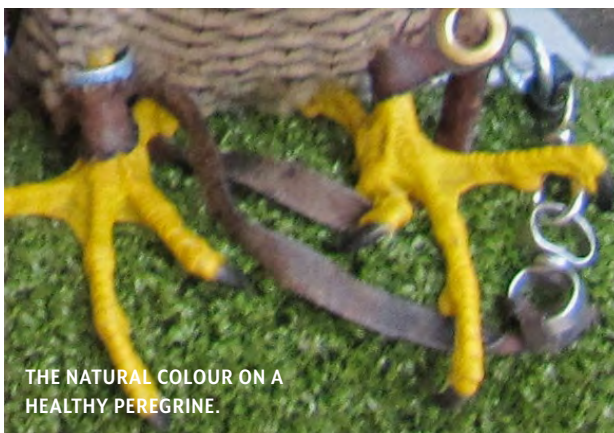
The postmortem on 23 May was attended by Mike Ashfort from Humberside Police, conservationist George Winn-Darley, his gamekeeper George Thompson and Melling. Ashfort videoed the procedure.¹¹⁰

"[Melling] informed me that because there was only one blue feather on the dorsal or the bird, it was a juvenile bird, born last year," wrote the vet. "This bird had been shot twice. The first time it had been shot a single piece of metallic shot was left embedded above its tail. It was an old injury and there was no evidence of severe damage."¹¹¹

"The second time the bird had been shot, shot had penetrated the skin on the left breast, and then passed through the keel, then damaging the ribs on the right side, before ending up subcutaneously on the right side. This had led to some bleeding into the right air sac. This had occurred less than one week prior to the bird dying."

"The bird had also developed peritonitis in the right-hand side and I suspect this had led to its death... The development of the maggots is consistent with the bird having been dead more than two or three days but less than one week before being found, the ambient temperature being warm at this time of year."

"Although the bird was shot, there is no evidence that being shot led directly to its death. The bird has been retained



in the freezer, as well as samples from the crop, the two pieces of shot, and some of the maggots.”

During the postmortem, Melling dismissed Thompson's observation that the bird looked like it had been frozen for some time, insisting the feet did not have “the full adult colouring” because it was a juvenile bird.¹¹² However, at that stage, they're normally light blue, grey or yellow, but not black, the shade associated with freezer burn.

Winn-Darley asked the vet whether it was possible for the bird to have died, been frozen then unfrozen and dumped. “It's very possible,” the vet replied,¹¹³ adding later that it “didn't plummet from the sky”.¹¹⁴

This theory was supported in the Countryside Alliance's analysis of *Peak Malpractice Update*. “The coincidence of the bird being found very close to a footpath near a popular visitor site high up in the Peak District further raised suspicion that the bird had not flown there and died naturally,” wrote reviewer Tim Baynes.¹¹⁵ He noted the concerns raised during the postmortem about “the moult

stage of the feathers” combined with the “burn marks on its legs” pointing to it dying “at a different time”.¹¹⁶

Peak Malpractice Update tells a different story. It acknowledges the bird was shot twice, but does not attempt to explain how, on both occasions, it managed to avoid the hundreds of other pellets flying in the same general direction. The magazine wrongly claims the “second shooting ultimately led to the bird's death”.¹¹⁷ Thomas went on local television to show people the x-ray of the frozen bird and offer £1,000 reward for information leading to a conviction in the case.

When Eyre tried to settle the £1,400 postmortem bill, he had a hard time contacting the vet. When he eventually tracked him down, he refused to talk, saying his clients wouldn't approve. “What do you mean? I'm your client, I put the money forward,” Eyre told him. “He said, ‘Oh no, my client is the RSPB.’”¹¹⁸

THE MARKED PIGEON

Issue 65 of RSPB's *Legal Eagle* magazine, has a trap on the front cover with the headline, “Covert surveillance gets result!” Inside, Mark Thomas explains: “On the 13 June 2011, following a 10-day trial, gamekeeper Glenn Brown of the High Peak Estate, Derwent Valley, Derbyshire, was convicted of seven charges contrary to the Wildlife and Countryside Act 1981 and the Animal Welfare Act 2006.”¹¹⁹

According to Thomas, the RSPB deployed a ‘fieldworker’ to the estate in 2010 due to rampant raptor crime in the area, citing *Peak Malpractice* as evidence. The fieldworker was apparently given permission by the National Trust to enter the estate and inspect traps legally set by gamekeepers as part of routine pest control. After finding one on 15 April that the RSPB claims was set by Brown, who was Eyre's gamekeeper, the fieldworker kept returning to monitor the trap, despite it being legal.



“On 27 April the trap contained a female pheasant, a non-target species that would be attractive to a large raptor such as a goshawk,” Thomas wrote. “It was not known if the pheasant had been accidentally caught, so a daily visit was made. The pheasant was not removed, the water and food provision was inadequate and it seemed the trap was not being inspected daily. After a few days, it was noted that the pheasant had developed a head injury, so it was removed by the RSPB and taken to a vet, where it was euthanised.”¹²⁰



Video provided by the RSPB¹²¹ shows the bird in the trap on the 4, 5 and 6 May, each piece of footage having the date stamped on it.¹²² The fieldworker could easily have left the door open, allowing the birds to fly away, or given them some food and water, yet the focus was prosecuting the keeper. A common complaint by the RSPB's critics is that the welfare of birds does not appear to be a priority. Thomas wrote that on 18 May, more than a month after snooping began, was “a very significant day”¹²³ as the trap was found to contain a white pigeon.¹²⁴



He claimed it was “a clear sign that it was being used as a hawk trap to take birds of prey”. RSPB investigator James Leonard is filmed cutting pieces of feather, so the wings are “uniquely marked”.¹²⁵ Leonard and his accomplice John McMahon also hid cameras nearby. The water container was replaced by one with a green liquid. This, Brown explained, was the water container from another trap nearby. Neither was being used, he says, so it was not necessary to change it and besides, the doors of both traps were open.



“Two days later, RSPB staff and the covert cameras caught local gamekeeper Glenn Brown attending the trap with a firearm,”¹²⁶ wrote Thomas. According to Brown, it was the first time he'd been there, as it was on a remote part of the estate and wasn't being used.



At this point, the RSPB has not provided any proof Brown had visited the trap before or put any birds inside. Everything had come from the imagination of Thomas, Leonard and fieldworker McMahon. Furthermore, the footage has the date and time superimposed. All timestamps on the RSPB's videos for this case – and possibly others – were added later and are no proof of when the footage was created. The videos could have been filmed at any time.



Later that day – according to the fake timecode – Leonard was filmed beside a dead crow, said to have been found near the trap.¹²⁷ Contamination of the specimen was apparently not an issue, as he did not use gloves while picking it up with, and storing it in, a Morrisons bag. Similarly, a sparrowhawk Leonard stumbled across was picked up without gloves as he analysed the remains, which were “fresh” and looked like the bird had been “scavenged”.¹²⁸ He then stuffed it in a separate Morrisons bag. The bird must have been removed at some point, as the photo used as evidence in court shows it held in gloved hands.



The *Legal Eagle* article said Brown visited the next day, the 21 May, but no footage or proof of that visit was provided by the RSPB. Instead, there is a shot of Thomas talking to the camera,¹²⁹ as if setting up a dramatic scene where the RSPB investigations team pounces on Brown seconds before he kills a raptor. “This is a crow cage trap... and in it is a white pigeon. Now that means one thing, this is set to catch and kill birds of prey... We’re now gonna sit in the bushes down here and just watch and see who turns up to the trap.”



Thomas adds that the trap is “completely against the law”, yet he had known about it for several days and not informed the police. The next day, the hidden cameras catch “a man wearing a full-face balaclava and camouflage fatigues disarming the trap and releasing the pigeon”,¹³⁰ prompting Thomas to contact Derbyshire Constabulary.

“I was arrested and charged for having a pigeon in a crow pen and killing a sparrowhawk. That were it in a nutshell,” says Brown, who pleaded not guilty. “They’d got some photos of when a crow were in it with some mucky water and that sort of thing and added them into the equation and at one point, a pheasant were put in the pen [by the RSPB] and they took some pictures of that and frightened

it and cut its head... So, there were seven charges, [which] they managed to make stick by hook or by crook in court.”¹³¹

The police and RSPB raided Brown’s house and found a shotgun, balaclava and gamekeeping diary - none of them proof of anything other than possession. A white pigeon with the same “unique wing markings” made on the bird by Leonard was in Brown’s pigeon cote, according to Thomas.¹³² Brown disputes the RSPB’s story.

“My dad kept pigeons at my spot and they were all pure white pigeons and a pure white pigeon turned up in that trap,” says Brown. “They marked it and released it... and allegedly it come back to my pigeon loft, but it wasn’t from

me – 100% it wasn’t from me. I think they brought it with them when they come to raid me house... There were no bobby in the pigeon hut when the RSPB seized it... [The RSPB staff] stuffed a coat in the hole where the pigeons went in and I think they brought that pigeon [then] dropped in, there and then.”¹³³

Footage shown in court of the raid begins with a policeman walking towards Brown’s house.¹³⁴ It features a new design of fake timecode. The camera then cuts to Thomas checking the markings on the wing of a white pigeon inside the shed. He explains to a police officer how the bird he’s holding has identical markings to the ones Leonard made on camera a few days earlier.¹³⁵

He’s covered in his statement - Mark Thomas, RSPB

However, an extended version of the same footage begins with a shot of the pigeon cote with a jacket stuffed into the small door that allows birds to come and go.¹³⁶ Thomas is obviously unaware his microphone is live and transmitting his conversation with Leonard to the camera Guy Shorrock is operating outside. The only recognisable words are him saying someone is “covering his statement” or “covered in his statement” before Shorrock whistles, alerting the men inside the shed that a policeman is approaching. A few seconds later is the point where the court’s version of the video begins.

From the footage, there are at least 10 more birds in the shed. Conveniently, Thomas claims the bird with the markings was on the ground in front of them when they walked in, saving a lot of time. Thomas took a box used to carry birds, which Brown suspects he used to smuggle the marked bird in and let it out inside the cote, ready for examination. At the end of the sequence, Thomas sticks the bird in the box and takes it away.¹³⁷

“It was allegedly the first pigeon they picked up,” says Brown. “[They said] it was just laying on the bottom of loft because it were tired [after] it had flown back from the pen. Well, if it were that pigeon that were in pen, which

**THE SHED WHERE BROWN KEPT HIS
PIGEONS. THE RSPB STUCK A JACKET
IN THE DOOR FOR BIRDS. THOMAS
CAN BE HEARD SAYING ‘HE’S COVERED
IN HIS STATEMENT’**



it weren’t, it [would have] flown back two or three days before, so it wouldn’t have still been tired.”

The RSPB only gave Brown’s defence team the videos days before the trial, so there was no time for thorough analysis.

After the raid, Brown was interviewed for hours at the police station, with Thomas asking all the questions. On the advice of the solicitor assigned to him through the National Gamekeeper’s Organisation (NGO), he refused to answer the questions. Thomas complained about the lack of cooperation, overlooking the fact that the RSPB investigation team is made up of charity workers, not law enforcers. During the trial, the judge noted “a lack of proper disclosure”¹³⁸ in the method Thomas used.

“I had met Thomas and Shorrock [in 2006],” says Brown. “We had some hen harriers nest on [Howden] moor and I cooperated with a lad called Andrew Heath [from Natural England] and [RSPB] throughout the [2006] season that the hen harriers nested. There was some kind of meeting at South Yorkshire Police Station headquarters at Sheffield and I went with Andrew and they were all wildlife crime officers... Mark Thomas approached me after and more or less asked me to be an informant on other keepers and I just dismissed that. A: there were nowt to inform on, and B: I just didn’t want to be involved with that sort of thing.”¹³⁹

In his witness statement, Thomas mentioned the meeting and insisted Brown “raised concerns about raptors”.¹⁴⁰ Heath dismissed the claim, saying he “certainly never heard [Brown] say anything about gamekeepers taking the law into their own hands”¹⁴¹ regarding birds of prey. “Glenn stated to the meeting that he was fresh into his new keeping job following a good career in the fire service, and had no intention of giving that up only to become involved in any kind of illegal activity, a statement he had previously made to me,” wrote Heath. “I do not believe Glenn would have veered from this stance during a meeting with RSPB staff and police.”

It had been five years since that meeting and the postmortem that shut down the RSPB's investigation into the mystery of the peregrine it claimed was 'shot dead' on Geoff Eyre's moor. In the middle of Brown's trial, Thomas resurrected the case and tried to pin the killing on the gamekeeper. Thomas claimed that he had never seen the peregrine, forgetting he drove for hours to pick up the bird and take it to the vet for the postmortem. This prompted Brown's barrister to call him a liar in court. The accusation against Brown was quickly dropped, and the judge completely ignored the issue of the frozen falcon.

During the 10-day trial, Brown's barrister argued that nobody was using the trap and the RSPB was trying to frame him. The case, he said, was conjured up by the investigators. The prosecution insisted it relied on "expert evidence", referring to testimony from several people linked to the charity, including Ian Newton, one of the chairs of the RSPB's council.¹⁴² Also, Mick Marquiss, who collaborated with Newton on more than 20 bird studies and another with Raptor Persecution UK blogger Ruth Tingay.¹⁴³

Results of a June 2010 postmortem of the sparrowhawk were provided to the court by RSPB witness Guda van der Burgt, a veterinary investigation officer who is a director of the Badger Trust.¹⁴⁴ Judging by her social media posts, van der Burgt is anti-predator control, so unlikely to approve of any form of trap - used or not. She claimed the bird had its neck broken and was male.

The original charge of killing by necking was lowered to 'taking' after the defence asked for another examination of the sparrowhawk. Veterinary pathologist Alisdair Wood found that the neck was not broken, and the bird was female.¹⁴⁵

In detail, van der Burgt discovered "subcutaneous haemorrhage overlying the cranial spine" and "a haemorrhage at the base of the skull adjoining the haemorrhage in the neck",¹⁴⁶ while Wood found "no evidence of significant haemorrhage or other lesions in the neck".¹⁴⁷ The differences in analysis were so striking that at one point in the trial, the judge asked whether the vets were talking about the same bird.



LEONARD INSPECTING A DEAD SPARROWHAWK WITHOUT GLOVES, BUT PHOTOS USED IN THE EVIDENCE SHOWED GLOVED HANDS

In February 2011, van der Burgt wrote to Knights solicitors, who represented Brown, reversing her opinions about the sparrowhawk. Regarding the fracture, her conclusion did not come from an X-ray, she said, but a visual examination. Oddly, she believed a fracture was the same as dislocation.¹⁴⁸

Van der Burgt thought the bird was male due to its size, but also because Shorrock told her it was when he submitted it. This was another odd claim, because in his statement, Thomas said he submitted the bird and is listed as 'case vet' on van der Burgt's report.¹⁴⁹

A month later, van der Burgt wrote an "additional statement in the case of CPS v BROWN", in which she admitted her "expert evidence"

was inaccurate. She changed her mind about the sex of the bird, based on the conclusions of Wood and others, confessing her "expertise is not of ornithological matters". "In conclusion I am unable to stand by my original comment of it being male," she wrote.¹⁵⁰

In the June 2011 trial, Brown was found guilty of all seven charges, including using a baited cage trap to capture birds of prey, taking a sparrowhawk and possessing pigeons "for the purpose of committing an offence". He was sentenced to 100 hours of unpaid community service, banned from keeping pigeons for five years, had his pigeons and loft confiscated and was ordered to pay £10,000 costs.¹⁵¹ The judge said the "attack on the integrity of the RSPB" was an "aggravating factor in the case".¹⁵²

During a retrial in January 2012, the defence focussed on the reliability and reputation of members of the RSPB's investigation team. According to *Legal Eagle* (issue 67), the judge insisted RSPB staff were "reliable, experienced and credible"¹⁵³ and ordered Brown to pay £7,000 in costs.

With *Peak Malpractice*, Mark Avery launched an anti-shooting campaign based on false claims about rampant raptor 'persecution'. These have continued under the direction of Mark Thomas. In the years since these cases, the National Trust has ended shooting on its estates and adopted RSPB-style conservation policies such as banning burning and scrapping pest control. This has led to a drop in wildlife, including birds of prey.

5: A Crooked Concoction

The 'Nidderdale cocktail' is a highly toxic combination of chemicals named after a North Yorkshire beauty spot where it has been identified in poisoning incidents, according to the RSPB.

In reality, it's the subject of a smear campaign concocted by the bird charity and aimed squarely at turning Nidderdale locals against nearby grouse shooting businesses. The intention of this analysis is not to defend the poisoner, but to expose the collective punishment meted out by the RSPB on a rural community for the sole purpose of furthering its agenda.

The RSPB, police and media all emphasise the repeated use of the cocktail's special blend of four ingredients¹⁵⁴ being unique to the area, justifying the inclusion of 'Nidderdale' in the name.

- Bendiocarb (banned in the UK): used in many countries and one of 12 insecticides, including DDT, recommended by the World Health Organisation to control malaria.
- Alphachloralose/chloralose (regulated): a rodenticide that is considered harmful to humans.
- Iofenphos (banned in the UK): obsolete insecticide used on soil. May be available in other countries.
- Carbofuran (banned in the UK): a very toxic and widely used pesticide to control insects on field crops.

The RSPB claims it first recorded use of the 'cocktail' in 2011.¹⁵⁵ Its data, *Confirmed Raptor Persecution Incidents*



THE 'TWO STOOPS' LANDMARK ON A MOOR NEAR PATELEY BRIDGE. PHOTO: LB GARCIA

SUMMARY:

Residents of a northern England beauty spot are victims of collective punishment following an RSPB anti-shooting campaign designed to divide them. The media and local police backed up the charity's claims that some locals were killing birds of prey with a blend of poisons unique to the area.

Including Unmappable Incidents (Public), shows the closest incident matching the description involved a buzzard found dead in September that year (case 0 in the table on the following page). Former press release writer and Legal Eagle editor Jenny Shelton coined the term "a cocktail of highly toxic pesticides" for coverage of a red kite carcass found north of Harrogate in October 2018 (case 2). But the term 'Nidderdale cocktail' only surfaced in May 2020, when it was blamed for the high-profile death of a dog (case 5) that had eaten poisoned meat.

Charlotte Ambler was walking two of her dogs near Two Stoops on the moor above Pateley Bridge. She didn't see "anything suspicious", as told by her mother Chloe Ambler to *The Yorkshire Post*. However, by the time Charlotte got the dogs home, one of them was visibly sick and died not long after.

This combination of poisons is almost like a signature - Howard Jones, RSPB

"The toxicology report revealed what they call the 'Nidderdale cocktail', four poisons, which are suspected to have also been ingested by Charlotte and Chloe's dogs, Molly and Poppy," Alex Thomson told viewers of *Channel 4 News* on 29 May.¹⁵⁶

The phrase was picked up by the media and social media, with one anti-shooting group asking, "How do the people of the area feel about their name being attached to a concoction of poisons?" The smear campaign worked and it's now common to see articles about the 'cocktail' when searching the internet about Nidderdale.

29 July 2020, RSPB press release:

This unusual combination of substances has been seen before in the area, causing the death of two red kites and a buzzard since 2016... Inspector Matt Hagen of North Yorkshire Police (NYP) said: "The fact we have seen this same combination of chemicals, the 'Nidderdale cocktail' as it is sometimes known, also cause the death of birds of prey in this same location."

29 July 2020, BBC headline:

‘Nidderdale cocktail’ linked to dog’s poison death

The same combination of four poisons has been found to cause the deaths of two red kites and a buzzard in Nidderdale, with other cases of poisoned birds of prey in the area involving one or more of the chemicals involved.

29 July 2020, The Yorkshire Post:

Dog killed by pesticide combination found in poisoned birds of prey known as ‘Nidderdale Cocktail’

Police said the same combination of four poisons have been found to cause the deaths of two red kites and a buzzard in Nidderdale since 2016.

27 October, 2021, National Geographic:

Reports of raptor killings soared during the U.K.’s lockdown

Hagen is on the trail of a gamekeeper he believes is using a concoction of chemicals – the Nidderdale cocktail, he calls it – to kill raptors... Postmortem examinations of dead raptors have revealed a rash of poisonings all connected to a particular chemical mix.

26 November 2022, LeedsLive:

Nidderdale has become the ‘UK bird of prey poisoning capital’ and has a toxic cocktail named after it

“This combination of poisons is almost like a signature,” says RSPB bird crime investigator Howard Jones, “It’s unique to Nidderdale.”

LeedsLive changes the recipe to a “mix of two banned pesticides – carbofuran and isofenphos – and three other highly toxic pesticides” that is “violently poisonous”.

CASE	INITIAL INGREDIENTS (POLICE/RSPB)	FINAL INGREDIENTS (RSPB)	‘NIDDERDALE COCKTAIL’
0: buzzard September 2011 Object ID: 10490 RSPB ref: 94480 Grid square: SE27	Unavailable	<u>3 chemicals:</u> alphachloralose carbofuran isofenphos	NO: not enough ingredients
1: red kite 12 March 2016 Object ID: 11319 RSPB ref: 98557 Grid square: SE16	<u>5 chemicals:</u> alphachloralose aldicarb difenacoum bromadiolone brodifacoum	<u>2 chemicals:</u> alphachloralose aldicarb	NO: not enough ingredients
2: red kite 18 May 2016 Object ID: 11857 RSPB ref: 98556 Grid square: SE16	<u>8 chemicals:</u> alphachloralose aldicarb bendiocarb carbofuran isofenphos three rodenticides	<u>5 chemicals:</u> alphachloralose aldicarb bendiocarb carbofuran isofenphos	NO: too many ingredients
3: red kite 25 October 2018 Object ID: 11997 RSPB ref: 100487 Grid square: SE16	<u>4 chemicals:</u> alphachloralose bendiocarb carbofuran isofenphos	<u>4 chemicals:</u> alphachloralose bendiocarb carbofuran isofenphos	YES
4: buzzard 3 March 2020 Object ID: 11348 RSPB ref: 101036 Grid square: SE16	<u>4 chemicals:</u> alphachloralose bendiocarb carbofuran isofenphos	<u>4 chemicals:</u> alphachloralose bendiocarb carbofuran isofenphos	YES
5: dog 21 April 2020 Object ID: 11824 RSPB ref: 101236 Grid square: SE16	<u>4 chemicals:</u> alphachloralose bendiocarb carbofuran isofenphos	<u>4 chemicals:</u> alphachloralose bendiocarb carbofuran isofenphos	YES



Only a handful of incidents fit the ‘two red kites and a buzzard’ claim. There were no incidents from 2011 with the four ingredients. The closest match, case 0, is only three-quarters of the ‘unique’ combination of poisons. Cases 1 and 2 are also not the same formula, leaving just 3 and 4, plus the dog, as authentic Nidderdale cocktail incidents. Cases 1 and 2 also raise questions about the accuracy of the initially testing.

On the arbitrary scale for associating people with common recipes, two confirmed bird death cases appears too low a number to justify the RSPB and police crediting this concoction to Nidderdale. It’s equally difficult to argue the two cases qualify for *National Geographic*’s “rash” status.

There are other far more popular tweaks of the recipe that do not have a town or person credited with their creation. Nobody in the media seems to have checked the data and some even make the mistake of calling Nidderdale a village. Reporters often copy parts of RSPB press releases, such as *The Yorkshire Post*’s line: “The ‘Nidderdale cocktail’... is placed in the countryside to kill birds of prey living near grouse shoots.”

A Raptor Persecution UK (RPUK) post in August 2020 confirmed the mixture “has widely become known as the ‘Nidderdale Cocktail’”. Writer Ruth Tingay adds: “It’s interesting to note that this particular ‘cocktail’ isn’t

restricted to use in Nidderdale; it has also been used on several estates elsewhere in England and Scotland.”¹⁵⁷ Tingay was asked where she got that information, as it doesn’t tally with RSPB data going back to 2007, but she did not respond.

This particular ‘cocktail’ isn’t restricted to use in Nidderdale - Ruth Tingay, RPUK/Wild Justice

By November 2022, anti-hunting/shooting/pest control group Protect the Wild was calling it “the now infamous ‘Nidderdale Cocktail’” and “a Yorkshire Dales speciality”.¹⁵⁸

Like RPUK and Protect the Wild, RSPB investigator Guy Shorrock was quick to blame gamekeepers and shooting estates, telling *Channel 4 News* in May 2020 that poisoning birds of prey is widespread: “We’re not talking about one or two individuals, we’re talking about a community that is used to doing its business in a certain way.”

In December 2022, the BBC’s *Dead Competitive* podcast (episode title: ‘A Nidderdale Cocktail’) looked at the story of the Ambler’s dogs eating “what is known as ‘the Nidderdale cocktail’ due to its prevalence”.¹⁵⁹ As one interviewee points

out, dogs are often the targets of poisoners. In at least two Nidderdale cases, the poisons were put in chunks of meat and not carrion, meaning they were harder to spot for birds but easily detected by the noses of passing dogs. Strychnine poisoning of dogs is far more popular yet doesn't get the high-profile coverage because the details are not so dramatic, usually occurring in towns and parks and not along the edges of grouse moors. Nor do the biggest poisoners of dogs, pills lying around the home and human food, notably chocolate.¹⁶⁰

The fact there is no proof that the birds of prey were the targets was pointed out by some Nidderdale locals on social media. "A very very big accusation to make without any evidence whatsoever! Let's be honest it is not unheard of for idiots to just purposefully leave poisoned baits out intended for dogs. It happened twice in our local park, once with slug pellets in and once with nails."¹⁶¹

The Amblers say they had taken the dogs the same route, twice a day for three years and it is a popular path with other dog walkers. Chloe Ambler told *The Yorkshire Post* the dogs "only disappeared for a minute".¹⁶² Naturally, they will have been kept on leads as it was April and there are signs warning owners not to let their dogs off or they might disturb ground-nesting birds.

The police response was criticised, as a warning to locals was not issued until about two weeks after the Ambler's pets were poisoned. Dog walkers will have passed through the same area hundreds of times. However, the force only seemed concerned about birds of prey.

In February 2018 North Yorkshire Police (NYP) launched Operation Owl to try to stamp out raptor crime. "It is absolutely unacceptable that people think they can ignore the law," said taskforce Sergeant Kevin Lacks-Kelly, who was at NYP at the time. "We will be doing everything in our power to catch these offenders, supported by our colleagues in the RSPB."¹⁶³

The RSPB described the launch as a "great success", although it sounded more like public relations than a law enforcement exercise. "We handed out posters to local businesses, spoke to walkers and visitors, and handed out beer mats to local pubs displaying a hotline number for people to ring, in confidence, if they have information to share," said Shelton.¹⁶⁴

Hagen was at the forefront of the Operation Owl "crackdown". In an interview with *National Geographic*,¹⁶⁵ he calls Nidderdale "the number one, top-dog hot spot for raptor persecution". This was three-and-a-half years after Operation Owl began, enough time for Hagen to have gained reams of evidence and a number of suspects, yet few cases were ever cracked.



[Nidderdale is] the number one, top-dog hot spot for raptor persecution

- Matt Hagen, North Yorkshire Police

He sheds any perception of police impartiality when discussing the case of a tagged hen harrier that disappeared near Nidderdale's Swinton Estate. "I can assure you, it's more likely than not that [the hen harrier] was shot on the Swinton Estate... I just can't prove it in court."

According to the magazine, Hagen knows who the Nidderdale poisoner is – a gamekeeper using a "really distinct" concoction of chemicals to kill raptors. "We've spoken to people who go to the same pub as him, and when he's had a few drinks, he's bragging about how he gets away with this," he claims. "He tells them the police came and raided my place, but they couldn't find anything because I have it hidden somewhere else."

"If I was the investigating officer, he'd be arrested and interviewed," says Mick Leybourne, a retired wildlife crime officer.¹⁶⁶ "His address, sheds, outhouses, place of work and vehicles would be searched... I've obtained such warrants and if the magistrates know you have such evidence, they will sign a warrant immediately... There would be markers put on him, his home and vehicles and he would be lawfully targeted until he slipped up. How many statements did they get naming this character as the main suspect? It should all be on file."

By muddying the image of the Area of Outstanding Natural Beauty, the RSPB's propaganda has deterred tourists and is likely to continue to, causing financial harm to locals. Google Reviews are filled with misleading messages posted by the anti-shooting lobby. "Tourists may view Nidderdale as something of a rural utopia," writes the *Huddersfield Examiner* reporter in November 2022. "But even this affluent Area of Outstanding Natural Beauty has a dark underbelly."¹⁶⁷

Below in the comments was this statement by a local reader: "It's sad because Nidderdale is an AONB but now people will search it on the internet and they will see it's known as a place for poisoning birds of prey. And that's a really bad thing to be known for."

Locals could solve the image problem themselves by focussing their discontent on the source of the rumours, rather than its unsubstantiated claims.

7: Hen harrier daze

"I want to ask you some questions," said RSPB's head of investigations Mark Thomas, kicking off his speech at Hen Harrier Day 2024. "First question... Do you want more hen harriers?"¹⁶⁸ "Yes!" the crowd replied. "Do you want less burning on grouse moors?" "Yes!"

"Do you want justice?"

"Yes!"

"Do you want a fair world?"

"Yes!"

"OK. These are all the values that we have and share as well."

SUMMARY:

Hen harriers are an 'agenda species', used by the RSPB to further its aims. Its high-profile awareness campaigns are based on flawed evidence and tagging the birds is a tool to try to pin deaths on estates and gamekeepers, and does not improve the welfare of the birds.



At the RSPB, Thomas leads a wide range of bird investigations, some of which are on grouse moors. In the first 15 seconds of his speech, he proved what many people suspected: he doesn't know anything about hen harriers or grouse moors. If he did, he would understand why the birds like grouse moors and the 'value' of controlled burning.

But facts are less important than the image Thomas puts in the minds of the crowd, of hen harriers flying around untroubled by smoke and flames, thanks to him and the charity protecting them.

As a result, many in the audience can't distinguish between controlled burning and wildfires, a confusion that benefits the RSPB. For decades, the charity has consistently fed the same misinformation about grouse moors and gamekeepers, conditioning the public into believing the campaign of persecution and intolerance of shooting estates is beneficial to nature, wildlife and the environment. It is repeated so often and from so many sources that it is accepted as fact by many people.

Thomas read out his speech from the back of a poster with the words 'Stop the Killing' in big letters above a picture of a hen harrier. It advertised a new RSPB appeal for donations that demanded "meaningful justice".

"It's about people power," said Thomas. "People can change this. It doesn't matter about the gamekeeper we catch and is convicted and everybody says, 'Well that was a rubbish fine.' It's irrelevant. The fine is irrelevant to us. It's irrelevant really whether they go to jail or not. It's about the stats and it's about nailing it down."¹⁶⁹

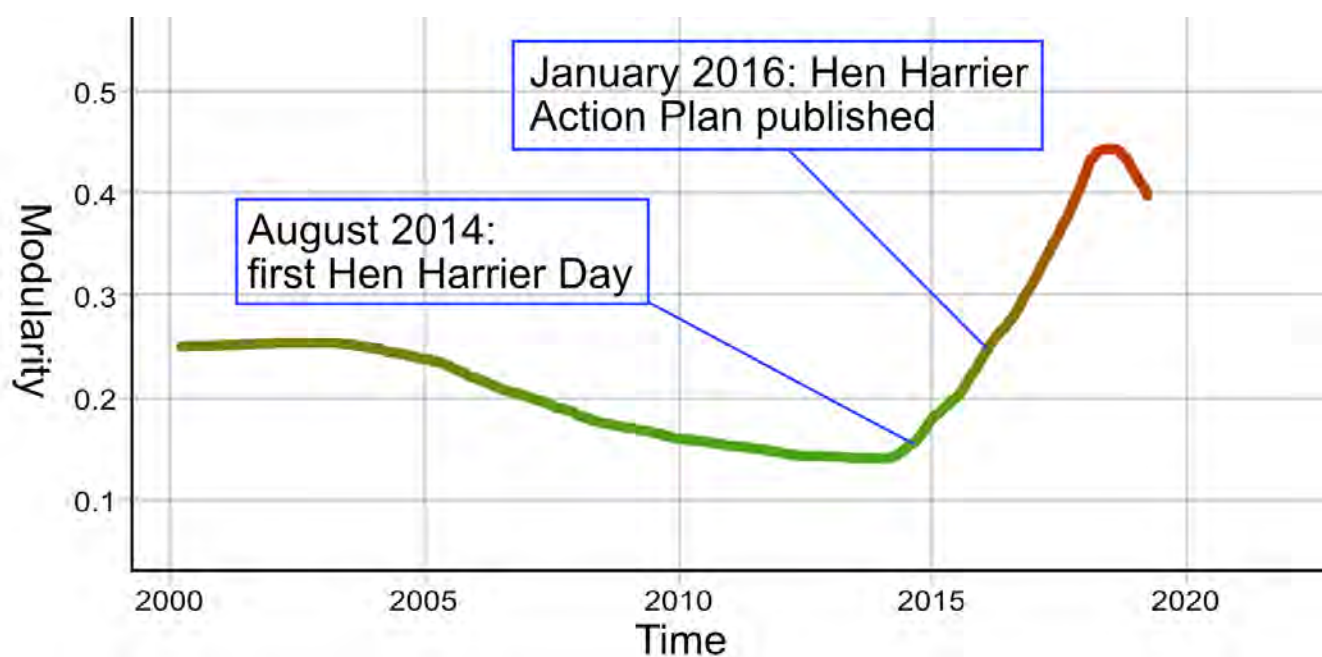
It's odd that Thomas thinks sentences are irrelevant, when the RSPB routinely calls for the stiffest penalties and even

then, has complained they are not harsh enough. Thomas himself was involved in getting anti-social behaviour orders (ASBO) taken out on people prosecuted for wildlife crimes.

The RSPB and Raptor Persecution UK (RPUK) blogger Ruth Tingay have been tremendously successful at creating a movement dedicated to ending a crime that has led to so few convictions against gamekeepers you can count them on a few hands. 2024's event was the 10th, normally a milestone in any movement, but in a sign of waning support, it was renamed 'Action for Wildlife Day' and appeared to be the last as there was no event in 2025. Organisers insisted it was due to a lack of funds and not a shortage of 'people power'.

Filippo Marino's 2023 study *Stakeholder discourse coalitions and polarisation in the hen harrier conservation debate in news media* analyses coverage of the species from 1993 to 2019. It shows unwavering consistency of the RSPB to keep broadcasting the same message.

The study found that since the first Hen Harrier Day in 2014, there's been a dramatic increase in news stories about hen harriers. As the frequency increased, so did polarisation in the debate over alleged 'persecution' of the birds, with the RSPB pushing the narrative that grouse moors are danger zones, while the British Association for Shooting and Conservation (BASC), Scottish Gamekeepers Association, Moorland Association and others disputing the claim and demanding to see the 'stats' that back it up – preferably not the disputed figures compiled by RSPB. The chart below shows how coverage has developed throughout the period studied.¹⁷⁰



For years, the shooting community ignored the RSPB's criticism, and the rise of social media gave the charity a head-start in spreading its message. Before 2014, coverage was relatively un confrontational, with mutual concerns in 2011 and 2013 that England's hen harrier was close to extinction. While the charity blamed gamekeepers, European populations were experiencing identical declines.

The chart below uses figures produced in a report summarising the International Hen Harrier and Short-eared Owl meeting 2019:

Country	Period	Loss	Main explanation
UK	2004 – 2016	27%	Human persecution
Belarus	Since 1995	"vulnerable"	Unknown
Czech Republic	2016 count	Down to five pairs	Habitat loss / farming
Finland	Since 1982	59%	Habitat loss / afforestation
France	–	"seem to be declining"	None given
Germany (Wadden Sea)	1997 – 2017	94% (53 down to 3 breeding females)	Habitat loss / farming
Ireland	2000 – 2015	33.5%	Habitat loss / afforestation
Netherlands (Wadden Sea)	Since mid-1990s	"steeply downward"	Change in dune vegetation
Spain	2006 – 2017	36–45%	Habitat loss

"One rather unexpected general outcome of this meeting is that HH and SEO numbers appear to be declining almost everywhere," says the summary of the meeting's plenary discussion.¹⁷¹ While illegal killing and nest destruction are mentioned, nowhere other than the UK, are declines almost solely attributed to them.

A question for the RSPB: with the UK's hen harriers experiencing identical challenges, such as habitat loss, how have they managed to thrive better than most European countries if they need to contend with the added danger of rampant 'persecution'?

Here is an expanded look at reasons for declines:

- Habitat loss includes areas overgrown with shrubs and trees, converted to agriculture, newly-planted forests and intensive management of grasslands, which also causes accidental nest destruction.
- Fluctuating rodent populations (mainly voles) affected by rodenticides used in agriculture and growing predator populations (red fox, badger, golden jackal, hooded crow, marsh harrier, saker falcon).
- Predation is a serious concern, especially when hen harriers nest in or near forests.
- Changes in weather conditions (extreme dry or wet weather) affecting prey populations and habitats.
- Wind farms have a slight negative effect on breeding pairs, with nests within 1 km of turbines having lower success rates.
- Lower densities of prey species recorded near turbines.
- In some regions (including Ireland) generally low breeding output (1.4 chicks per nest) and low juvenile survival rate.
- Climate change
- Changes in moorland management (UK).

It should be noted that the section titled 'The Hen Harrier in the UK; population status and conservation issues' was written by Duncan Orr-Ewing¹⁷² from the RSPB. "The main explanation for this population decline is continued human persecution, which takes place for the most part on land managed for 'driven' grouse shooting," he wrote, regurgitating RSPB literature.

In the same report, under the title 'Hen Harrier Reintroduction Project in Southern England', Simon Lee from Natural England puts land use changes before human persecution. He outlines the project, which was part of the Hen Harrier Action Plan (HHAP).

"The reintroduction will focus on establishing a farmland nesting population, aiming to release c.100 juvenile harriers over a 5-6 year period, starting with a smaller number (6-10) this summer," he says. "Crucially, the reasons for historic decline have long since disappeared with contemporary cultural attitudes and land management in southern England. Therefore we are confident that the threat of targeted persecution locally is extremely low."¹⁷³

The 2016 unveiling of the HHAP reignited debate, with the RSPB opposing 'brood management' and southern England reintroduction scheme. Though brood management had been used previously on other species, the charity appeared alone in thinking it was inappropriate for hen harriers. The programme was eventually scrapped, although brood management continued in the north of England and was very successful – far more than RSPB's moors.

By 2018, hen harrier numbers were recovering steadily, but the RSPB persisted with its negative coverage, insisting raptor crime was rife. That year, RSPB figures showed the second-fewest convictions (one) since 1990.¹⁷⁴ As grouse

moors appeared to be leading the recovery, the RSPB was in the embarrassing position of dealing with several years of low ‘scores’ on its reserves. The RSPB’s most controversial failure was in August 2019, a nest jointly managed by RSPB and National Trust on a heather moor in Derbyshire. It was initially hailed as a breeding success, so much so that an *ITV News* crew was invited to film someone sticking a tag on a three-week-old chick.¹⁷⁵

“What is it like being the person who puts the tags on these birds and then watching them disappear?” asks Tom Clarke in the report broadcast on 21 June.

“It’s heartbreaking, it really is,” says the RSPB tagger. “This bird is doing nothing, you know, she’s just trying to make a living. She has absolutely no impact whatsoever on driven grouse shooting.”

However, he admits there are limitations to tagging birds: “If she stays in the sun, then we can tag her and watch her by the satellites for about three years.” Clarke doesn’t ask what happens if the bird doesn’t stay in the sun.

Mark Thomas attributes the success of the nest to cooperation between conservationists but warns: “The real twist in that though, is once they leave the safety of this grouse moor and they go to neighbouring moors, they vanish.”

According to *The Times*,¹⁷⁶ 10 days later, the chick was declared dead, based on the tag’s signal. Not long after, another chick was found dead. Thomas announced that “unfortunately the nest has failed”.

There was an overwhelming feeling that interference by the television crew, introduced through RSPB’s eagerness to advertise its success, contributed to the nest failing.

It mirrored incidents involving ‘conservationist’ groups pitching tents near nest sites and scaring away breeding birds. BASC’s northern England director Duncan Thomas told the newspaper there was “growing concern on the ground that too many risks are being taken in tagging the birds”. “There are fears around the stress being placed on birds before and after the tagging process. In some cases, we believe this has proved fatal.”

The same day *The Times* published the hen harrier nest fail article, it ran a story about Natural England chairman Tony Juniper saying landowners should be thrown in prison if their gamekeepers kill birds of prey.¹⁷⁷ The lack of consequences for the Derbyshire nest incident, compared with the treatment gamekeepers would most likely receive, highlighted what is seen by many as RSPB’s two-tier justice. It was a deliberate disturbance and the result worse than



what Reg Cripps (see chapter 3) was convicted of then subjected to years of persecution and harassment. The loss of wildlife was also greater than in Glenn Brown’s case (chapter 5).

There’s compelling evidence that the charity uses satellite tagging data selectively, releasing information only when it fits the persecution narrative. This has backfired when birds are declared dead under ‘suspicious circumstances’ only to be found perfectly healthy months or years later but with defective transmitters.

One instance where the RSPB did release some data was in February 2021. A press release titled ‘High hopes for fearless hen harrier’¹⁷⁸ revealed a not-so-well-known factor contributing to lower numbers of the species. It tells the story of a bird flying to Spain and back, travelling over 1,000 miles in just over two weeks.

“Initially we believed that most of our tagged hen harriers stayed in the uplands of the UK all year,” admits RSPB assistant investigations officer Niall Owen. “However, it’s become clear that around 10% of birds cross the English Channel for the winter, often bound for France or Spain. None of our tagged RSPB birds that travelled to Spain have made it back to the UK until recently.”

The fact that one-in-10 hen harriers leaves for Europe and doesn’t come back is significant when determining their numbers and reasons for decline. It ought to be more widely reported by RSPB but only appeared in one press release out of the nearly 1,500 available on its website in mid-2023, before a database purge.

2019 saw the release of the ‘Holy Grail’ in terms of evidence grouse moors were behind hen harrier killings: *Patterns of satellite tagged hen harrier disappearances suggest widespread illegal killing on British grouse moors*,¹⁷⁹ more commonly known as Murgatroyd et al after lead author Megan Murgatroyd, one of the three South Africa-based researchers involved.

“At long last, after years of stalling, hiding, prevaricating and obfuscating,” began Ruth Tingay’s post on RPUK.¹⁸⁰ “Thirteen years after its publicly-funded study began, Natural England’s hen harrier satellite tag data has finally been analysed and published.”

Tingay and fellow Wild Justice member Mark Avery had been waiting years for the report. On his blog, Avery had complained about how much public money was being spent on the report: “It’s been a long time coming but the paper published today in Nature Communications is crushing proof that grouse moor management is overwhelmingly the source of wildlife crime against hen harriers.”¹⁸¹

“The most devastating result... is the extent of the criminality,” Tingay typed. “Hen harriers are killed by gamekeepers on many driven grouse moors; everybody knows and acknowledges that, but the scale of the killing has always been challenged (or more usually, denied). But this paper puts an end to those denials.”

The figure that Tingay, Avery and others were most impressed with was “72% of the Natural England sat tagged hen harriers are presumed to have been illegally killed”. That’s based on this table:

Summary of fate classifications from 58 satellite-tracked hen harriers		
Classification	Description	No. of birds ascribed to each category (%)
A	Bird alive and tag still transmitting	7 (12%)
N	Bird recovered and cause of death established to be natural	5 (9%)
I	(i) Bird dead, confirmed to have been illegally killed or (ii) tag harness recovered intact with no evidence of bird	4 (7%)
TF	(i) Transmitter malfunctioned (i.e. the tag ceased transmitting but the bird was seen alive) or (ii) tag failure likely due to diagnostic plots	4 (7%)
SNM	Transmitters suddenly stopped with no malfunction detected	38 (66%)

The figure for birds “confirmed illegally killed” is 10-times higher after adding on the 66% of birds with tags that stopped working. Dead and missing (or more accurately ‘untrackable’) are not the same thing. And “no evidence of a satellite tag malfunction” is not evidence of foul play or that the tag didn’t malfunction.

The writers acknowledge it is “impossible to ascertain if all of our tags classified as SNM (stopped no malfunction) were cases of illegal killing” yet treat them as if they were. They argue that “erroneous non-persecution events included would only serve to add noise to our analyses and thus any estimates would be conservative”. This could be interpreted as saying that if they accounted for more malfunctions, it would mean fewer persecution incidents and the report would not appear so biased. However, they make the unlikely claim that it means the opposite and that incidents of raptor crime are even more likely closer to grouse moors.¹⁸² If that were the case, that is what they would have shown.

Analysis by the Moorland Association reveals more inaccuracies and flaws. It doesn’t account for predators, assess habitats or examine the abundance of prey. The lack of physical evidence and on-the-ground research make the Murgatroyd report a “desktop mathematical/probability/statistical paper” rather than a practical investigation. The main conclusion is “widespread illegal killing”, where “widespread” is vague and not quantified.

One of the biggest problems is inaccurate geographical analysis, with tracking data using 20km squares (400 square

kilometres) that are large enough to have a corner on a grouse moor and the opposite corner in a city centre. Some areas of quasi-public sector land were classed as driven grouse moors just because they are in the countryside.

The Murgatroyd report says nothing about alternative causes of death and the writers make comparisons with the Orkney Islands, which have no managed grouse moors and a higher survival rate of hen harriers. The explanation is an absence of illegal killing, ignoring Orkney’s lack of predators.

Murgatroyd’s writers don’t bother investigating the loss of all four study birds from the Isle of Man, an island with no grouse moors, no foxes and no badgers. It does not question why the birds were not recovered for postmortem analysis.

The motives of the authors are also suspect, as they are drawn from institutions like Natural England, the RSPB and universities far from grouse moors. Megan Murgatroyd herself has posted reports of illegal killings on social media,



bemoaning the supposed mass slaughter of raptors and the failure of her report to stop it.

"These birds disappeared on grouse moors," she wrote on X (Twitter) in July 2019 after being accused of bias. "My only agenda is evidence based conservation."¹⁸³ However, in January 2021, she revealed her true motivation: "This is so frustrating. I really thought highlighting the areas where hen harriers are illegally killed in an unambiguous way & publishing it in a highly respected journal would lead to change... 2 years later & it's still the same sad story."¹⁸⁴

BEN TARVIE, THE RSPB AND ANTI-SOCIAL BEHAVIOUR ORDERS (ASBO)

"I collected birds' eggs from when I was about six years of age through till I was 19, about 1989," says photographer Ben Tarvie.¹⁸⁸ "I packed it in and became a nest photographer. I never got in any bother when I was collecting eggs, but I did for photography, like disturbance charges.

"In 2003, I took a lad up to the Orkneys teaching him bird photography and he got arrested [for] taking eggs behind me back, so I started researching how to disrupt the activities of egg collectors. Most are only active between March and July. If they get caught, by the time they get sentenced and released, it's breeding season again. So, it doesn't stop them.

"My idea was to make the egg collectors appear before the courts in March and the judge then can put a sentence on them of six-month home detention and curfew. I tried to get the authorities on board, wildlife officers and that. A guy at the RSPB said my ideas were good. Prince Charles even wrote back... [but] a lot of people wouldn't take me seriously because of my convictions.

"In 2006, I went out, put cameras 'too close' to a goshawk's nest and got caught. I defended myself three days in magistrate's court. I said, 'If that bird was disturbed by me, would it come back to the nest?' And James Leonard from RSPB said no. I showed them my camera's images proving the birds were still there. They

As it stands, the report's bizarre mashed-up 72% figure has been regurgitated ad nauseam, as if fact, and cited in dozens of academic and research papers.

By 2023, there was a record high of 141 chicks fledged from 49 nests – more success attributed to the brood management scheme.¹⁸⁵ Yet the RSPB stayed on message, claiming: 'Hen Harriers on the rise but illegal persecution continues to stifle their recovery'.¹⁸⁶ By most accounts, the birds appear to be recovering fine.

Having the loudest voice in the hen harrier conservation debate makes the RSPB a policy-influencer. Filippo Maroni's study concluded that the charity has institutionalised its views,¹⁸⁷ despite them being based on inaccurate information. They have become the way of thinking among employees and are unlikely to change. For this reason, the RSPB is unlikely to produce realistic reports on raptor crime or make genuine attempts to compromise.

wanted to send me to prison for four months when egg collectors don't get four months for robbing eggs.

"When it came to sentencing, I know the RSPB would've influenced it. I ended up being one of the first to be put on a banning order. I was banned from every national park and RSPB reserve in the country for a year. Basically, I was shot with my own gun.

"There's a *New Yorker* article¹⁸⁹ about Mark Thomas and Guy Shorrock chasing egg collector Matthew Gonshaw, who took a couple of golden eagle eggs in Scotland. [They] were very well developed [with] fully-formed chicks inside. It's bad enough taking eggs, but Gonshaw would have had to make a really big hole to get the embryos out."

Around 2011, Mark Thomas began researching anti-social behaviour orders (ASBO), which require prosecutors to prove defendants caused 'harassment, alarm or distress'. Several volunteers and employees at a nature reserve targeted were asked whether they felt harassed, alarmed or distressed when nests failed due to Gonshaw taking the eggs and most said yes. Thomas got the ASBO on Gonshaw.¹⁹⁰

"[It's] a bit hypocritical though. What about when Thomas and the RSPB are shouting about gamekeepers killing hen harriers? 'We've had a tracker down, hen harrier go missing over a moor... We know what's happened to that.' They're pointing fingers at keepers. Sometimes... they found the birds and the trackers have just packed up. Does the gamekeeper who's been branded as killing these hen harriers, do they not feel harassed and alarmed by RSPB comments?"¹⁹¹



8: The future of law enforcement

In 1990, the RSPB raised concerns about raptor 'persecution'. Part of the campaign focussed on the illegal 'laundering' of birds of prey – raptors that were taken from the wild and introduced into the captive market. The charity, which prides itself on its expertise in birds, complained it was difficult to distinguish wild ones from those bred in captivity, although some breeders will disagree.

This coincided with the emergence of DNA profiling, technology that promised to solve the RSPB's problem. DNA testing was being used to settle paternity suits, advance medical research and place a person at the scene of a crime with, it was claimed, 100% accuracy. The hype was overwhelming and DNA hailed as the future of law enforcement. For the RSPB, it had the potential to be a tool for identifying species and tracing bloodlines, allowing investigators to verify a bird's origin.

The charity and Department of the Environment (DoE, now Defra) explored DNA testing techniques that could be used in wildlife crime cases. Inspired by its use in police investigations, in 1987 the RSPB began pumping money into DNA research and development at a lab at Nottingham University. In May 1990, it lobbied the DoE for a position of authority over any future DNA testing system used to prove guilt and innocence in bird crimes.

"The [DoE] has taken an interest in research into the use of DNA fingerprinting as a positive aid in preventing the introduction of illegally taken live birds of prey into the captive population. This followed the RSPB's initial action in setting up this work," explained the charity at the time, referring to the lab in Nottingham, which the DoE was also funding. "In view of the [RSPB's] experience in these fields we would appreciate it if DoE saw fit to seek our views on any proposals for the use of these techniques during the discussionary stages."¹⁹²

After joining the RSPB in 1991, former policeman Guy Shorrock, who studied biochemistry at university, was drawn to the DNA cases. "Here at last was a forensic tool that would start to give some meaningful answers," he wrote in an article titled *The Invisible Detective* in 2017.¹⁹³ "We were highly fortunate that [DoE] had started to look at whether DNA techniques could be used to support

SUMMARY:
When DNA emerged as a gamechanger in police investigations, the RSPB wanted to own the testing of captive birds of prey. The charity overcame conflicts of interest and government opposition to develop its DNA test, then used it to put an innocent man in prison.

the registration of birds kept in captivity and had funded Nottingham University to develop DNA profiling in some birds of prey. [DoE] kindly allowed us to take advantage of this work for criminal cases, which we duly did. With my own background interest, I naturally leapt straight in."

Here at last was a forensic tool that would start to give some meaningful answers

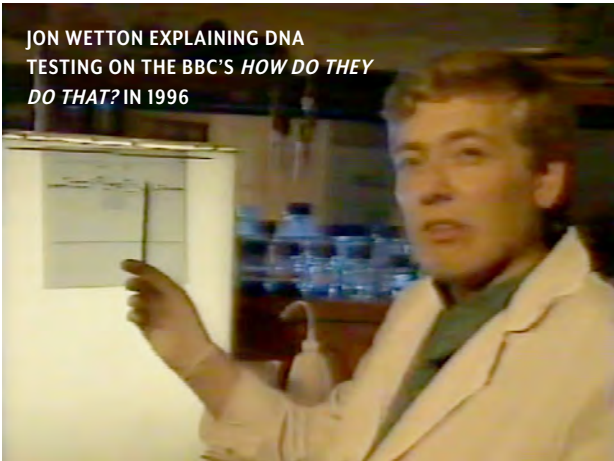
- Guy Shorrock, RSPB

By May 1992, the DoE was writing to peregrine falcon keepers on behalf of Dr David Parkin, asking them to donate blood for his study into genetic variations of birds of prey.¹⁹⁴ Parkin wanted samples from parent birds and their offspring for his research at Nottingham University, the same research the RSPB funded, a detail Shorrock left out of his retrospective piece.

Also missing was the fact that Parkin was, from 1984 until 1989, a member of the RSPB's council.¹⁹⁵ Now he was running the only lab in the country that was dealing with avian DNA testing, led by Jon Wetton.

"David Parkin and Dr Jon Wetton quickly became two of my heroes," he wrote, "Their work started to expose the false





breeding claims of several falconers and that significant numbers of peregrines and goshawks were being taken from the wild. For the next few years, I was heavily involved in most of the cases, running around the country to help the police execute warrants to allow the necessary blood samples to be taken... The game was up and the illegal falconers knew it."

Not everyone was as enthused as Shorrocks. The 23 May 1992 edition of *Cage & Avery Birds* magazine raised a couple of red flags, such as nobody else doing DNA research in the same field as Parkin and Wetton. "If a peregrine breeder was prosecuted by the RSPB... where would the accused find an expert to help his defence?" It was also concerned Parkin's RSPB-funded DNA tests could become part of new laws and that his link to the charity meant confidential information might get into the "wrong hands".¹⁹⁶

If a peregrine breeder was prosecuted by the RSPB... where would the accused find an expert to help his defence?

- *Cage & Avery Birds* magazine

The magazine's suspicion of the RSPB and DoE was justifiable, following a conspiracy orchestrated by the department in 1984, a scheme to obtain convictions by manufacturing evidence. Falconers Mark Robb and David Ray were coerced by the DoE into framing Keith Sweetman, a wealthy developer and bird of prey enthusiast. The plan was for Robb and Ray to sneak illegal sparrowhawks into Sweetman's aviaries, which would then be raided. However, the falconers turned the tables by releasing recordings of phone conversations with DoE staff, prompting a government review. The scandal was featured on BBC One's *Watchdog* programme at the time.



The RSPB had earlier raided Robb and Ray's homes and promised to drop accusations they owned illegal birds if they provided information about Sweetman, but the charity claimed it had nothing to do with the plot to set him up. In all likelihood though, it would have been present at the raids and played a role in identifying the planted birds as illegal, which it freely admitted was a very difficult task. In the end, Robb and Ray were acquitted in court and their birds returned after being confiscated for more than a year. One was dead, one escaped, one changed sex and some of the others were in poor condition after being kept in the wrong environment.

Now, with RSPB funding DNA research led by a former council member, advising the government on related laws, providing the evidence to police and, in many cases, leading the investigations, the odds seemed stacked against anyone being found not guilty. It's also widely accepted that the RSPB does not benefit from finding people innocent. Successful prosecutions are neatly packaged into press releases. They routinely include details about how readers can donate, blurring the line between news and public relations.

In June, just weeks after *Cage & Avery Birds* raised its concerns, raptor breeder Derek Canning was stopped by police near his home in Stamfordham, Northumberland with two peregrine chicks in his car.¹⁹⁷ He had been breeding birds since 1990, mainly hybrid kestrels and hybrid peregrine falcons and it wasn't unusual for him to be driving around with birds in the back of his car. Local current affairs programme *Northern Life* featured Canning in a piece titled 'A bird in the car; Derek to the rescue', broadcast on ITV in 1984.¹⁹⁸

"Eagle-eyed motorists may have spotted it," the reporter says over video of Canning driving round northeast England with a bird of prey inside the car. "In the back of Derek's [Mini] Metro travels one of his birds, an injured kestrel, just one of many patients brought to him for treatment at his home in Hexham. He's widely recognised as an expert on the rehabilitation of birds. The kestrel, just one year old, needs constant attention for a foot injury."¹⁹⁹

In the short film, we're told Canning, who is seen working at Marks and Spencer, has a "lifelong love of birds" and "since he was a child, he's nursed literally hundreds of casualties". Canning explains the importance of making sure rehabilitated birds can hunt before they're released back into the wild. The reporter wraps up the story by saying, "Derek's well on his way to becoming an official bird healer licensed by the Department of the Environment."²⁰⁰ That didn't happen.

At the time of the police stop, the birds in Canning's car had been declared to the DoE but were waiting to be ringed as required by the Wildlife and Countryside Act. The officers seized the chicks and they were subject to DNA testing at Parkin's lab, then returned to Canning. Clearly, there was nothing out of the ordinary.

A year later, in a letter dated 4 June 1993, the DoE told Parkin his lab's research "is unfinished and under no circumstances should... be used on the samples provided by the police".²⁰¹ The letter referred to the case of Philip Walker of Houghton Regis, Bedfordshire, who had been accused of laundering birds of prey, although the instruction applied to all cases. "We do not want this research to be tested in court before we have considered, or even received, the final project report," wrote the DoE, adding that if Parkin

THE BIRD IN CANNING'S CAR
FEATURED ON *NORTHERN LIFE*



and Wetton were doing work for the police, they should only use commercially-available DNA tests that involved multi-locus probes (MLP) and not the single-locus probe (SLP) technique he was developing using money from the department.

A month later, on 6 July 1993, Canning's home was raided by police, accompanied by Shorrocks and other RSPB investigators Karen Bradbury and Duncan McNiven,

What is genetic fingerprinting?

Department of the Environment advice for police, 5 April 1995

Deoxyribonucleic acid (DNA) is found in all living cells and is the physical carrier of genetic information. In 1985, a certain type of DNA discovered in humans was found to consist of highly-variable repeated sequences of genetic information whose number and arrangement were virtually unique to each person. This uniqueness gave rise to the term 'genetic fingerprint'. The genetic fingerprint is significant because it is the same regardless of where an individual genetic material has been taken from. It does not change over time, and each sequence of genetic information in an individual can be shown to be derived from one or other of its parents.

Since 1987 the Department has been sponsoring the University of Nottingham to carry out research into genetic variation in birds of prey. They first established that the technique of genetic fingerprinting is applicable to birds of prey. DNA fragments isolated from blood samples are separated by sieving through a gel which sorts them according to size. The relative positions of the separated fragments, which is determined by the number of repeated sequences they contain, is preserved by transfer onto a more durable filter. This is then treated with a radioactive probe which has an affinity for repeated DNA sequences. The radioactivity becomes bound to these fragments and can be detected using an X-ray plate. The image revealed is similar to a bar code and forms an individual's 'genetic fingerprint'.

Recent work has focused on refining the radioactive probes. The conventional multi-locus probes produce a complicated series of bands on the final photographic fingerprint which is relatively difficult to interpret. Nottingham have now isolated single locus probes which, instead of binding to a variety of sites to give dozens of bands in a fingerprint, will only bind to the identical site from which the probe was made. The resulting fingerprint consists of only two bands, one of which is inherited from each parent.

Single locus probes were used in four successful prosecutions. They have a number of advantages over the multi-locus probes. They are easier to interpret and easier to explain to a magistrate. For wildlife testing, blood samples are used as the live tissue from which DNA is extracted for analysis. The main advantages of using blood are that it can be obtained without significantly affecting the specimen concerned, and provides a relatively straightforward way of obtaining enough material for analysis.

plus 'veterinary nurse' Ann Victoria Wakelam and a DoE employee. While it was a police raid, it's clear from the video that Bradbury is directing the operation.

Canning was living at his parents' house and when McNiven begins filming, his mother is irate and asks where it will be broadcast. She is assured by Bradbury the video is not for television and only for legal proceedings.²⁰² Despite that, excerpts were shown on *The Cook Report* in August 1993 and *Wildlife Police* in 1999. On both occasions, the footage is presented as evidence a crime has been committed, even though *The Cook Report* episode aired months before Canning's case even got to court.

The RSPB suspected Canning had taken birds from the wild and was trying to pass them off as captive bred. "It was carefully explained we wished to check all the birds, examine any ring or cable tie fitted and take blood samples where necessary," Shorrock wrote in his witness statement,²⁰³ ignoring the fact that taking blood from the birds was not on the police warrant. "This latter procedure was necessary for subsequent DNA analysis to confirm details of parentage and family relationships between the birds."

Shorrock emphasised the importance of the Canning investigation in a letter to the DoE on 4 November 1993: "When this case finally gets to court it will probably be the most significant case so far in relation to the taking of wild peregrines and laundering through the registration scheme... We feel it is absolutely essential that this case is successful." He begged to use Parkin's SLP testing and was confounded by the DoE's reluctance.

"I gather [Parkin's team] have been told... this technique cannot be used for judicial proceedings though I am not fully sure of the reasons for this," he wrote. "As far as I am concerned we must take our strongest evidence to court. The only criteria I can see is that David Parkin must be 100% confident that the evidence is completely reliable and will stand up to scientific scrutiny if challenged."



FROM LEFT: CANNING AND A POLICE OFFICER WITH RSPB'S KAREN BRADBURY AND GUY SHORROCK

"I feel we, which includes the police, the RSPB and the DoE, cannot afford to lose the Canning case," Shorrock insisted. "We now have the chance to convict Canning for offences of criminal deception in relation to wild peregrines which he sold. This should have tremendous deterrent value."²⁰⁴

Shorrock's letter, which included a request to use Parkin's testing in another case, was passed around the DoE. The department wanted to see proof Parkin and Wetton's DNA tests worked before using them in court: "We are still awaiting the final project report which was due on 31 October," wrote the chief wildlife inspector on 11 November.²⁰⁵ "In my view, it would seem premature for the SLPs to be tested in court before we have had a chance to consider the scientific evidence supporting Dr Parkin's findings. Moreover, should the DNA evidence fail to achieve a conviction in these cases, it could seriously discredit the technique."

That could be embarrassing for the DoE, which had been pouring tens of thousands of pounds of public money into the Nottingham research. The response on 22 November, which was copied to Parkin, was a refusal to Shorrock's request: "Whilst we acknowledge the importance of DNA evidence in the two prosecutions you refer to, the Department would prefer any evidence presented for the time being to be based upon the established methods using [ICI's] multi locus probes... Only when the full implications of the research for public policy have been assessed would we wish to authorise its use as a prosecution tool."²⁰⁶

A week later, Wetton sent the DoE a "draft report" which he hoped provided "sufficient detail of our findings and methods". He added that permission to use results produced under the DoE contract "will greatly strengthen many of the cases".²⁰⁷

Despite knowing for months that the experimental DNA testing was not approved for use in court, the RSPB made clear it would use it anyway. "It is a little unfortunate that we were not fully aware of the situation at the



CANNING LEADS THE TEAM TO HIS BIRDS



SOME OF CANNING'S BIRDS

commencement of enquiries into the prosecution cases against Canning," wrote head of investigations Andy Jones on 12 December.

"Obviously, we asked Nottingham University to elicit as much information as possible by genetic analysis of the avian blood samples supplied to them. In the course of this work they have used multi-locus and single-locus techniques on the samples as part of on-going research."²⁰⁸

There has never been evidence that MLP tests were done, and none was submitted into court. Jones seems unaware the DoE told Parkin a month before blood was taken from Canning's birds that "under no circumstances should these SLPs be used on the samples provided by the Police". He insisted there were "important legal implications" due to the existence of the SLP test results, and the prosecution is obliged to supply them "even if it is not used as part of the prosecution case". "Quite clearly what I am hoping for," he wrote, "is that Nottingham University get the consent they need to present the additional DNA evidence from single locus probes."

RSPB's incessant pleading suggests that reliability of Parkin and Wetton's DNA testing came second to the freedom of investigators to use it. At no point in the conversation does the charity raise concerns about its validity. The DoE wasn't so sure, with an internal email on 13 January 1994 showing staff were not convinced by the draft report supplied by Wetton: "I have read the report which is superficially convincing to an outsider, but I am unable to penetrate the more mysterious scientific concepts with sufficient assurance."²⁰⁹

The same month, Walker was convicted for taking goshawks and peregrines from the wild and selling them. Against the wishes of the DoE, Parkin's lab provided DNA test results as evidence. The DNA test results were read out in court and Wetton was present, but since Walker pleaded guilty, he was not cross-examined.

A month later, the DoE still hadn't decided how to handle the issue. A 10 February internal message requesting advice



CANNING AND SHORROCK

from an unknown recipient sums up the situation:

- the government is funding DNA testing research
- there is no proof it works
- the RSPB wants to use it as evidence in criminal trials
- the RSPB doesn't want to use proven DNA testing techniques.²¹⁰

It's likely the DoE had the power to scrap the Nottingham lab's DNA test development in minutes, yet staff were more concerned about image and money wasted if the technique didn't work than the effect on the criminal justice system.

Everybody was nervous... in case the police started to target them

- Derek Canning, raptor breeder

Meanwhile, Canning had been busy since the raid. "I went around collecting evidence," he says. "I went up to Bonchester Bridge and at every junction, the police were following me – or certainly cars following me... Everybody was sort of nervous to get involved because they were frightened in case the police started to target them. Then it came to the interview at Hexham Police Station where Guy Shorrock, who cautioned me once on the raid, cautioned me at the time I arrived at the police station. He led me to believe that he was a policeman. Had I known he wasn't, I wouldn't have allowed him to interview me."²¹¹

"He was in there with PC White but he was the one asking all the questions. PC White basically said nothing. [Shorrock] withheld a mountain of information in relation to the DNA [and] being told not to use the DNA. I was arrested a few times and interviewed as I went about witnesses asking them to make statements [and] to collect evidence, or as Guy Shorrock put it, I went to enormous lengths... to try and cover up the crimes that he wanted me to have committed to further his own career. He was doing everything in the background, controlling the evidence,

collecting the evidence and basically, the police just allowed him to do whatever he wanted because it was easier and cheaper and quicker for them.”²¹²

In September 1994, the RSPB wrote to Harriet Edgar at DoE asking for money to pay Parkin's team for more DNA tests on Canning's birds: “I have arranged for Nottingham University to supply a further breakdown of the results and to DNA test some more peregrines. These are the alleged grand-parents of missing parent birds. DNA tests have again shown anomalies between these grand-parents and the ‘offspring’ we seized from Canning.”²¹³ The message suggests Canning's birds were tested numerous times and more than a year after the raid, the RSPB still didn't have enough evidence or the results were inconclusive, hence the “anomalies”.

“It all culminated on the 1 May 1995,” says Canning of the date of his pre-trial hearing at Newcastle Crown Court. It was lunch hour and he'd told his boss at Marks and Spencer he would be back in the afternoon. He wasn't. On the strength of evidence provided by the RSPB, Canning was remanded in custody while waiting for his trial on 11 May. “I was... prevented from going to see witnesses,” he recalls. “The first time in history somebody's been on remand [for alleged bird crimes].”

The RSPB argued that if Canning was released, wild birds were in danger, as he had supposedly been ‘spotted’ near some raptor nests and there were reports of missing eggs. The locations of the nests were not revealed because the RSPB claimed they were ‘places of scientific interest’, with not even Canning allowed to know where he was supposed to have broken the law.

“I was denied access to my solicitor,” complains Canning. “He tried to access me... and [they] prevented me from seeing him. [For] two weeks I was just wearing Marks and Spencer overalls because I had no change of clothes. My car had to be left. It was vandalised. And basically, at that point, I had lost my job.”

At the start of the trial, prosecuting barrister Mark Styles dumped all the claims about nest locations that were used to remand Canning. Instead, he was accused of 21 offences, most of which were also not pursued as the trial went on. The RSPB claimed Canning was dealing in birds he took from the wild and the case relied on DNA evidence provided by Parkin and Wetton. SLP test results showed Canning did not have enough adult pairs to account for the birds he said he bred. This is likely due to the anomaly of hybrids producing more eggs than wild birds. It's also clear that Parkin and Wetton were not told they were dealing with hybrid DNA, which differs from that in wild birds.



There was still no proof the SLP tests worked, but Shorrock, a charity worker, was overriding rules defined by a government body by ensuring they were presented in court. He knowingly withheld this information from the police, the Crown Prosecution Service (CPS) and Canning's defence team. Nor was it pointed out that the DNA tests were developed by a former RSPB trustee. Shorrock's solicitor Craig Beer claims Shorrock told him he was so sure that Canning was going to get an acquittal that he couldn't sleep.

Parkin, who was well aware of the DoE's objections, claimed in court that Wetton testified in Walker's case in 1994.²¹⁴ This established, to those present, that the probes had been used as evidence in court before in a trial that led to a conviction for a very similar case. However, Walker's guilty plea meant Wetton never testified and the validity of the DNA evidence wasn't challenged. This appeared to be a deliberate attempt to mislead the judge and jury in Canning's case into believing SLPs were regularly used and an accepted form of testing. It worked.

Parkin also claimed that nobody from an outside organisation had asked to check his lab's SLPs. This was not true, as DoE vet Peter Scott had twice requested access but was ignored.²¹⁵

Canning was convicted on one count of keeping and offering for sale peregrine falcons and six counts of selling them, offences contrary to Article 6 of EEC Regulations 3626/82 and Regulation 3(1) of the Control of Trade in Endangered Species (Enforcement) Regulations 1985. He was sentenced to 18 months in prison, the first time anyone had been jailed for “stealing and selling rare birds of prey”.

In the mid-1990s, hype about DNA was still whipping the media into a frenzy, so the day after his conviction, Canning's face was splashed over the pages of newspapers across the country. Without fail, the articles linked the

falcon chicks found in Canning's car in 1992 to the DNA test results, yet those birds were returned by the police after testing. Had there been anything illegal about them, the officers involved would be guilty of assisting the plaintiff to commit the criminal offence of possession of a wild bird.

‘DNA tests rock wild bird thieves’ was the headline of *The Journal* in Newcastle, with the unconfirmed lede: “The use of DNA has jolted the closed world of illegal falconry, experts believe.”²¹⁶ *The Independent* went with ‘Bird-nest raider jailed for trade in wild chicks’, above a story bursting with drama. “DNA fingerprinting techniques, similar to those used for convicting murderers and rapists, were used to refute Derek Canning's claim that he had bred rare peregrines from captive parents and was breaking no law.”²¹⁷

The paper hailed the “geneticists at Nottingham University” who proved “Canning's claims about how the young peregrines were related and captive-bred were untrue”. In the story, Shorrock labels Canning “an obsessive, persistent and very devious man”, words that have also been used to describe Shorrock for various reasons.

I have absolutely no doubt that without DNA, we would never have got him to court

- Guy Shorrock, RSPB

An episode of *Wildlife Police* broadcast in 1999 featured Canning's case and showed video of the raid, Parkin



CHICKS BELONGING TO CANNING



explaining how the DNA test worked and Shorrock admitting there would have been no case without it: “Mr Canning was a very difficult person to deal with, and I have absolutely no doubt that without DNA, we would never have got him to court, and we would never [have] successfully prosecuted him.” It was Shorrock's persistence in getting the unvalidated DNA test results into court that put Canning in prison. The trial showed he was not guilty of any other crimes. In fact, Shorrock was merely echoing Judge Cartledge's conclusion that “it has required genetic experts from Nottingham”²¹⁸ to convict Canning.

The day after the trial, Parkin posted a message on an academic internet forum. “I do not wish to gloat over this, however, I am going to!”²¹⁹ he began, then told his version of the case, from the police stop in 1992 to the raid on Canning's parents' house. “Blood samples were sent to my lab where Jon Wetton analysed their DNA profiles. We used a series of single locus probes and determined the relationships of these birds. They did indeed fall into families, but not in accord with the registration documents.

Also, they required more adults as parents that (sic) Canning had ever possessed... In court, we presented the DNA evidence [and] the jury... found him guilty on all counts, and sent him to prison for 18 months. This is the first time that someone has been imprisoned in the UK for wild-life crime like this... It is all very satisfactory.”

As a scientist working in genetics labs for years, Parkin was relishing his legacy moment. He had created something historic, but it didn't last. While Canning was still in prison, the credibility of the testing system that put him there was starting to crumble.

9: The Burden of proof

In August 1994, almost a year before Derek Canning's imprisonment, the RSPB boasted that "six prosecutions [using DNA testing] have been brought to court since October 1992 and further cases are expected" in a letter that appears to be from Guy Shorrocks to the Department of the Environment.²²⁰ The charity was trying to corner the market in genetic fingerprinting for birds.

The letter complained about the flawed and perhaps archaic system of "ringing and registration", which could easily be circumvented and was "failing to protect wild [bird] populations". The answer, it said, was revolutionary new DNA testing and the RSPB had established itself as the "prime moving force in the investigation and prosecution of... DNA related cases" involving illegal raptor laundering. Included in the letter were figures for 1993, to support the charity's point.

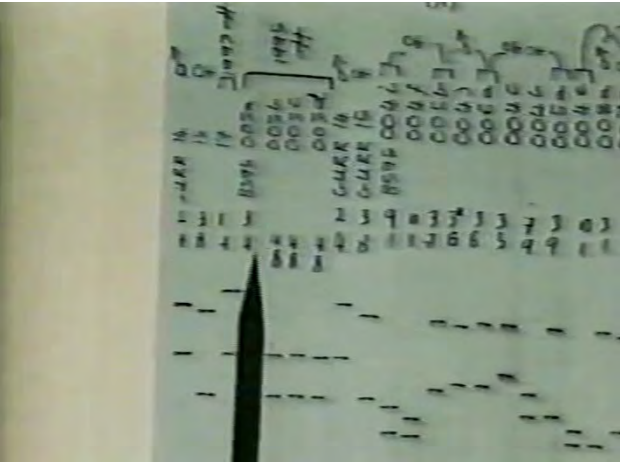
Results of DNA testing on 1993 peregrine falcon population (total 360)	
36 (10%)	Not related to their declared parents
17 (5%)	Highly likely to be have been wild but not 'traceable' for DNA testing
6 (1.5%)	From one of more parents not lawfully in captivity

LOCATION OF THE RSPB-FUNDED LAB



SUMMARY:

A string of raptor laundering convictions spurred on RSPB's grand plans for DNA testing and lucrative spin-offs. But five years later, cases were being thrown out of court and the DNA projects permanently shelved.



PARKIN'S LAB WAS THE ONLY PLACE THAT COULD GET THE DNA TESTING TO WORK

The RSPB insisted the figures were "of course the bare minimum" and reflected the high number of robberies of peregrine nests. Similarly with goshawks, it claimed that of 154 captive-bred offspring in the same year, 18 (12%) were not related to their declared parents. The numbers were based on results from David Parkin and Jon Wetton's DNA testing, which was funded by the charity and the DoE and was the only lab in the country doing that kind of work.

The RSPB wanted to create a "genetic database" of birds of prey, which would be part of the registration system and linked to DoE plans to enforce "sales controls".

The letter suggested the DoE "make available a 'pot of money'" for DNA cases. This would "overcome the main stumbling block" of persuading the police to take on cases by paying for the 'genetic fingerprinting', which Parkin's lab would probably also do.

A second suggestion was the DoE change the Wildlife and Countryside Act to allow blood samples to be taken without a warrant issued by police. It would normally have required evidence a person being investigated was involved in laundering wild birds. Without the restriction, the RSPB could carry out "random checks" on breeders "at any time". The potential for relentless prosecutions was high.

The reverse burden of proof

The Wildlife and Countryside Act 1981 includes statutory defences that shift the burden of proof to the defendant to show their actions were lawful. When a defendant raises one of these defences, they must prove it on the balance of probabilities.

Examples of statutory defences with a reverse burden:

- Protection of livestock and property: a person can kill or injure a wild bird (other than a schedule 1 species) if they prove it was necessary to prevent serious damage to livestock, crops, or fisheries.
- Incidental result of a lawful operation: it can be a defence to show that an act, such as destroying a nest, was the unavoidable and incidental result of an otherwise lawful activity.
- Preventing the escape of invasive species: for the offence of releasing a non-native animal into the wild, a defendant can argue they took 'all reasonable steps and exercised all due diligence to avoid committing the offence'.
- Possession of protected items: if an individual possesses a protected animal, nest, or egg, the burden is on them to prove their possession is lawful. This often involves proving the item was lawfully bred in captivity or lawfully killed or taken.

The use of a reverse burden of proof has sparked legal challenges that it goes against Article 6 of the European Convention on Human Rights – the right to a fair trial including the presumption of innocence.

It became even more controversial after the Countryside and Rights of Way (CROW) Act of 2000, as this significantly strengthened wildlife protection laws established by the Wildlife and Countryside Act. It increased penalties to include imprisonment and made certain violations arrestable offences.

The act also broadened the scope of offences, such as reckless acts, to include disturbing certain birds and animals at their nests or places of rest.

"A racket in selling some of Britain's rarest birds has been smashed by DNA testing," declared the BBC's *Newsroom South East* after the conviction of Peter Gurr in September 1995 for selling laundered peregrines.²²¹

He was found guilty thanks to Parkin and Wetton's DNA testing. *The Independent*, again, likened it to techniques "used to track murderers and rapists", an attempt by the editors to lump wildlife offenders in the same category as violent criminals.²²²

The paper said Gurr had "sold the offspring birds... to other breeders for up to £550 each" and the RSPB-led investigation "uncovered a nationwide web" of clients "which earned him £2,590". For anyone with basic mathematics skills, the drama ended there.

Some breeders are really stupid - David Parkin, DNA researcher

But the RSPB was on a roll with Parkin, a former trustee of the charity, acting as its unofficial frontman in the fight against wildlife crime. "Some breeders are really stupid," he told the *Evening Standard* in October 1995. "You find

someone claiming their male has fathered 20 chicks that year when it's perfectly obvious the bird is too old to climb off his perch in the morning. Before the DNA test was introduced in 1993 it was often difficult to prove a breeder was lying."²²³

The claim that his revolutionary DNA test was introduced in 1993 appeared to be a revised history, replacing the controversial saga exposed in internal memos and correspondence between the DoE, RSPB and Parkin's lab. Throughout 1994, the department opposed the use of the test as evidence in court cases, despite the charity's relentless nagging, and didn't approve the technique until 1995. Even after it passed examination, there were reservations about its effectiveness.

The *Evening Standard* article raised the value of laundered birds, saying "unscrupulous dealers" were earning £700 each bird, but Parkin's testing "has proved a great deterrent".²²⁴ "Between 1993 and 1994 there was a 20 per cent drop in [bird of prey] numbers registered, from 360 to 289. The test also provides fool proof evidence in court, leading to eight successful prosecutions for illegal trading of peregrine falcons, the last two (Canning and Gurr) involving jail sentences."

The article suggested it would be harder to launder birds if the DoE kept “DNA records of all birds, including as many as possible living in the wild”. Parkin told the newspaper it was possible and he was “working on a test using birds’ feathers instead of blood”, which would be “cheaper and more practical”. “If all birds entering and leaving the country were tested it would be obvious where they came from, ending the practice of bird laundering,” the reporter claimed.

A week later, Guy Shorrock increased the value of laundered peregrines and goshawks to “between £700 and £1,000” in a *Manchester Evening News* report titled ‘DNA checks put the bird bandits to flight’. He also insisted thefts of wild birds had been reduced by DNA testing.²²⁵

In January 1996, Canning was released from prison to attend an appeal hearing in London. But it was over before it even began, according to Canning.

“When I stood in the dock... Justice Forbes actually stated, ‘I work for the Royal Society for the Protection of Birds, watching wild peregrine falcon nests in South Wales.’ I then looked at my barrister, took my coat off and handed it over to the prison guard because I knew that was the end,” says Canning²²⁶. “There was Shorrock, [prosecution barrister Mark] Styles, [Defra enforcement coordinator] Lynn Garvey and members of the RSPB sitting watching me [and] smirking.”

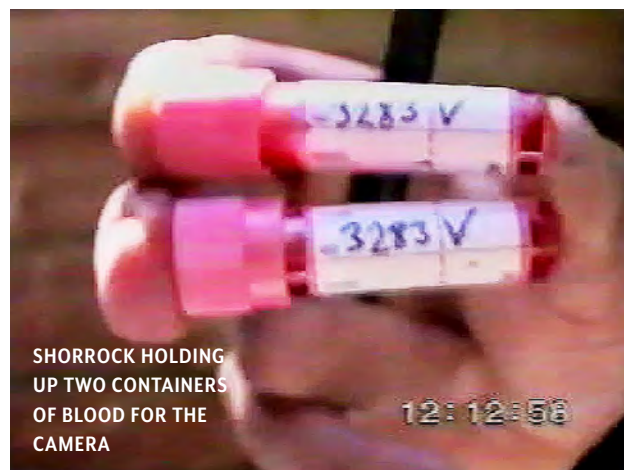
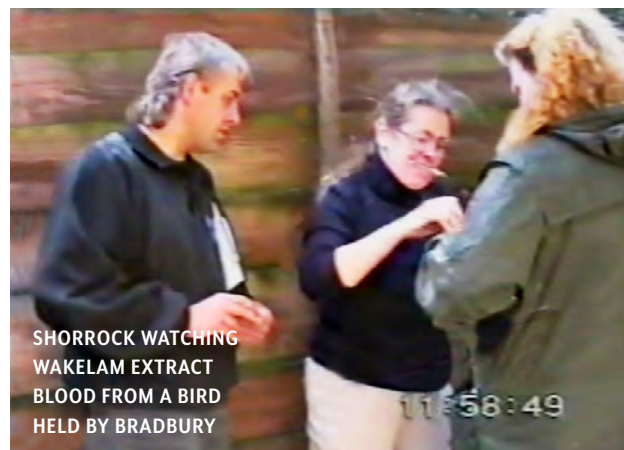
His barrister Charles Salter, said Canning had been “ambushed”. Throughout the hearing, Forbes did most of the talking, attacking Canning for his alleged crimes and reading out the ruling against releasing him. Canning was sent to Brixton Prison, which he described as ‘hell’ and said an attempt was made on his life.²²⁷

While he was still serving time, concerns began to emerge regarding his case and other cases that relied entirely on Parkin’s DNA test results. The initial problem was the collection and management of blood samples RSPB used as evidence.

At a Hampshire Police training day in November 1995, Jim Chick of the Hawk Board complained that the RSPB’s genetic fingerprinting cases were “discredited by poor evidence gathering”, possibly referring to the raid on Canning.

The birds scream in protest throughout... This was not welfare friendly

- Peter Scott, veterinary surgeon



Ann Wakelam, who was responsible for taking blood from Canning’s birds, was not a veterinary surgeon, so wasn’t covered by the raid’s warrant. She described herself as a ‘veterinary nurse’ acting for the RSPCA, not the Northumberland practice she named as her place of work.²²⁸ The RSPB’s video of the raid shows Wakelam struggling to take samples from the birds.²²⁹ She was not wearing gloves, and her fingers were smeared in blood.

“The whole operation appears amateurish and unprofessional,” wrote former DoE vet Peter Scott in a statement in 2018.²³⁰ “The birds scream in protest throughout, they are seriously stressed... This was not welfare friendly.”²³¹ On the first bird... the ‘vet’ fails on the right wing, then tries the left wing and then ends up collecting blood oozing from the venepuncture hole onto the skin... The second seems to require both wings being attempted, the third, whilst apparently successful, appears to suffer an accident requiring a further sample! The accident is off camera... Another sample is collected by allowing the bird to bleed from the wound and collect the potentially contaminated sample.”

Not only was it poorly done, it was possibly illegal. Under the Veterinary Surgeons Act 1966, nurses need to take blood samples under a vet’s supervision. Besides being unqualified to take blood, the Royal College of Veterinary Surgeons told Scott it was unable to trace any veterinary nurse named Ann Victoria Wakelam²³² registered with it, a legal requirement in 1993. The blood was collected so badly that it was almost certainly contaminated, Scott concluded. It was crucial evidence in a criminal investigation, yet never in the hands of police. When the RSPB didn’t have it, it was in an insecure freezer at a lab in Nottingham run by one of its former council members.

Outraged by Chick’s criticism, Shorrock wrote to him in December 1995, challenging his claim and arguing that the RSPB’s DNA evidence revealed the true scale of raptor laundering. He insisted 10% or more of captive-bred



ONE OF CANNING’S BIRDS BEING BOXED READY FOR TRANSPORT AFTER BLOOD TAKING

peregrines and goshawks in 1993 were illegally taken from the wild. Shorrock counterclaimed that the falconry world harmed its reputation by allowing these illegal activities.²³³

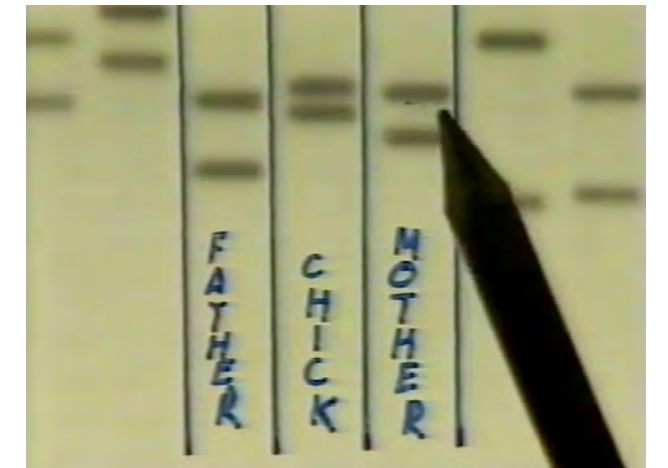
[RSPB has] a total disregard for the rules of evidence

- Jim Chick, Hawk Board

In January 1996, Chick clarified his comments, pointing out that criticism of DNA fingerprinting concerned “poor results obtained from samples taken during recent ‘raids’”. Additionally, due to the RSPB’s cooperation with *The Cook Report*, Chick said there was “a total disregard for the rules of evidence [and] much of [it] was rendered inadmissible”. He said this was the view of Humberside Police after an investigation into allegations related to the TV programme.²³⁴

Shorrock did not reply. Instead, he wrote to Humberside Police, asking whether Chick was correct in attributing criticism of evidence collecting to the constabulary. He pointed out that the RSPB had been involved in “ten prosecutions involving genetic fingerprinting, all of which were successful” with no criticism from the CPS regarding the evidence. Whether the CPS knew how the evidence was collected isn’t mentioned. Shorrock was also concerned how the Hawk Board was getting information about RSPB’s work with the DoE on genetic fingerprinting.²³⁵

In April 1996, Chief Inspector Sparnon from Humberside Police replied that the inquiry related to the TV programme had ended with no proceedings against anyone, citing “certain irregularities”. Investigating officers had seen “blood samples... placed in a glass receptacle which was not a self-sealing unit” and gaps in “absolute security” between sampling and delivery to the laboratory. Sparnon argued



EXAMINATION OF A BIRD DNA TEST RESULT AT PARKIN’S LAB

that the defence could challenge security gaps, as the blood had been open to exploitation.²³⁶

Shorrock responded in May, blaming “journalistic investigation” by *The Cook Report*. He also said the RSPB was helping the DoE and Laboratory of the Government Chemist (LGC) to develop a DNA testing kit, which he hoped would be used by the police.²³⁷

Around the same time, Shorrock appeared on the BBC show *How Do They Do That?* hosted by Eamonn Holmes. The programme focussed on advances in wildlife crime investigation through DNA testing and featured Parkin's colleague Jon Wetton demonstrating how it worked.

“It's been wonderful,” says Shorrock, when asked by Holmes whether DNA testing had helped RSPB's investigations. “We've seen less nest robberies in the wild in many places. We've also seen less birds being bred in captivity, and we think that's because a number of falconers are now too scared to take these birds from the wild. It's been very successful.”²³⁸

In January 1997, the LGC was commissioned by the DoE to check the single-locus probes from Parkin's lab.²³⁹ Two months later, it said it had found that when other labs followed exactly the same methods described in Wetton's report (Genetic Variation in Birds of Prey, Phase IV Final Report, Jon H. Wetton & David T. Parkin 1995), the results were unclear.²⁴⁰ Testing was ambiguous and LGC staff had to get Wetton involved directly. Even then, they still couldn't get it to work.

“It was felt that in essence the method of extracting and quantifying the DNA was at fault,” explained Scott, who began working at LGC in 2000. Due to issues producing the probes, they could easily “lead to false negatives and

false positives”, said Scott, adding that the Forensic Science Service also “found faults with the systems in place at Nottingham”.²⁴¹



A month later, Parkin provided an update on his bird DNA database. According to the *Huddersfield Daily Examiner*, “DNA expert Dr David Parkin at Nottingham University has just finished research to enable the database to be built up.” While the paper said police forces in the north of England would test the scheme, all it seemed to involve was bird ringers collecting feathers.²⁴² The RSPB and water companies would pay for the research, which relied on the ringers correctly identifying which birds the feathers came from.

At some point in 1997, Wetton walked out of the Nottingham University lab after working there for 11 years. Whether it was related to LGC's findings is unclear, but it seems likely. The DNA project was arguably his greatest achievement up to that point, yet he'd just been told by some of the country's top scientists that it was completely useless.

Wetton was replaced by Nicola Peck, a research student. The DoE kept funding the lab for another five years, although by then, the focus had moved onto Parkin's feather DNA testing (*Feathers as a source of DNA*, David T. Parkin, 7 February 2002) and database.

Over the next couple of years, nobody, it seemed, could get the Nottingham SLPs to work other than people at the lab. “The laboratory was achieving results with its own probes in its own lab which it interpreted,” said Scott. “The reproducibility of the tests appears to be very poor.”²⁴³



EAMONN HOLMES, SHORROCK AND A FALCONER ON *HOW DO THEY DO THAT?* IN 1996



JON WETTON QUIT THE LAB IN 1997 AFTER WORKING THERE FOR 11 YEARS

In 1998, the Department of the Environment, Transport and the Regions (DETR, formerly DoE) started writing to keepers of birds of prey admitting there were problems with the Nottingham lab's probes and apologising for delays in test results.²⁴⁴ University Diagnostics Limited (UDL) had taken over some of the lab's work, but it had not been able to get the SLPs to work.

Despite the government finally realising the test was unreliable, Shorrock was still plugging it. “We can now tell where [birds of prey] have come from,” the *Lincolnshire Echo* quoted him saying in September 1998. “Whereas before there could be a strong suspicion birds had been taken from the wild but nothing could be proved.”²⁴⁵

By 1999, Parkin became evasive, as his dream of creating a world-changing DNA test was turning into a nightmare. It was potentially made worse by the broadcast of *Wildlife Police* in April, the episode focussing on Canning's case. In it, every effort is made to ridicule Canning, who got caught out by Parkin's DNA testing and ended up in prison.²⁴⁶

Guy Shorrock: “What we are dealing with basically is a paternity test. We're taking blood samples from the suspected stolen birds and trying to compare those with blood samples from alleged relatives.”

Anna Walker (presenter): “DNA fingerprinting proves that there must have been five female parents and these chicks aren't brothers and sisters. The chances that Canning bred the birds himself is remote.”

David Parkin: “It's the probability of winning the national lottery twice, the single jackpot alone twice. It's just so remote that there had to be alternative hypothesis, which was that he wasn't telling the truth.”

Meanwhile, there were two ongoing RSPB cases against more alleged raptor launderers where SLP testing from the Nottingham lab was disputed by the defence and second opinions sought.

In July 1999, Knights Solicitors, acting on behalf of breeders Terry Burden and Rachel Burden, wrote to Nottingham University asking where Parkin was, as he had promised DNA tests on the couple's birds for their trial in September.²⁴⁷

“The basis of the Crown's case are the results of DNA testing undertaken by Miss Nicola Peck BSc under the supervision of Professor David Parkin at your university... As part of the defence of our clients a blood sample was obtained from a bird and Professor Parkin agreed that he or the university would undertake DNA testing of this blood... Despite various telephone calls and letters to Professor

Parkin... we have heard nothing from him, our clients' blood samples are still with him and there appears to be a complete breakdown of communication.”

Parkin, who was doing two sets of DNA tests on the same birds for the RSPB and the Burdens, replied at the end of August, less than a week before the trial: “I have to confess that we have been unable to generate DNA of sufficient quality... The results that we have been able to generate are simply not adequate to present in court. It would not be fair to my colleagues to expect them to present data that are inconclusive, and certainly it would not be just to your client to base a defence upon such poor quality DNA... I hope that you will take this as evidence that we have left no stone unturned in our efforts to assist you and your clients in their defence.”²⁴⁸

Terry Burden immediately began phoning around trying to find someone to do DNA testing, eventually speaking to

Marie Barrett at UDL and getting onto the subject of Parkin's lab. “She told me that [UDL]

were given a large number of tests to do for DETR early in 1998,” he wrote in an email to Knights. “The probes supplied to them by Nottingham University were very sub-standard and basic and... were unable to produce a readable test in most cases.”²⁴⁹

Suddenly, Knights phoned Burden to say Parkin had called and somehow managed to complete the tests.

“As if by magic,” wrote Burden in his email.

“I do not trust Parkin. If you read the original test results from Nicola Peck you will note that in these reports she talks about chicks and adults. The whole purpose of this type of testing is for blood to be supplied as an unknown quantity and for the lab to tell us which is the adult and which is the offspring. The test to be scientifically proven should be based on their findings without any additional information being supplied... It would appear that someone is giving Nottingham too much info and they know before they start the tests what the results are and if there was a borderline case, they would most certainly come down on the side of the hand that feeds them.”²⁵⁰

The trial opened on 1 September 1999 with Judge Tim Nash at Canterbury Crown Court. Once the prosecution presented its case, Nash stopped the trial: “I will explain to the jury and seek not guilty verdicts on each count.”²⁵¹ The defendants were acquitted and Judge Nash slammed Shorrock and the RSPB: “The powers that be have decided what must have happened and then set about getting the evidence to prove it. This is not the way detectives should work.”²⁵²



The powers that be have decided what must have happened and then set about getting the evidence to prove it - Judge Tim Nash

A summary of the case explained the entire DNA fiasco,²⁵³ how the defendants, and other keepers, were voluntarily submitting blood from their birds to build a DNA database for DETR, but a flaw in the testing meant it never materialised: “Guy Shorrock of the RSPB started a series of investigations of various bird keepers aimed at proving that the fault was with these breeders and keepers acting illegally rather than the fault lying with the DNA testing... People were arrested and charged and two were convicted. This apparent success encouraged Guy Shorrock to investigate the defendants in this case.”

The document went on to highlight tactics Shorrock had used in the past and would use again in future cases: warrants that were not obtained lawfully or were based on spurious grounds, then trespassing and finding nothing, but arresting the defendants anyway and charging them with new offences. It described Shorrock as a “man with a mission” and the RSPB’s case “deception/fraud”.

The second case that year involved David Myatt, the respected owner of a successful avian pest control business who had, among his clients, the Ministry of Defence, for which he provided airfield bird control services to the Royal Air Force.²⁵⁴

Since 1995, he had been donating blood samples to the DETR DNA research. The samples were given to the Nottingham lab, where Wetton had confirmed their genetic relationships and established Myatt’s credibility as a peregrine falcon breeder.²⁵⁵

But in September 1998, the police, a ‘veterinary surgeon’, RSPCA, and RSPB inspectors searched Myatt’s premises with a warrant. The allegation was that peregrine chicks or eggs were illegally taken from a nest in a building at Sellafield nuclear power station by Myatt then passed off as captive bred.

Myatt and his employee Leon Mulholland had been at Sellafield to “deal with a serious problem involving radioactively contaminated feral pigeons” and control gulls in 1997 and 1998. Blood samples were collected from young peregrines at both men’s houses and taken for testing.²⁵⁶

In February 1999, they were interviewed by Shorrock, who claimed the Nottingham lab’s DNA test showed

one of Myatt’s young birds could not have come from his adult falcons. Mulholland was also told there were inconsistencies, with only one parent identified for two birds and a “7% chance” of it being the mother of a third, a statistic Myatt described as “ludicrous”. Since tests showed each of Mulholland’s young birds had at least one domestic parent, no charges were brought against him.²⁵⁷

Myatt disputed the Nottingham lab’s DNA tests, specifically those done by Nicola Peck,²⁵⁸ who Shorrock had described as a “qualified scientist”, but when challenged, admitted she was a “young undergraduate research student”.²⁵⁹

Blood samples from Myatt’s birds were sent to separate labs in Germany²⁶⁰ and the US²⁶¹ and both confirmed his claim about the relationships between the birds. Neither lab was told which samples related to the parents or offspring, while Parkin, Wetton and Peck were told by the RSPB which birds were believed to be the parents and claimed offspring and even then, made mistakes.

Despite this, Myatt faced one count of making a false statement under Control of Trade in Endangered Species (COTES) regulations, as the birds had been registered with DETR and ringed. That could have got him two years in prison if convicted.

The case went to court on Monday 10 January 2000. No evidence was offered by the prosecution, and the case was dismissed before it began. “I believe that the RSPB need to reconsider their procedures in these cases,” said Judge Hucheson.²⁶²

Myatt said: “I had no doubt that this improper charge would be thrown out... but I am very angry that public money and a great deal of time has been wasted like this just because an employee in a respected charity decides that he is right despite the overwhelming evidence to the contrary.”²⁶³

Through the RSPB’s actions, the lives of innocent people have been put on a knife edge, the future of their birds uncertain, their businesses and reputations at stake, freedoms threatened and lost and at least one defendant suffered a nervous breakdown. It was a pattern that would be repeated over the next 20 years in cases involving the bird charity.

Meanwhile at DETR...

“Staff in my Division have been trying to contact Professor David Parkin for some months now, and have been unable to get a satisfactory reply,” one employee wrote in an email to another. “One issue is a contract which we have with Nottingham University to prepare a test which will enable DNA from feathers... This is an important project for us, but has slipped seriously behind schedule... [It] would be sad if one of the most innovatory and successful research programmes financed by DETR was to ‘end in tears.’”²⁶⁴

10: Operation Sea Hare

“It was a Wednesday,” says John Dodsworth. “I got a phone call at work from my wife to say that they were raiding the house. I came here and all the press were lined up outside with the big cameras and things. I walked through my front door not realising it had been smashed off its hinges... They literally came in, full riot gear.”²⁶⁵

It was 11 October 2006. The following day, *The Journal* in Newcastle ran with the headline ‘Swan freezer man arrested in swoop’ above a photo of Dodsworth smirking as he was led away in handcuffs. “Ten officers swooped on the terraced house in South Shields” after police “received information” he had “several pieces of illegal wildlife”, the paper said, focusing on the swan.²⁶⁶

I walked through my front door not realising it had been smashed off its hinges - John Dodsworth

“Shocked wildlife investigators pulled the dead body of a swan from an animal collector’s freezer,” wrote the reporter. “Swans, by law, belong to the Queen. It is an offence to intentionally injure, take or kill one.” The swan had been found dead and Dodsworth was keeping it in the freezer, intending to have it stuffed, but hadn’t had time. Police stored it in a freezer, but it thawed and decomposed in a power cut.²⁶⁷

“The raid went really well, due to good cooperation between the agencies who were there,” detective sergeant Derek Moss told the paper, referring to the RSPB and RSPCA. “Hopefully this will get the message across that we are not prepared to tolerate anyone committing wildlife crime in our area.”

Moss offered no explanation, since Dodsworth was not guilty of any wildlife crimes. Despite Moss’s claim about “good cooperation”, by the end of the saga, relations between Northumbria Police and the RSPB were at their lowest point ever.

SUMMARY:

In 2004, the RSPB exploited a loophole created by an unlawful amendment to the Wildlife and Countryside Act that criminalised legal egg collections. One target was John Dodsworth, who challenged the law change and won.

Leading the police operation was wildlife crime officer Paul Henery. At the time, he was establishing himself as a nature and landscapes painter and had won an RSPB award for fine art in 2004.²⁶⁸ He was also an adviser for the 1999 BBC One television series *Badger*, about a wildlife crime officer in Northumberland starring Jerome Flynn.²⁶⁹

Guy Shorrock led the RSPB’s investigation, one of several following an amendment in 2004 to the Wildlife and Countryside Act 1981 (WCA). When the act came into law on 28 September 1982, wild eggs proven to have been taken before then were declared legal, but anything taken after would be illegal. The 2004 amendment was supposed to just bring the UK in line with European laws, by criminalising ownership of eggs taken in the rest of Europe. But what it also did was criminalise anything taken between 1954’s Protection of Birds Act and the Wildlife and Countryside Act. The burden now, was on anyone with wild eggs to prove they were taken before 1954.

Countless collections across the country were suddenly illegal and the RSPB made no attempt to warn anyone about the law change. As we have seen in the case of Brian Redhead (chapter 4: *The great egg chase*) and will see again in this report, Shorrock went on a raiding spree, hoping to catch out unsuspecting owners who were clueless about the discrete law change. Dodsworth was one of them, yet there was no mention of the egg collection on the police warrant.

“They called it Operation Sea Hare,” he says. “[To get] my warrant, PC Henery went into the South Shields police station saying a convicted egg collector has taken some falcon’s eggs. Well, I’ve never been convicted of [illegally taking] bird’s eggs. They said that I had taken some peregrine eggs from the Alston area and laundered them through [breeder Mark Robb’s] falconry centre.”²⁷⁰

“I didn’t find out until several months later, that the same time my house got the door put in and 10 police officers came in, there was 20 police officers went and raided [Robb’s] property. I hadn’t spoken to Mark in 10 years.

“So, I got in touch with Cumbrian police and all the police forces round there and asked was there any peregrine falcon nests that failed that year due to human interference



SHORROCK CARRYING ITEMS SEIZED FROM THE RAID ON DODSWORTH INTO SOUTH SHIELDS MAGISTRATES' COURT. PHOTOS DEREK CANNING



PC PAUL HENERY (RIGHT) HELPING JAMES LEONARD CARRY DODSWORTH'S EGG CABINET TO SOUTH SHIELDS MAGISTRATES' COURT



SHORROCK DRIVING HENERY AROUND

and there was none. So where was the evidence [needed] to get a warrant on my house when there was no crime committed?"

The warrants on Robb and Dodsworth's properties were secured by Henery. Independent Police Complaints Commission documents show Henery claimed falconer Tony Scott was the informant who provided evidence to justify the raids.²⁷¹ But in January 2009, Scott signed a statutory declaration denying supplying police with "bogus information" or knowing anything about the warrants on either property.²⁷²

As mentioned in chapter 8: *The future of law enforcement*, Robb had been coerced into a DoE plot in 1984 to frame a businessman who had a passion for raptors. Robb and fellow falconer David Ray foiled the plan by going public, which sparked a government review of the Wildlife Inspectorate (now Defra). For many years, Robb has been a successful breeder of birds of prey, mostly for the Middle East market.

There were several hearings in Dodsworth's case. In an unusual arrangement, Henery was driven to one at South Shields Magistrates' Court by Shorrock, then helped RSPB staff carry Dodsworth's possessions into the building.

When Dodsworth's case began at Newcastle Crown Court in October 2008, the bird laundering claim was changed to illegally possessing about 1,000 wild bird eggs, which were all legal until the 2004 amendment.

During the trial, several documents were thought to be missing:

1. A receipt for a cabinet,
2. A letter from Dodsworth inviting the RSPB to view his egg collection,
3. Registration certificates for peregrine falcons.

All were vital to the defence's case and had been with the RSPB since November 2006 - nearly two years. Shorrock said he first opened the evidence bags in January 2007, so had been accessing the documents for more than a year and a half. Despite this, when asked where they were, he said he didn't know.²⁷³

"The first time I was aware of the apparent existence of [the £600 receipt] I think was on 16 February when Mr Dodsworth raised it in interview," Shorrock told the court. "I subsequently checked the exhibits again after that interview and again I have not seen those documents... I have examined it four times and I haven't found that document."

The receipt was for an egg cabinet Dodsworth bought from one-time Jourdain Society member Mike Dawson, who had earlier been targeted by an undercover RSPB investigation. During that probe, the charity's investigator befriended Dawson and bought an empty egg cabinet for £500.

"I had bought the same [type of] cabinet off Mike Dawson for £600. So, when my court case come about, which is probably about five-to-10 years later, they had it taken away to be valued and they came back saying it was probably [worth] about £100. So, what they're trying to insinuate is, I had bought the [eggs inside] and not just the cabinet, which was illegal to do so."²⁷⁴

Had the RSPB contacted Dawson, it could easily have confirmed whether Dodsworth was telling the truth.

Shorrock said he "was led to believe that the registration documents were not with the exhibits" but later admitted "they were not lost" after a colleague found them "in the original exhibit bag".²⁷⁵

I have examined it four times and I haven't found that document
- Guy Shorrock, RSPB

Regarding the invitation letter: "Again, that is not present," he told the court. However, when put on the spot, Shorrock managed to find it in the evidence bag, where it had been the whole time.²⁷⁶

I am sure inadvertently, Mr Shorrock, you wrongly told the police you didn't have them
- P. Walsh, barrister

After 17 years investigating bird crime, Shorrock ought to have known what registration documents looked like. Since he routinely compiled evidence, he would not have been able to build an appropriate case against Dodsworth without knowing what evidence the defence had, which included items in the bag.

This situation suggests that Shorrock didn't bother looking at everything in the bag, didn't understand what the documents were, or was trying to withhold the information. Since it is unlikely he is stupid, we must deduce that he intentionally withheld the papers, a conclusion the judge and others in the courtroom allude to in their exchanges:²⁷⁷

Mr. P. Walsh (defending): *There was clearly a period of time which the certificates in relation to the falcons were lost?*

Shorrock: *No, they were not lost, they were still in the original exhibit bag.*

Walsh: *They could not be found?*

Shorrock: *Yes, that is correct.*

Walsh: *I am sure inadvertently, Mr Shorrock, you wrongly told the police you didn't have them, or the RSPB you did not have them?*

Shorrock: *Yes, that was an error on our part.*

and:

Judge Lancaster: *The receipt is what you want now, isn't it... for the £500 or £600 for the cabinet.*

Shorrock: *I've been through it three times, but I'll have another look.*

Mr. T. Moran (prosecuting): *Your honour, wouldn't it be better if my learned friend did, otherwise the defendant might think that something has not been revealed that is there.*

The judge and barristers spent a long time coaxing Shorrock into understanding what kind of documents he was looking for. It was an exchange that bordered on pantomime, with Shorrock repeatedly producing cows instead of magic beans. The twist was that most were in the bag he was holding all along. At the very least, it suggests Shorrock, and perhaps others on the RSPB's investigation team, are incapable of managing evidence to the standards required by court. It is a serious concern.

"The police confiscate evidence," says Dodsworth. "How come a charity is allowed the free run to take all the evidence out of police custody and store it in their place? The Wildlife and Countryside Act is strict liability, so you've

got to prove your innocence. [RSPB] have got to prove nothing. If you've got a set of birds' eggs, the only proof [might be] a card telling you how many eggs there were, what the marks on the eggs are and various information. Now if that tiny piece of paper, which might only be two inches by three inches, was to disappear... under the Wildlife and Countryside Act you would be convicted because the burden of proof is reversed."²⁷⁸

The receipt for the cabinet was returned to Dodsworth after the trial, along with other 'unused evidence'.²⁷⁹ He was convicted of possessing an egg collection outlawed by the 2004 amendment to the Wildlife and Countryside Act. Dodsworth lost a previous egg collection in 1998 due to the reverse burden of proof. He did not have enough documentation to prove most of the eggs were taken from the wild by someone else and given to him in 1979.²⁸⁰

"An egg collector 'devastated' by the confiscation of his 1,000-strong egg collection decided to amass another collection, but once again, has failed to stay on the right side of the law," said RSPB's *Legal Eagle* magazine (issue 60) of the 2008 case. "A detailed examination... of egg data cards and other exhibits was undertaken by the RSPB. It was alleged that much of the data was not original, of dubious value and in some cases had been falsified in order to disguise the provenance of eggs." The magazine said the investigation included handwriting analysis paid for by the Forensic Analysis Fund, which was created around the same.²⁸¹

The article went on: "Dodsworth's defence claimed he was unaware of legislative changes in 2004, which meant that any eggs taken unlawfully in Great Britain since 1954 were now subject to possession controls, not just ones taken since the inception of the Wildlife and Countryside Act 1981."

Dodsworth appealed after Derek Canning argued the 2004 amendment was illegal because there was no consultation. After completing his prison sentence, Canning had taken a law degree and graduated, so Dodsworth hired him.

"I initially went to Leeds Crown Court on appeal," says Dodsworth. "The judge said that because they had messed about so long, the time period [for an appeal] had lapsed. He said, however, there's no law in this country that shouldn't have a consultation, so I'm sending this to the High Court in London for a judicial review."²⁸²

Under the headline 'Defra concedes to egg collector', *Legal Eagle* (issue 67) covered the story, admitting the amendment was "introduced unlawfully". "Defra conceded

this point and on 12 March 2012 a Consent Order was issued by the High Court ruling that this change to the defence was made unlawfully. The conviction of Dodsworth was also quashed. Defra has announced its intention to consult again on this matter and the RSPB hopes this loophole can be permanently closed."²⁸³

"I asked to be a consultee and was told I couldn't," says Dodsworth. "I said, 'Well I've got to be. I'm the only one in the UK to have been convicted under this law, so I must be a consultee.' Anyway, it went to the British Museum, the Edinburgh Museum, all the museums... and it went in my favour. So now they've reinstated it back to where it was, the 1981 act which meant that all my property was legally held."²⁸⁴

The museums were concerned many eggs, including some owned or donated by pioneering bird researchers and scientists, would have to be destroyed. The law didn't revert back to the original rules until 2016. In Scotland, the 2004 amendment still stands.

We didn't ask for it, but I'm happy enough to make use of it - Guy Shorrock, RSPB

While the RSPB argued the 2004 amendment 'closed a loophole', it created one, which Shorrock exploited. He admitted this to Bob McGowan, Dodsworth's main witness to prove the authenticity of his egg collection and data cards. McGowan was head of Edinburgh Museum's birds and birds' eggs department and had been asked by the RSPB over the years to verify the origin of eggs in collections.

"This had been looked at when the Wildlife and Countryside Act was being brought out [in 1981]," McGowan says. "The possession of egg collections was debated and there's a quote in Hansard saying it wasn't the aim of the legislation to punish people. If you had eggs post-1954, basically, if you can prove that you've got them now, then OK, the Wildlife and Countryside Act is coming in, anything [you take from the wild] after is problematic. So for the RSPB to say it closed a loophole? There was never a loophole, so it was a bit disingenuous of them to say that."²⁸⁵

"I was in the car with [Shorrock] and I asked him, 'Where did this [amendment] come from?' He said, 'I don't know. We didn't ask for it, but I'm happy enough to make use of it.' So these words stuck in my mind because then later on,

they say 'Oh, it closed a loophole,' as if they knew of this loophole. [But] they didn't know about it, because it came out of the blue to them as well. And I said at the time, 'Well, who's going to tell all these people that think that they've legally got egg collections and now it's illegal?' I mean, it's not very fair."²⁸⁶

In his statement for the court, McGowan dismissed virtually every claim Shorrock made about Dodsworth's historic egg collection²⁸⁷. He accused Shorrock of distorting evidence,



DODSWORTH PICKING UP HIS CONFISCATED POSSESSIONS FROM SOUTH SHIELDS POLICE STATION IN 2012

Excerpts from Bob McGowan's statement on behalf of John Dodsworth²⁹³

"Over the last 10 years or so I have had some experience of several prosecutions that have been instigated by the RSPB's investigations staff under the leadership of Mr Guy Shorrock. I have formed the impression that little or no distinction is made in the organisation's approach to what may be considered as serious current criminal activity, and its pursuit of anyone who has the misfortune to possess an old collection of birds' eggs.

It seems to be the resolute view of the RSPB Investigations Department that "all possessors of birds' eggs are crooks" regardless of how or when the eggs were acquired. In consequence, the RSPB makes every effort to seek prosecution of such individuals. In my experience, even when evidence of active collecting is non-existent, the presumption is that 'active collection' is involved, and the RSPB pursues the maximum number of charges with the severest penalties.

In cases such as Mr Dodsworth's, I believe that the RSPB presents 'evidence' in a fashion that distorts its real value... Defendants in these cases have genuine problems in developing an adequate defence, unless some other expertise can be marshalled to challenge the RSPB's view.

I have noticed in cases such as these that even the terminology is blurred by the RSPB, with 'possessors of egg' being deemed 'collectors' even when no evidence of active collecting is available. Defendants described as 'collectors' are inevitably seen in a more pejorative manner than those described as 'possessors' of eggs. In my view this demonstrates an inherent bias in the evaluation of evidence by a supposedly 'neutral' investigator. This bias and lack of objectivity appears to be counter to the level of duty to the court expected from an expert witness (Rule 33.2 of the Criminal Procedures Rules).

The Investigations Department asserts that it plays an advisory role in assisting statutory agencies with investigations and it claims to hold a recognised level of expertise in relation to egg collecting... The motivation for prosecution... is perhaps rather less to do with any perceived criminality and justice, but more a way by which the RSPB can gain publicity.

I am puzzled why the RSPB tries to bring the full weight of the law down on people when there is no credible evidence that they have personally actively collected eggs. The cost to the public purse is high, presumably more so when defendants are cleared of charges and found innocent. I do not understand why the RSPB does not simply seek transfer of eggs to a museum and ensure that a caution is issued to the owner.

It is not clear to me what principle lies behind the RSPB's objection to individuals possessing old, legally acquired birds' eggs. It is difficult to think of any other type of scientific specimen or cultural artefact which suffers from a similar prohibition. Moreover, this prohibition has largely been brought about not by an agency of government, but by a charitable organisation. To complicate matters, collections that were previously 'legally held' (collected prior to 1982) have been retrospectively made illegal, though individuals have no way of knowing of this change in status. The RSPB is content to press for prosecution of individuals who unwittingly now possess eggs deemed 'illegal'.

In my opinion the RSPB's attitude to owners of old collections seems often to be motivated by retribution, and the constant insistence on prosecution exemplifies an over-zealous and often prejudiced strategy. While the RSPB gains some publicity in chalking up another case against wildlife crime, it seems oblivious to the threats to, and destruction of, old scientific collections whose data can benefit research and bird conservation."



THE EGG CABINET THAT SHORROCK LOST THE RECEIPT FOR IS USED BY DODSWORTH AND A POLICE OFFICER TO FILL OUT FORMS CONFIRMING HE HAS RECEIVED ALL HIS POSSESSIONS

Dodsworth got his eggs back after threatening to sue the police for theft, six years after the raid. He had already been compensated £428 for the dead swan, although it was £120 lower than a taxidermist's valuation. Several of the possessions confiscated were broken while in the hands of the RSPB and police.²⁹⁰

bias, inventing terminology and being motivated by publicity more than justice.

Dodsworth had given McGowan two osprey eggs to put in Edinburgh Museum. They had been taken from a nest at Loch Garten in 1971 and Dodsworth felt they belonged to Scotland. When Shorrock heard about this, he phoned National Museums Scotland and advised McGowan's boss to fire him because he had been given the 'illegal' eggs.²⁸⁸

It's unclear how many prosecutions the RSPB was involved in that used the amendment to raid people's homes and confiscate legally owned collections, with the charity then demanding the harshest penalties against the owners.

"[RSPB] is an organisation with a vested interest in prosecutions, they haven't got a vested interest in clearing people's names [and] Shorrock was at the base of everything," says Dodsworth. "He goes into people's houses; 'What can I find to prosecute this person on at all costs?' That's the only thing that goes through his mind. A judge said [to me] it's like the tail trying to wag the dog. You do not go to somebody's house then look for evidence of a crime."²⁸⁹

"Even at the end, when the High Court awarded everything in my favour and I phoned Northumbria Police and asked them for the return of my property [and they said] you can go down and collect it as soon as. I then phoned my local station and the officer I was dealing with says, 'Mr Shorrock has said not to return it.'"

"[Operation Sea Hare] cost that much money," he says. "You're looking at about £150,000 of public funds wasted. At the end of my case, [PC Henery] got relegated right down to walking the beat and Northumbria Police will no longer work with Guy Shorrock and the RSPB."

A month before the raids, Henery had been voted wildlife enforcer of the year by the World Wide Fund for Nature (WWF).²⁹¹ But he left the force to focus on art, occasionally holding exhibitions with the RSPB.²⁹²

MANY OF THE ITEMS WERE RETURNED DAMAGED



11: A hidden agenda

On 15 September 2008, falcon breeder Mark Robb wrote to North Yorkshire Police (NYP) Chief Constable Grahame Maxwell following a FOI request related to Operation Sea Hare. Robb was concerned about an email conversation between NYP Officer Lee Fickling and Roy Pitt from the Department of the Environment (Defra). In Robb's words, they discuss RSPB investigator Guy Shorrock "living out a secret agenda" and quoted him saying "he did not like people who breed birds". Shorrock "wanted to close me for no other reason than I breed birds", wrote Robb.²⁹⁴

The case began in June 2006 with suspicions, fuelled by the RSPB, that Robb and Dodsworth were laundering wild falcons. A raid in October 2006 turned up nothing except minor paperwork issues, many of which Defra agents were already aware of.

In January 2007, Fickling emailed Mark Britton from Defra's CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) Enforcement Team to say DNA tests showed "there are no problems with parental links",²⁹⁵ meaning Robb was the confirmed breeder of his stock of falcons. In a message to Britton, Pitt declared: "Now that the DNA tests have come back negative, this whole matter seems to have been a waste of everybody's time!" He then granted approval for all the certificates for Robb's birds.²⁹⁶

Shorrock emailed Britton with demands to see all the paperwork on rings and know which birds Robb declared as parents in 2006. "At some stage fairly soon, we will need a discussion about paperwork and statements as we will need to start giving the relevant bits the appropriate exhibits numbers prior to interview," he wrote,²⁹⁷ as if already preparing the case for court.

The following day, Pitt emailed Fickling about Shorrock's request. "I am getting somewhat concerned at the amount of information we are being asked to provide to Guy Shorrock as a result of the raid on Mark Robb last October," he wrote. "From the information I have seen so far, there appears to be no evidence to support the allegations that Robb was in collusion with Dodsworth in the taking and laundering of wild taken birds – which was the primary reason for mounting the operation in the first place."²⁹⁸

SUMMARY:
Guy Shorrock's 'outcome fixation' is exposed in email exchanges with the police and Defra, following an RSPB raid on a raptor breeder that produced no evidence of criminal behaviour.

We don't like people who breed birds. [There's] a need to close him down.

- Guy Shorrock, RSPB

Pitt confirmed Robb only appeared guilty of minor technical offences and the department had "written to him acknowledging these inadequacies, giving him a period of grace to get his records straight and offering him help if required". Operation Sea Hare "subsequently overtook this", he added, so it "could prove embarrassing to the department".

The bigger issue was Shorrock's information requests and the "amount of staff time this ties up here which we can ill afford". "I would be grateful for your views on the direction this operation is taking and the number and/or types of offences that have been identified to-date and which you are proposing to pursue," Pitt complains, adding: "I would be grateful if this email was not copied to Guy Shorrock or the RSPB."

"I also have my concerns about Shorrock in this case," Fickling confessed, listing the issues. "I see a hidden agenda, e.g., 'we don't like people who breed birds'. '[There's] a need to close him down'. I have questioned a third visit with Guy and we at NYP are still having a think about whether we need to go back again. I can prove that Robb knows Dodsworth, but I am unsure if the wild taken birds can be proved."²⁹⁹

Fickling denied Pitt's assumption that Shorrock's extensive prying was on behalf of NYP. Meanwhile, his admission that there was no evidence of any crimes prior to the raid confirmed suspicions that it was a 'fishing expedition' masterminded by Shorrock. It's clear from the conversation that a third visit to Robb's farm would be to verify ring numbers and other details – nothing else.

A week later, Shorrock continued to push the issue. When Defra dismissed the idea Robb had tampered with the rings on his birds, suggesting a Danish breeder was responsible, Shorrock replied sharply. "I know I work for some rabid

NGO but I'm simply not having that – not tampered with in any way seems quite straight forward to me... I'm shocked that somebody from Defra would agree with them.”³⁰⁰

Pitt responded politely: “Whilst I accept it's your prerogative to disagree with our interpretation, it would have been nice if you could have done so in a slightly less aggressive manner!”³⁰¹

He forwarded Shorrock's email to Britton: “You may be interested to see my latest exchange of emails with Shorrock! I think it would be prudent not to release any further information to Shorrock unless this has been expressly authorised by NYP.”³⁰²

On 7 February, Britton forwarded Shorrock some of the information he asked for. However, he insisted “information on attempted breeding for 2006” was unavailable (or withheld because of his conversation with Pitt). “In 2006 all his unused rings were returned to us promptly,” suggesting Robb was following Defra's rules. In fact, the only issue Britton raised was a mistake in the export log, but said it was “an error on my part”.³⁰³

Despite Britton downplaying the severity of Robb's technical errors, Shorrock pressed for a third raid. He complained that the police were “being extremely cautious”. “Now waiting for the police to ‘leap into life,’” he wrote. “I sent the stuff we pulled together re potential registration offences on the 15 Jan – suggesting a further short visit was needed to confirm ring numbers on some birds... and in some cases confirm ID... I believe this needs to be done before Robb can be given an effective and fair interview.”³⁰⁴

Is this another attempt by [Shorrock] to take over the running of this case?

- Roy Pitt, Defra

Shorrock warned that “a lot of work has been done so far and I don't want this to go to waste”, then insisted he “will have to pull most of the interview plan together”. He couldn't hide his irritation with the delays, telling Britton: “I feel the police/CPS have probably enough information to make a decision... It is this consultation process which is causing the delays which really worry me... Anything Defra can do to speed the decision-making process along would be helpful.”³⁰⁵

Later the same day, Pitt updated NYP and John Hounslow (Defra) about Shorrock's persistence. “I thought you would be interested in the latest emails we have just received from Guy Shorrock at the RSPB... He now appears to be getting

somewhat frustrated... I am also concerned at his comment in the last paragraph... that he ‘will have to pull most of the interview plan together’. Is this another attempt by him to take over the running of this case?”³⁰⁶

After a meeting of Defra, RSPB and police on 15 February, Shorrock headed along a new avenue in pursuit of Robb's potential crimes: “John's comments re the COTES offences made me check through the file,” he wrote to Britton, highlighting an issue many rungs on the ladder lower than raptor laundering. “We may have more COTES offences if the birds we are looking at are held by Robb for commercial use, which seems likely.”³⁰⁷

NYP was unsure whether it still had the power to re-enter Robb's premises, since it was only supposed to confirm information gained from the two previous visits. When the third raid happened on 21 February, it was clear there was still nothing certain other than Shorrock's dislike for breeders.

The day after, Shorrock sent a rambling message to Defra's Nick Willams, as he searched for something to pin on Robb. The desperation exposes the RSPB investigator's outcome fixation.

“I gather they were not overly welcome but got everything done and we should now have a good idea of exactly which birds are relevant... I'm seeing PC Graham Bilton next Wednesday to clarify what we have re potential registration/COTES offences and what needs to be done... If you receive your Inspectors report before next Wednesday then I would be grateful if you could forward/fax a copy... One thing Graham Bilton mentioned to me... was information of the computer about hacking and possible loss of falcons (I don't know species at this stage). If these are peregrines then that's one thing, if they are non-native or hybrids that may be a different issue... I know the Germans have had concerns re escaped hybrids getting into wild populations.”³⁰⁸

A review of the day by Andy McWilliam of the National Wildlife Crime Unit was more mundane, with him choosing to use the word “discrepancies” rather than “offences”. He asked Britton to help clear some of them up, as the case against Robb was effectively closed.³⁰⁹

“Is this it do you know,” Britton asked. “I have been doing other ‘odd ‘n’ sods’ for Guy Shorrock.”³¹⁰

“I am sorry that you are being put upon from two fronts,” said McWilliam, “I wasn't aware that NYP has asked Guy to do anything further. There is a problem here about who is leading this job, but that will come out in the wash. I feel sorry for Graham Bilton who was involved in the job then taken off it and put back on it last week to try and clear up what has become a big mess.”³¹¹

12: The Shorrock sham redemption



SHORROCK WITH THE POLICE WAITING TO ENTER MARSHALL'S PROPERTY

Chris Marshall was chairman of the Jourdain Society when his house in Andover was raided by the police and Guy Shorrock on 19 January 2005. Shorrock boasted in his statement to Hampshire Constabulary (now Hampshire & Isle of Wight Constabulary) that he had been involved in the execution of more than 100 search warrants since joining the RSPB.³¹²

Marshall's home was one of three locations in simultaneous operations, the others being the houses of Turner Waddell, also in Hampshire, and Cameron Hannah in Cheshire. Waddell was editor of the Jourdain Society Bulletin, and Hannah was another member of the organisation, which is made up of egg curation enthusiasts.

Before the raids, Shorrock emailed Hampshire and Cheshire police with “background information for the warrant application”, outlining the 2004 amendment to the Wildlife and Countryside Act 1981, which had criminalised certain egg collections that were previously legal. The discreet law change was an opportunity for Shorrock to try to catch anyone he suspected might have been breaking the new rule without knowing it. He admitted this after the Operation Sea Hare raids (see chapter 10).

“Members of the Jourdain Society are specifically interested in the nests, eggs and breeding behaviour of wild birds,” wrote Shorrock in his statement. “It is no secret that several current and former members of this society are convicted egg collectors and several, including the other two individuals subject of this enquiry, are suspected to be involved in the illegal taking of eggs.”

Video from Marshall's house begins with the police cameraman explaining what is happening: four officers and “a gentleman from the RSPCB (sic)” are about to execute a search warrant. The camera cuts to a shot of them milling around outside waiting for a woman inside to let them in, as Marshall isn't there.

Once inside, they are confronted by the locked door to Marshall's office to which the woman does not have a key: “We're just going to force an entry which has been authorised by the local inspector,” says the cameraman. An officer tries to kick open the door but fails.

SUMMARY:
When Guy Shorrock helped police break into Chris Marshall's office, he wasn't on the warrant. Marshall demanded the RSPB investigator pay for the broken door and when he refused, threatened to send bailiffs to RSPB headquarters.

Have you got a screwdriver? Try to take the lock off.

- Guy Shorrock, RSPB

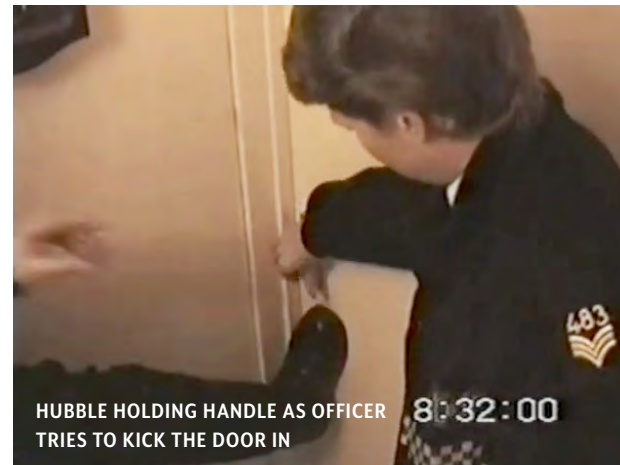
Shorrock makes a suggestion: "Have you got a screwdriver? Try to take the lock off... If we unscrew the plate, we might be able to turn the key."³¹³ An officer removes the door handle, allowing Shorrock to fiddle with the keyhole for about 40 seconds, but he can't unlock the door, which is then kicked in by the officer.

Marshall arrives as the team are rifling through his stuff in the office. He confronts the officer in charge, Sergeant Louise Hubble.

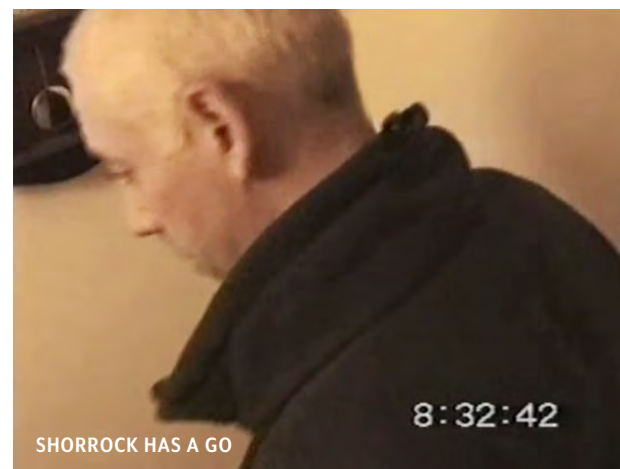
"Do you realise that you'll be charged for that?" he tells her, referring to the broken door. "You've entered business premises without a correct warrant."³¹⁴

"I think you'll find the warrant is correct, sir," Hubble insists.

Marshall inspects the document and notices Shorrock's name is missing, so demands he leave several times.³¹⁵ The officers object, claiming Shorrock's expertise is required: "He's telling us what we need in relation to this investigation," says officer Claire Chandler, then tells Marshall to "take it down a notch".



HUBBLE HOLDING HANDLE AS OFFICER TRIES TO KICK THE DOOR IN 8:32:00



SHORROCK HAS A GO 8:32:42



SHORROCK ON TAPE FOR ABOUT 40 SECONDS FIDDLING WITH THE LOCK 8:34:04

Shorrock's statement contradicts the video. He says Marshall "did not ask me to leave or stop what I was doing". Marshall and Shorrock have a brief conversation about the Jourdain Society, which ends with Shorrock saying: "Just because you're a member of the Jourdain Society, doesn't mean you're an egg collector," contradicting his own justification for the raid.

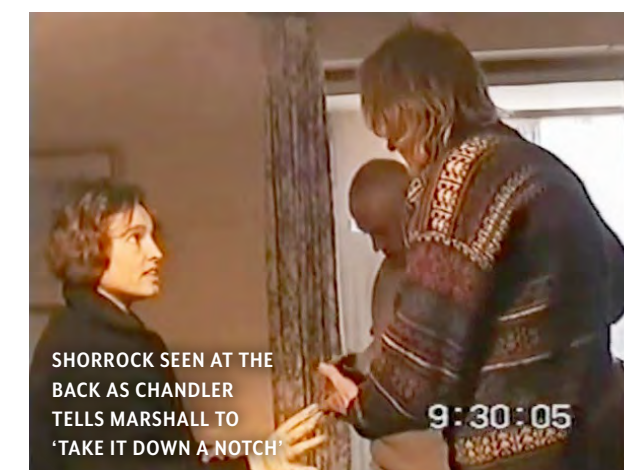
"I said to Hubble, 'What are you doing here? There's nothing here. I don't even live here. Why have you let him in? Why aren't you out catching muggers?'" says Marshall.³¹⁶ "And she said, 'We are [catching muggers] here.' And that was in an official complaint to Hampshire police. Hubble was humiliated, she came across as very inexperienced, rather immature and I could see she was nervous because she knew Shorrock shouldn't be there. She was dragged over the carpet pretty badly over that, although she lied while



AN OFFICER SEARCHING MARSHALL'S OFFICE 9:34:01



MARSHALL WITH WARRANT IN HAND CONFRONTING HUBBLE ABOUT WHO IS NAMED 9:29:11



SHORROCK SEEN AT THE BACK AS CHANDLER TELLS MARSHALL TO 'TAKE IT DOWN A NOTCH' 9:30:05

being questioned under caution saying she was only led to believe Shorrock was not included on the warrant."

On 31 March 2005, Turner Waddell sent a complaint letter to Hampshire Constabulary, accusing the officers in charge of the raids on their houses of lying to get their warrants after "no doubt being primed with false information by the RSPB". "We were... raided on the pretext of having illegally taken European birds' eggs and owning egg collecting paraphernalia. NOTHING WAS FOUND," he wrote.³¹⁷

The egg collection Waddell suspects they were looking for at his house "had been donated to Oxford County Museums" three years earlier, after which it "was immediately visited and checked by the RSPB". He told the police, yet they still "spent the next four hours searching". In another letter, he demanded the return of a "small collection of stuffed birds" that were only taken, he says, because the officers couldn't find anything else and were trying not to look like they'd wasted their time.³¹⁸

In a letter to the court in Andover, Waddell pointed out that "in Marshall's case... PC Hubble... conspired to let a member of the public not named on the warrant to actually carry out a search of the property".³¹⁹

Hubble responded to the criticism by insisting Shorrock's name not being on the warrant may have been a mistake by the magistrate or their clerk when typing it out.³²⁰ In her statement to the police, magistrate's clerk Jennifer Agboke is said to have denied Hubble asked for Shorrock to be included on the warrant. A few months later, in October 2005, Hubble was named 'wildlife law enforcer of the year' by the World Wide Fund for Nature (WWF).

[Shorrock] is soon to be prosecuted for trespass and burglary

- Turner Waddell, Jourdain Society

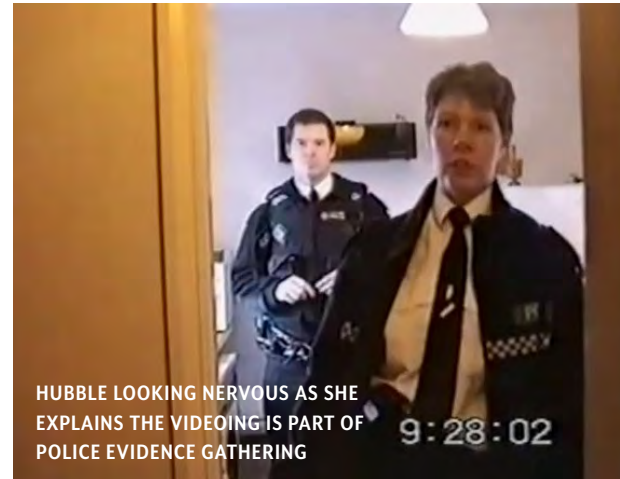
Waddell wrote to Crown Prosecution Services on 1 May 2006, claiming Shorrock "is soon to be prosecuted for trespass and burglary". "I understand Hubble has been disciplined and Shorrock has admitted the offence," he wrote.³²¹

That year, Marshall took Hampshire police to court: "Initially trying to get them to pay for a new door. They then sent me a video of the proceedings, [which] was only very short [because] the rest had been erased [due to] technical difficulties. I mean... the police filmed Shorrock breaking into my property then sent me a copy of the video. How stupid is that?"³²²

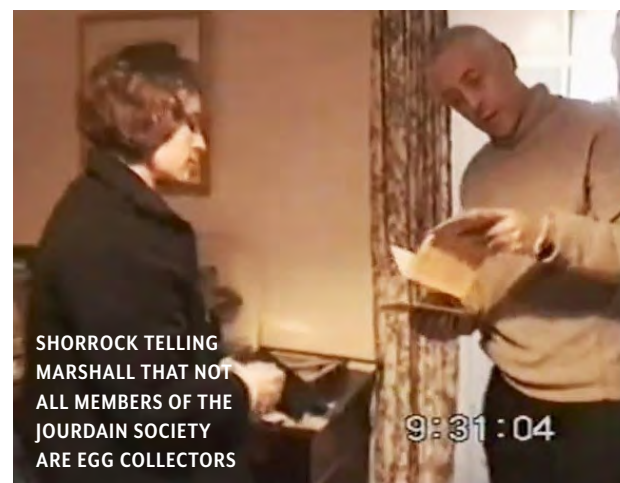
The district judge told Marshall to seek compensation from Shorrock for the door's repair.

Among the possessions returned to Marshall were a number of maps that weren't his. These had been added to the property bag while in Shorrock's possession. Marshall firmly believed that Hubble was party to planting incriminating evidence. This is based on the statement of police property clerk Sandra Valentine, who noted "confusion because the two records didn't match" and irregular movement of evidence in and out of Andover Police Station by Shorrock.³²³

"Hubble... let Shorrock take it without it being checked in as seized property," says Marshall. "I wouldn't accept it, as a large amount of extra maps were added. The police had an enquiry about it after they tried to fob me off, saying it was miscounted. They... wouldn't let me check on the day Shorrock seized it. He bagged it all up when he shouldn't have set foot on the premises. It didn't match the log at the



HUBBLE LOOKING NERVOUS AS SHE EXPLAINS THE VIDEOING IS PART OF POLICE EVIDENCE GATHERING



SHORROCK TELLING MARSHALL THAT NOT ALL MEMBERS OF THE JOURDAIN SOCIETY ARE EGG COLLECTORS

Mystery of the missing maps

Mick Leybourne, retired wildlife crime officer

"There was a lad in Ashington, which is on our patch, and they did a warrant at his house, and they took two van loads of stuff. It was stuffed birds, it was birds' eggs, like gulls' eggs from Australia. Over the years when he was younger, like a lot of people, he'd been a collector... but now he's a photographer."³²⁴

"They turned his house over and then when my predecessor left the job, I got the job of overseeing the property. I was going through the property.

He had a road sign, so that was kept off him, but he got everything else back. He says, 'What about me Ordnance Survey maps?' I said I don't know anything about that. So, I got in touch with my predecessor. He said as far as he was aware they didn't seize any maps. On the property system in the computer, there's no maps.

"I said to this lad, what are the maps all about? And he says, 'They were maps and they were ringed with nest sites,' He was told to sit downstairs but he says, the only person who was up in the loft area above the bedroom, which were where he keeps all his gear, was Guy Shorrock. So, he says, they were definitely there and were definitely put to one side to be taken and now they've gone.

"I rung Guy Shorrock and I said, 'What's the situation with these maps?' He was like *cough*splutter* 'Which maps are they?' I says, did you search the attic area? 'Well, I was one of them.' So, you would have seen these or somebody would have, you're talking about quite a big box. 'No, I never saw that.'

"The cop I took over from, he was as straight as the day is long and if he said we didn't take them, I would believe him. And this lad was on his hind legs: 'He's got my bloody maps.' It was getting to the point where there was going to be a formal complaint. [Shorrock] was an ex-cop, and he would know the implications with regards to lost property."

Video of the attic from around the time of the raid shows a cabinet packed with OS maps. On 17 November 2010, Northumbria Police wrote to the owner, confirming the maps were not seized by police: "I have also queried whether any officer of the RSPB holds any of the documentation or photographs and have been informed that they do not."

police station. That's when they realised the maps were added. I assume another warrant was going to be applied for. Hubble intimated this in a letter, when she said no action was to be taken unless further evidence was found."³²⁴

Shorrock had also "marked these maps up with rare bird nesting sites". "The police have admitted that after they inspected the maps. Hampshire Constabulary paid me £80 to buy some new maps."³²⁵

In March 2008, Marshall wrote to Hubble with a list of complaints that amounted to the continued persecution of him and the other Jourdain Society members raided.³²⁶

The number plate of one of his employees had been mysteriously entered into the police register to be stopped and searched. "This now happens frequently," Marshall wrote, "so much so that tape recordings are made each time the vehicle is stopped." The car was added to the database by police in Tayside, somewhere neither Marshall nor anyone from his company had ever been.³²⁷

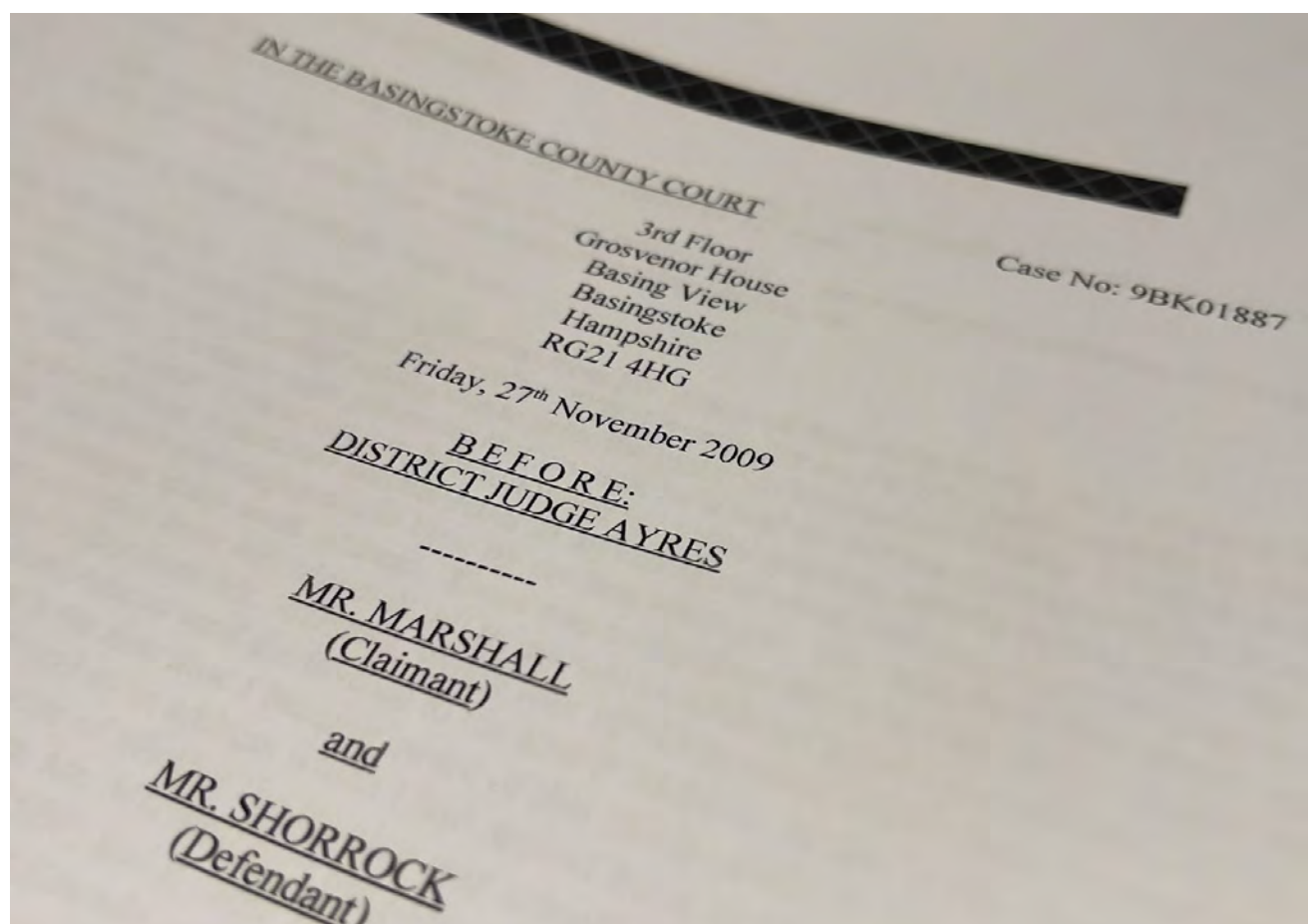
Marshall accused Hubble or Shorrock of tipping off some investigative journalists who were pestering him about illegally collecting birds' eggs. He insisted the plan failed, as they were more interested in his story about how the police allowed a member of the public to try to break down the door to his office, which was effectively burglary.³²⁸

He asked why Hampshire police tried to set up Waddell for owning an antique stuffed kestrel that was killed by a car, an item from the 'small collection' officers confiscated in their face-saving retreat. "The CPS instructed you to drop the charges," wrote Marshall, "but Mr Shorrock in his perverse audacity... attempted to persuade the police to retain the bird under the Police Property Act."³²⁹

In September 2008, Marshall sent Shorrock an invoice for £75 (£88.13 including VAT). A duplicate was sent on 3 October.³³⁰ Shorrock questioned why he had to pay it when the police did the damage.³³¹ In November 2009, Marshall took Shorrock to court. Originally set for Basingstoke, Shorrock got it moved to Bedford, which concerned Marshall as it was effectively RSPB's turf, and raised the possibility that Shorrock might know the judge.³³²

"I was in the waiting room prior to be called in when Shorrock's solicitor came in and started harassing me, saying, 'Look, we want to settle this out of court.' I said, 'No.' And she said, 'It's ridiculous, we're not going to pay anything.' So I started to raise my voice, which made the court usher come in and say, 'What's going on' I said, 'The defendant's solicitor is harassing me.' So they immediately escorted her out of the room."³³³

"We got into the courtroom and Shorrock proceeded to lay all this paperwork out in front of him, stacks of A4 sheets.



THE CASE WAS ORIGINALLY SCHEDULED FOR BASINGSTOKE, BUT SHORROCK HAD IT MOVED TO BEDFORD

Then the judge came in and said, 'Which one of you two is Mr Shorrock?' So I thought, good, he doesn't know him. Shorrock said, 'It's me, I'm RSPB...' The judge said, 'I don't care who you are. Put all that paperwork away because you haven't got a chance of winning this case.'³³⁴

District Judge Ayres took a dim view of Shorrock. The main issue was his unauthorised presence at the raid: "Mr Shorrock, you were not a serving police officer, nor were you named on the search warrant for Mr Marshall's address." It was a "fundamental" mistake, said the judge.³³⁵

Previously, Shorrock had dismissed it as a "minor clerical error", claiming Hubble assured him authority had been granted.³³⁶ In court, he was forced to admit he was wrong and Marshall could rightly sue him for trespass. The judge concluded that Shorrock was liable for the door as "damage was inevitably occasioned".³³⁷ Shorrock's statement had only admitted there was "minor damage" and he was helping "dismantle the front of the lock".³³⁸

In court, his story changed. "I don't believe any damage to that lock was actually caused by myself," he told Ayres, insisting he was "assisting the police to try and prevent damage" by pushing the key out. "I believe there's a police

search video, which I'm still trying to get hold of," Shorrock claimed. "I believe that would show that there was no damage caused by myself."³³⁹

Marshall produced the clip of Shorrock "with a large screwdriver in his hand... audibly trying to graunch the lock open".^{340,341} His 2005 statement did not mention the video, but when confronted, he admitted he saw it "three, four years ago".³⁴²

"Judge Ayres said, 'You lied to me in court... saying you don't remember anything about it and all of a sudden, now you do remember.'" recalls Marshall. "He gave him a dressing down. Then he awarded me the expenses travelling from Bordeaux and overnight accommodation in a hotel and then going back to Bordeaux."³⁴³

So then I got a warrant of execution to send the bailiffs to the RSPB
- Chris Marshall

Wrapping up the proceedings, Ayres said Shorrock's conduct was "totally and utterly unreasonable" and warned

that his "chances of succeeding" were "very slim". He advised Shorrock to pay up, as it would be an "open and shut case".³⁴⁴

"Shorrock refused to pay the expenses awarded," says Marshall. "So I got a warrant of execution to send the bailiffs to the RSPB." This led to a second court hearing in February 2010, also in Bedford, where Shorrock "enlisted the big guns, Pinsent Masons", says Marshall. "The judge said to Shorrock 'You haven't paid him... you're totally in the wrong. You shouldn't have been in his house. You must reimburse Mr Marshall now and if you don't, I'll just give him whatever expenses he wants.'³⁴⁵

"In the end, he did, but he instructed his barrister to pay so that he wouldn't be shown to pay me personally."³⁴⁶

Despite her pivotal role in the fiasco, Hubble went on to receive an OBE in 2017 for "policing services provided to the rural communities of Hampshire and the Isle of Wight",³⁴⁷ before becoming the head of the National Wildlife Crime Unit (NWCU) a year later. While at the

NWCU, she was championed by Raptor Persecution UK (RPUK) blogger Ruth Tingay.

In January 2020, Hubble and Tingay sparked controversy by miming an x-rated rap in a video³⁴⁸ to celebrate the work of police superintendent Nick Lyall, chairman of the NWCU's Raptor Persecution Priority Delivery Group (RPPDG) at the time and another WWF award winner for his efforts fighting wildlife crime.

Hubble resigned from the NWCU in October that year. A couple of months later, Lyall was forced to quit the RPPDG and Bedfordshire Police after "repeatedly lying to senior officers about a relationship with a colleague" he had been 'sexting' on his work phone, according to the BBC.³⁴⁹

In RPUK's coverage of the misconduct hearing, Tingay praised Lyall for his "hard work and commitment" to tackling raptor crime.³⁵⁰ After initially defending her video tribute as a "light hearted spoof",³⁵¹ she deleted it from her blog and YouTube.

BY SPECIAL DELIVERY

FAO Mr Marshall
Marshall Earthmoving
PO Box 1823
Andover
Hampshire
SP11 7ZN

Our Ref 20\23054149.1\LM06\640194.07002

DDI 0161 25 030

E ■ ■ ■ ■ ■ @pinsentmasons.com

11 February 2010

Dear Sirs

COURT REFERENCE: 9BK01887

Further to the Court's Judgment dated 8 February 2010 (a copy of which is enclosed) we enclose a cheque in satisfaction in the sum of £715.37 payable to Marshall Earthmoving as directed by the Court.

Please acknowledge receipt.

Yours faithfully

Pinsent Masons LLP

Enclosure(s): Judgment
Cheque in the sum of £715.37

Copied to: Bedford County Court



13: Pirates of Coquet Island

SUMMARY:
RSPB sidelines its declared mission to protect birds in favour of irrelevant diversity policies, sparking a chain of events that threatens the future of species on one the charity's cherished reserves.

PAUL MORRISON (STANDING) DURING THE PUFFIN CENSUS IN 2018



Coquet Island off the coast of Northumberland has been hailed as one of the RSPB's most successful reserves. In 2015, former conservation director Martin Harper described it as a "glorious place full of glorious seabirds". "Our warden, Paul Morrison, has led our conservation efforts for a quarter of a century," he wrote on his blog. "He and his team have a lot to be proud about: Coquet is now home to a record-breaking 100 pairs of roseate terns alongside 35,000 other nesting seabirds."³⁵³

Since then, a decline set in that the bird charity tried to blame on the same man Harper recognised as pivotal to Coquet's conservation triumphs. As one of the RSPB's longest-serving employees ever, Morrison devoted most of his life to caring for the island's birdlife and the teams of people with diverse skills he recruited. Together they turned the reserve into a true sanctuary for seabirds.

In a bid to boost its image with fashionable policy, the charity sacrificed these accomplishments and set off a chain of events that have led to gross mismanagement, abuse of power and wildlife crimes. At stake is the fate of a seabird colony, leading many to question whether there is any truth behind the RSPB's statements and goals.

DECEPTION AND PERSECUTION

The turning point came when Syrian student Ibrahim Alfarwi levelled a series of unsubstantiated claims against

Morrison, who quickly showed none of them was true.³⁵⁴ Instead of standing by an employee who consistently got good results throughout nearly four decades of dedicated service, the RSPB switched allegiance to a newcomer who had in a short time proven himself untrustworthy and a troublemaker who broke rules and was too idle to carry out basic tasks.

Alfarwi began working at Coquet in 2016. He failed his first PhD, but was given a second chance with the help of Newcastle University Professor Chris Redfern and Morrison, who recruited him as deputy warden of Coquet Island reserve.

By the end of 2021, Alfarwi had graduated and been awarded refugee/settlement status. He began a campaign to overthrow Morrison and was regularly and openly challenging his authority.

September 2022 saw him launch a series of ludicrous accusations against Morrison, claiming he was treating staff like slaves, denying Alfarwi's requests for days off, failing to follow PPE rules, drinking on the job and working 'illegal hours' by volunteering on days off.³⁵⁵

Until that point, Morrison had a spotless record, yet the RSPB took Alfarwi's claims seriously. The disciplinary process against Morrison dragged on for

weeks, including suspension, investigations, interrogations and ultimately an unlawful sacking.

After Morrison left, several long-term volunteers quit in protest.³⁵⁶ Attempts by senior staff, notably northern England chief David Morris, to cover up Alfarwi's loose cannon behaviour led to Advisory, Conciliation and Arbitration Service (ACAS) certified support to proceed to an employment tribunal. Morrison prepared his case to address Alfarwi's claims one by one:

- Alfarwi claimed Morrison forced him to work solo on the island from 28 March to 11 April 2021, meaning he would have missed his graduation ceremony at Newcastle University. Only Morrison had a photo of himself, Alfarwi and Redfern at the ceremony on 30 March. Another photo from 11 April showed the extra ceremony held on Coquet Island with RSPB staff.
- Alfarwi's claim about Morrison drinking on the job was based on a champagne toast at the Coquet graduation ceremony. It was pointed out nobody was working at the time, as it was 5pm on a Sunday.
- Alfarwi claimed Morrison wasn't sticking to PPE rules during a bird flu outbreak, but records showed otherwise. There was also a leaked video of Alfarwi himself ignoring protocol by killing a great skua with his foot without wearing protective clothing.

When the RSPB received the grounds for complaint, it was desperate to settle. Just how high up the conspiracy against Morrison went was exposed when he asked CEO Beccy Speight to be a witness to his PPE compliance. She claimed she couldn't remember, despite posting on social media while on the island about the protective gear she had to wear.³⁵⁷



DAVID MORRIS IN THE KITCHEN AT RSPB OFFICES ON COQUET ISLAND



The tribunal labelled Morrison a victim of unjust diversity policies, which cost the RSPB dearly in financial and reputational terms. The release of the video of Alfarwi killing a skua also generated negative media coverage. Angry RSPB members vowed to cancel subscriptions and end donations when reacting to both revelations.³⁵⁸ Speight personally wrote to a long-time member appealing to them to reconsider cancelling their membership.³⁵⁹

After the charity admitted Morrison was unfairly dismissed and agreed to pay him “substantial compensation”, RSPB chief operations officer James Robinson defended the charity’s scheming and discriminatory policies and labelled criticism of Alfarwi “vile racist commentary”.³⁶⁰

Despite causing years of turmoil on the reserve, Alfarwi remains employed by the RSPB, though his location and position are confidential to minimise backlash because of his actions.

BOATS AND BIRD CRIMES

Morrison’s replacement was Stephen Westerberg, former head of Geltsdale in Cumbria, where bird populations declined so much under RSPB management that Natural England removed species from the list of those known to breed there.

In April 2025, *The Guardian* wrote an article about the Coquet Island reserve buying a flashy new boat.³⁶¹ In it, Westerberg complained that the old boat could only operate at high tide because “there is no safe mooring point or harbour at low tide”. The article said it was “making life for the wardens... a little complicated”.

RSPB area manager David Morris told the newspaper the team struggled for years to find an alternative. He is credited with coming up with the solution after seeing Bear Grylls drive the same brand of rigid inflatable boat (RIB) on television. He insisted it was “the answer to all our issues”, as the wheels allow it to drive right up onto the beach.

However, since the charity bought the RIB in early 2025, workers have been driving it up onto the beach, startling birds each time, with hundreds ‘lifting’ as it approaches.³⁶²

This was happening throughout nesting season. The charity has published many videos highlighting the importance of Coquet’s beach for settling, preening, courting and mating.



The law is clear when it comes to disturbing schedule 1 birds:
“For these bird species it’s... an offence to do the following, either intentionally or by not taking enough care:
• *disturb them while they’re nesting, building a nest, in or near a nest that contains their young*
• *disturb their dependent young.*
*You could get an unlimited fine and up to 6 months in prison for each offence if you’re found guilty.”*³⁶³

Previous cases of relatively minor bird disturbances have seen people fined and more, with RSPB demanding the perpetrators receive the maximum penalty allowed by law.

In July 2012, Amble residents Derwick and Leslie Ramsey took their kids to Coquet, unaware roseate terns were nesting at the time. Cameras apparently showed terns fleeing their nest boxes as the men walked around picking up shellfish on the same beach the RIB parks. They were found guilty under the Wildlife and Countryside Act 1981 of recklessly disturbing schedule 1 nesting birds, fined, forced to wear electronic tags and obey a curfew.³⁶⁴

“Any disturbance to the colony could... have a disastrous effect on the population,” said RSPB investigator Alan Firth at the time. “This reckless disturbance... threatened to undermine all of the conservation efforts to protect this species.”³⁶⁵

After the incident, signs were put up on the beach by the RSPB warning cocklers, kayakers and other passers-by about the consequences of “disturbing wildlife”. “The golden rule should be ‘If the birds lift then you are too close’ and move back immediately,” says one of the warnings. “This is particularly important if schedule 1 nesting birds are present as the penalties are very high.”

The island is subject to a sanctuary order, which is specific legal protection because it offers refuge against disturbance all year.³⁶⁶ That is what makes Coquet so important for the conservation of these birds, which return year in, year out. The new boat disturbances are avoidable and the result of the management ‘not taking enough care’. RSPB would need exceptional permission from Natural England to break the law so brazenly on what is also a Site of Special Scientific

BELOW: THE RSPB’S LAST PERFORMANCE REVIEW OF MORRISON PROVES HIS LOYALTY, HARD WORK AND MANAGEMENT SKILLS THAT GOT RESULTS

Line Manager end of year review summary and comments			
An exceptional year for Paul achieving one of the best years on record for Coquet following the teams slog and dedication. Engaging the wider area 12 team with Paul this year has opened up new friends and opportunities for all concerned. A real one team working in 2021.			
Mid-year comments	Full year evidence		
Paul has driven the team to deliver the best breeding seasons in the history of the island despite the challenges of a global pandemic and a shortage of volunteers. Paul has delivered support and advice to NT for its troubling management of the Farnes. Paul continues to build the relationship with [REDACTED]. Paul has taken on the role of Roseate tern ambassador – he should follow this up via sabbatical.	Paul and team have had an incredible year. The team and Paul are utterly dedicated to the cause and have achieved great success this year. Paul's eye for the unusual and a coms opportunity are never missed and this both brings in good PR for RSPB alongside funding opportunities and doors opening. Paul continues to battle Adventure Northumberland who seek to undermine our work and frustrate us and others locally.		
Performance objective	Mid-year comments	Full year evidence	Full year assessment
Establishing the reserve operation for the 2021 season – recruitment of the warden staff and get the reserve operation underway mindful of the challenges of Covid to minimise its impact on Coquet.	New warden team recruited and installed on the island. Pre-season work setup was a challenge without residential volunteers which lent heavily on the small team. A brilliant season has happened with record numbers of Roseate Tern and other key species, especially when compared to the Farnes failure.	Coquet island has had its best breeding season ever despite the challenges of Covid and all that brought with it around reduced volunteer capacity. Paul, [REDACTED] and team have utterly grafted to make it the success its been.	Please choose a descriptor from the drop-down menu Exceptional

LEFT: THE BEACH GETS BUSY DURING NESTING SEASON



THE RIB PARKED ON THE VITAL BEACH

Interest (SSSI) and a Special Protection Area (SPA).

When contacted, Natural England dismissed the idea that forcing birds off the beach during nesting season was a serious issue. Senior marine officer Catherine Scott wrote:

"We have discussed the matters of disturbance with the RSPB, and are satisfied that there are no enforcement issues related to impacts on special features of the designated sites."³⁶⁷

If the Ramseys landed on the island tomorrow, it's unlikely Scott would have the same opinion.

These issues should have been considered before the purchase of the boat, because they were already known. A smaller amphibious RIB was tested by Morrison around 2010 to see whether it was practical. The idea was scrapped as he predicted all the problems RSPB is now having: too many birds are disturbed and there are too many rocks during low tides.

RSPB's Coquet Island reserve has a reputation for being a carefully-guarded habitat, yet recent events paint a picture of a charity in chaos. This includes the persecution of a loyal employee – led by senior management – and the deliberate disturbance of rare seabirds just to make life 'less complicated' for the staff whose job it is to protect them.

HOUSES, NOT HABITAT: THE CIRL BUNTING EVICTION

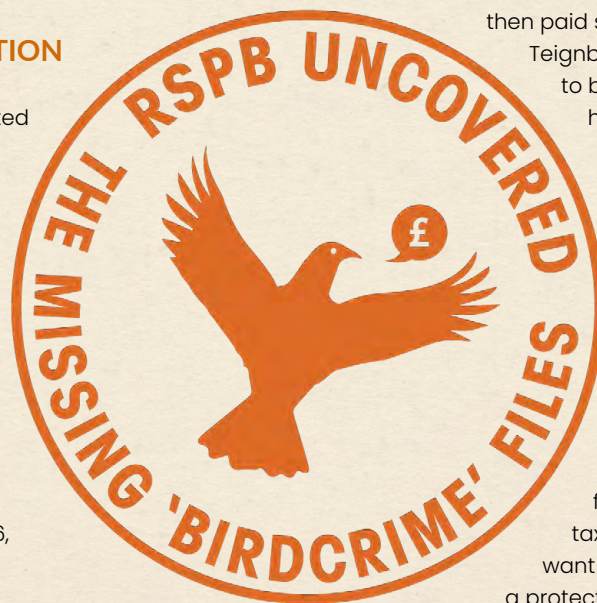
Cirl buntings are critically protected in the UK, with their red list status and reputation as the rarest resident farmland bird. Once widespread, their numbers fell to just 120 pairs by 1989, surviving mostly in south Devon.

Conservation work, funded with public money, has since boosted the population by an "amazing increase of more than 800%", reaching 1,079 pairs in 2016, according to the RSPB.³⁶⁸

However, the species remains vulnerable. Its restricted range and specific habitat needs limit expansion, and the RSPB has warned that "25% of the population is threatened directly or indirectly by development".³⁶⁹

Despite this, the RSPB sold prime cirl bunting habitat to Barratt Homes for housing.

To offset "the loss of cirl hunting habitat", it borrowed £500,000 in 2019 to buy 37 hectares of land at Ash Hill, which was promoted as a replacement habitat. Barratt



then paid section 106 payments to Teignbridge Council for permission to build on the cirl bunting habitat. A portion of this money – around £650,000 – was passed to the RSPB and used to repay its bank loan.³⁷⁰ In approving the development, the council openly acknowledged it was authorising the destruction of the bird habitat.³⁷¹

The RSPB is effectively getting free land and money from taxpayers because developers want to build on the habitat of a protected bird. "These are the first steps in an exciting and progressive way of using debt finance to fund major investment programmes," said the RSPB's 2020 financial report.³⁷²

In late 2020, locals noted that Ash Hill had no signs that it was RSPB land and was mostly cattle pasture that had been treated with weed killer. It was not visibly being managed for cirl buntings.³⁷³

These actions and financial arrangements give the impression that the RSPB benefits when developers compromise the critical habitat of a protected bird.

14: The pith and the pendulum

"You trespass on the estate for around six years, you conduct surveillance, you find and handle evidence, you then 'assist' on the warrant and actually direct officers to evidence. RSPB then interviews suspects and wants to direct the CPS as to who and what they get charged with," complained National Wildlife Crime Unit (NWCUC) head Nevin Hunter in an email to the RSPB,³⁷⁴ listing problems with the charity's investigators in wildlife crime cases, specifically those involving gamekeepers.

"It appears that you wanted to give 'expert and impartial' evidence about the contents of text messages between gamekeepers. Irrespective of what you think, that evidence could only be your interpretation. How could that possibly be impartial or even expert?"

Hunter sent that to Guy Shorrock on 18 June 2014 – his last day on the job. The tactics could also apply to Mark Thomas.

On 2 October 2024, cameras and microphones hidden by the RSPB on a grouse moor caught gamekeepers apparently talking about, then killing, a bird of prey.³⁷⁵ The case shows that a decade after Hunter left the NWCUC, his efforts to create a standard operating procedure for dealing with NGOs – mainly the RSPB – achieved little. The charity is still calling the shots and keeping the police in the dark.

The footage was rushed to *Channel 4 News* before the police or NWCUC knew it existed. The RSPB reported it nearly three weeks after the incident when journalist Alex Thomson's biased piece about "rural organised crime" had been edited and was scheduled for broadcast.

Getting the recording and showing it on television was a publicity stunt for the RSPB's latest birdcrime report, which was released the day after *Channel 4* ran the story.

SUMMARY:

In spite of former NWCUC head Nevin Hunter's efforts to prise RSPB's grip off investigations, the charity continues to avoid procedures and keep police in the dark. At the same time, the NWCUC is developing new surveillance techniques with the charity and adopting some of its controversial tactics.

The cameras were planted to try to film a crime being committed and were nothing to do with protecting birds from harm. They didn't capture anything illegal, but enough circumstantial evidence for the charity to argue that pumping out decades of anti-gamekeeper propaganda was justified.



MARK THOMAS (SECOND FROM LEFT) LEAVING COURT AFTER A HEARING IN THE HIDDEN CAMERA CASE ON 9 SEPTEMBER 2025. PHOTO: BEN TARVIE

Hunter and others warned about the RSPB's publicity tactics in email conversations 10 years earlier (chapter 2: *Police vs RSPB*), that producing evidence in front of potentially millions of people might jeopardise cases before they get to court. But as Thomas has made clear (in chapter 7: *Hen harrier daze*): "It's about people power... It doesn't matter about the gamekeeper we catch and is convicted... It's irrelevant. It's about the stats."

Very few people, besides Ruth Tingay of Raptor Persecution UK (RPUK) blog and her supporters, will bother following the court case. Many viewers of the *Channel 4 News* report will have made up their minds and believed

Thomas when he tells Thomson: "People who said that hen harriers were not being killed, they were not being shot and gamekeepers were not the ones responsible for those deaths – this totally disproves that. The game is up."

The RSPB is allowed to bend the rules when it comes to using hidden video in court cases, producing evidence and leading investigations because it's regarded as a 'trusted organisation', a status that demands a review based on the cases spanning three decades that are presented in this dossier. Investigations contained here that involve Thomas prove he is not a reliable source of information and statements he makes to the press can be baseless, yet there are few repercussions to anything he says.

In the case against Glenn Brown (chapter 5: *The case that never was*), the RSPB produces no evidence he is guilty of

anything. Thomas insists footage from hidden cameras and RSPB fieldworkers proves Brown was illegally using a trap to catch birds of prey. In more than 30 minutes of video, the gamekeeper appears on camera for 10 seconds. The rest is of Thomas and his fieldworkers prancing around an abandoned trap they have chosen to be the focus of their investigation. The only evidence of humans harming birds is when fieldworker James Leonard snips out bits of a pigeon's wings on camera.

For people who say the RSPB manufactures evidence and sets people up, the charity's own video of the raid on Brown's home appears to prove it. Thomas can be heard telling Leonard someone is "covering his statement" before Shorrock whistles, alerting them to an approaching policeman. Why would anyone need to cover gaps in their statement unless they were up to no good? The whistle reinforces this suspicion. What is seen and heard in those few seconds of video is more conclusive than anything the RSPB produced in the other 30-plus minutes or in court.

Leonard went on to work at RSPB Scotland. While there, he was photographed hosting a day out in the countryside for several people, including toddlers, who were allowed to pet osprey chicks. Before leaving for the NWCU, Leonard was on the list of people to contact to report suspected raptor persecution incidents, with "confidentiality assured" – part of an apparent move by the charity to bypass the police in criminal cases involving birds of prey.

High-profile joint campaigns between the police and the charity have been rolled out to raise awareness of raptor crime, such as Operation Owl in 2018. Thomas and current head of NWCU Kevin Lacks-Kelly, while still at North Yorkshire Police, promoted the launch. At the same time, the charity launched a 'Raptor Crime Hotline'.³⁷⁶ something the police, who already had a well-established 'hotline', didn't appear to know about.

The RSPB "would like to see much more acceptance" from the shooting community that some of its members were

involved in "the illegal killing of birds of prey", demanded the hotline's press release.

"Calls are not recorded," claimed Shorrock. "We would like to see shooting organisations showing their support by including the hotline on their websites and encouraging their members to come forward with information regarding crimes against birds of prey in the UK."

"I always argue they didn't need to do that," says Hunter. "They should encourage people to report it to the police. There was CrimeStoppers... so there was absolutely no reason why RSPB couldn't direct people there."³⁷⁷

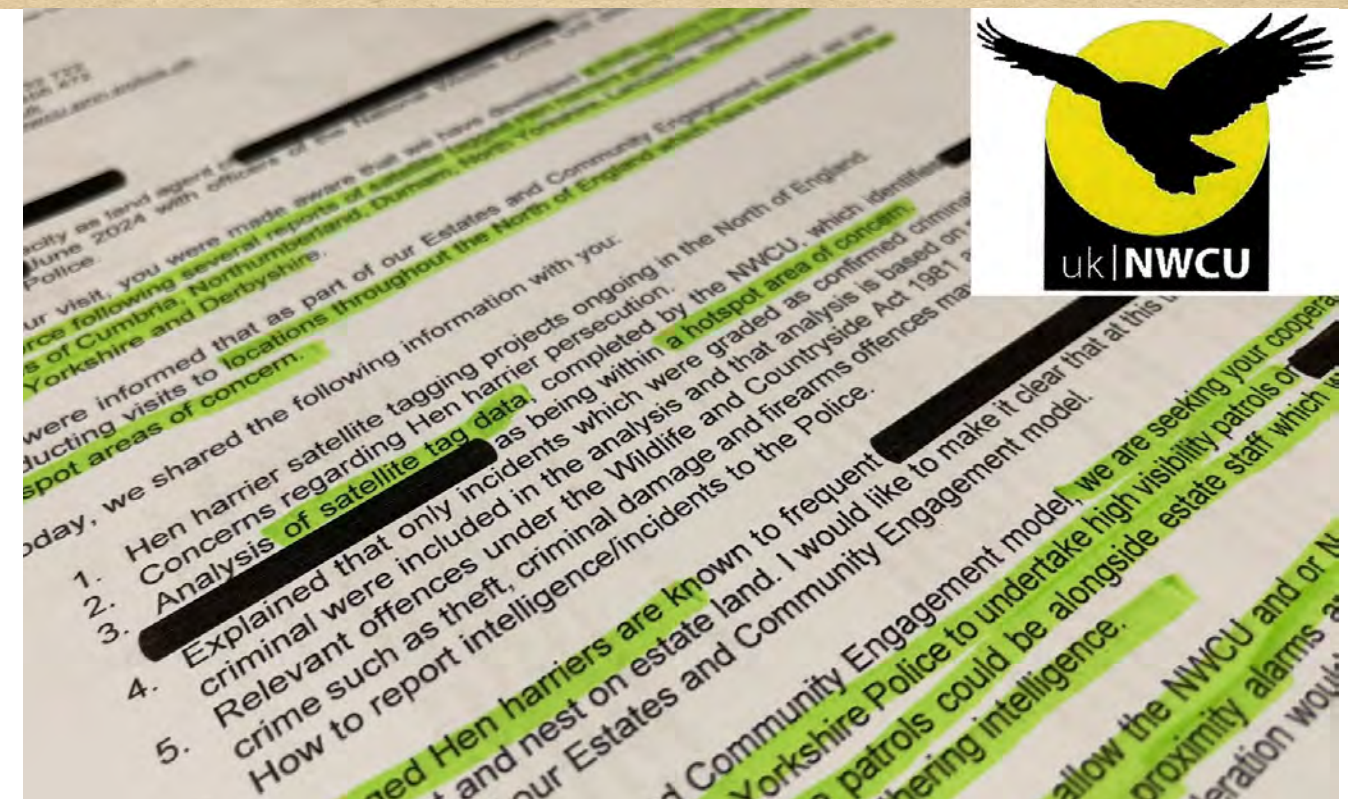
To some, the simultaneous launches suggested the RSPB was prepared to take the law into its own hands when it came to raptor crime. This was not unbelievable, based on the emails during Hunter's time at NWCU that are discussed in chapter 2. The hotline must have got under the skin of the police, as it was scrapped and references to it on RSPB web pages replaced with 999.

Hunter was criticised by the bird charity and RPUK's Tingay,³⁷⁸ who is also part of Wild Justice, for complaining privately about Shorrock's illegal and unprofessional behaviour. While Hunter got almost all the criticism, he was backed up by representatives from the National Source Working Group, Defra, Natural England, Cumbria police, Norfolk police, Police Scotland and the Animal Health and Veterinary Laboratories Agency (AHVLA, now called Animal and Plant Health Agency).

Support was widespread and when Hunter left the NWCU, he was optimistic the changes he'd set in motion, in terms of developing standard operating procedures, would lead to a more independent force, free from meddling by NGOs, meaning the RSPB.

"I firmly believed... the role of non-governmental organisations is not to tell the police who and how they should investigate," he says. "I do training for police officers all the time now [at the Angling Trust], but we don't go out and investigate and sit on the shoulder of a police officer saying you should do this, that and the other, which I think has been the issue that gamekeepers and others have had over the years about the role of the RSPB."³⁷⁹

Despite his optimism, the pendulum swung the other way, with the RSPB continuing to get away with avoiding procedures actual law enforcers must stick to. Shorrock ignored laws and procedure, earning himself a bad reputation among some constabularies.



That didn't stop him winning a lifetime achievement award at the 2021 Annual Wildlife Crime Enforcers Conference. Nine years earlier, he had angered attendees of the same event by badmouthing their colleagues and bragging about his rule-breaking.³⁸⁰

The trophy was handed to Shorrock by Kelly. By June 2024 the NWCU's strategy guide had, under Kelly, begun to look like something ripped from Shorrock's notebooks, judging by DI Mark Harrison's priorities for 2025.

National figures consistently put badger crime and poaching as the top threats, yet Harrison insisted "birds of prey and illegal wildlife trade will still be a priority for us", in an interview with Hen Harrier Action,³⁸¹ organisers of Hen Harrier Day. "These are areas where I want to start using more varied and covert tactics."

This included bird-tag-tracking drones that have been jointly developed by NWCU's James Leonard and the RSPB, adding another layer of the charity's control over evidence collecting.³⁸²

Harrison wrote to estate managers across England asking whether cops could accompany gamekeepers doing their duties because there were "several reports of satellite tagged hen harriers going missing" across a staggering eight counties.³⁸³

The request was regarded as harassment, with the added threat of NWCU officers "conducting visits to locations... identified as hotspot areas of concern" but no actual crimes or evidence of wrongdoing produced to justify the 'visits'. The letters may as well have been written by Shorrock and

Thomas, each one daring the other to push the envelope further.

Recipients were told it was all part of the NWCU's "estates and community engagement model" and could "assist in building relationships, trust and gathering intelligence", all of it based on RSPB's insistence that estates are hotbeds of organised raptor crime. The letters also asked for permission to plant cameras on the estates.

If the NWCU wanted to do that, it could easily, legally and without needing the estate's permission if it had the approval of a senior officer. So, why isn't it doing it?

The RSPB claims to have mountains of evidence that raptor crime is rife on shooting estates. Surely that 'fact' should be enough to convince any senior officer to approve surveillance operations, whether random or based on intelligence?

If senior police officers refuse to approve surveillance operations on shooting estates, can we assume the issue is not on the radar and RSPB is exaggerating its prevalence?

A significant portion (about 10%) of RSPB press releases are about raptor crime, which it blames on gamekeepers at shooting estates. How can any evidence collected by the RSPB then presented to police be the result of a fair and balanced investigation?

Have any safeguards been introduced to vet the information, considering members of the NWCU have in the past raised red flags about techniques the RSPB uses?

When the RSPB gave its covert recordings from the grouse moor to Channel 4 before the police, were there no concerns raised about jeopardising the investigation?

Kelly was sent those questions, but none of the issues was addressed.

"The aim of the NWCU is to protect UK wildlife by assisting in the prevention and detection of wildlife crime and enforcing UK wildlife laws," began the response from the NWCU's communications officer. "All investigations are carried out under the appropriate legislation and on a case-by-case basis."

Kelly was also asked how ethical it is for Wild Justice, a private company with an anti-shooting bias, to pay for police work through its Raptor Forensics Fund (RFF),³⁸⁴ which feeds into the similarly-titled Forensic Analysis Fund (FAF). With outside money driving investigations, what safeguards are in place to alleviate the pressure to achieve 'favourable' outcomes?

The response from NWCU's communications officer: "The review process is entirely within the membership of the PAW Forensic Working Group (FWG); those donating to the fund have no say [where] their donation is placed or which investigations or requests for support are approved for funding. Therefore, they have no influence on the decision outcome of any FAF applications."

A legal expert is confounded by the link between Wild Justice and police work: "For an organisation like Wild Justice to be bank-rolling the costs of prosecuting gamekeepers seems in my view completely at odds with the fair and impartial administration of justice. They clearly make no secret of doing so in the media – in fact the opposite."

Is this disclosed to the defence in court? There is certainly reason to think that the approach taken by the police is improperly influenced by organisations opposed to shooting and that when it comes to court proceedings there isn't always full disclosure or transparency."

Organisations that disapprove of anyone except themselves being involved with birds have become ingrained in the legal and law enforcement systems. This is despite the efforts of moorland groups, government departments and police constabularies to maintain the balance and fairness that are foundations of modern democracies.

Manipulation and influence is reaching authoritarian levels. Nemo iudex in causa sua (no one should be a judge in their own case), is a basic principle in the justice system. The RSPB should not be singling out suspects, collecting evidence against them, directing the police to raid their property, ordering their arrest and deciding what the charges should be.

Critics of this dossier may suggest the behaviour of RSPB investigators has changed with the times. While advances in technology have altered tactics, the goal is the same – racking up as many prosecutions as possible then promoting them as victories for wildlife.

While the NWCU under Nevin Hunter began common sense moves to rein in the influence of NGOs (meaning RSPB), much of the hard work by him and his associates appears to have been shelved. The best recommendation that can be made regarding 'birdcrime' is the absolute closure of the RSPB investigation team. The influence of this relatively tiny department is insidious, promoting persecution and division in countryside and birdwatching communities based on flawed facts and unclear agendas, none of which improve the welfare of birds.

Are you a victim of persecution?

Dear Reader,

This report was completed with the help of many people, some of whom were initially reluctant to come forward. Other victims refused to cooperate, as they were concerned about retribution from the RSPB.

Have you or anyone you know been a victim of persecution at the hands of the RSPB or any of its employees? If so, we encourage you to contact us at info@c4pmc.co.uk. While we cannot offer any legal advice, we can investigate your claims and perhaps put you in touch with an organisation that may be able to help.

In June 2009, Durham Constabulary Inspector Eddy Bell asked for an inquiry into a warrant granted at Guy Shorrock's request "without sufficient grounds" as the "information was clearly exaggerated" and items "seized for no reason". He described Shorrock as "the subject of various complaints of malpractice" and recommended Durham police officers be warned about "evidence offered by outside agencies that... rely on the police to get warrants".³⁸⁵

Unfortunately, not all forces or police officers are aware of the RSPB's chequered past. If the police turn up at your home with RSPB 'investigators', there are several things you ought to know and do:

- All items sought by the police must be named on the warrant. Anything taken away needs to be written down and the list presented to the owner of the property.
- Evidence should not be taken away by the RSPB.
- RSPB employees need to be named on warrants. If they are not, they cannot enter the premises. Named means proper names, like Mark Thomas, not 'RSPB representative'.
- You are under no obligation to answer any questions asked by RSPB staff. They have no more authority than ordinary members of the public.
- Film everything they do and encourage the police officers to use their body cams. These should pick up vocal objections to RSPB staff behaviour.
- RSPB investigators are only there to give advice. If they begin searching your property, demand that a police officer accompanies them as they are, as mentioned, members of the public. Again, film them.
- When presenting evidence, RSPB must stick to the rules that apply to ordinary members of the public. This means it can only submit raw, unedited video to the police. If the video in your case has been edited, it has potentially been doctored and should be inadmissible.

Yours faithfully,
C4PMC



RSPB HEADQUARTERS IN SANDY, BEDFORDSHIRE. PHOTO: LB GARCIA



WILD JUSTICE TENT AT HEN HARRIER DAY 2024. PHOTO: LB GARCIA

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